



Certification Programme in Public Procurement (CPPP)

The examinations for the CPPP intake April 2010 were held from July 29 to August 6, 2010. The results will be available by the end of September 2010 and will be posted on the website of the Procurement Policy Office.

www.ppo.gov.mu

Review of the Public Procurement Act

Government has agreed to the setting up of a Review Committee, chaired by Mr. M.I. Maghooa, Assistant Solicitor General, and comprising the Director, Procurement Policy Office, and representatives of the Central Procurement Board, the Independent Review Panel and some public bodies to review the Public Procurement Act 2006.

The mandate of the Committee is to take stock, *inter-alia*, of:

- the measures announced in the President's Address;
- the observations and recommendations made by COMESA and the World Bank in their respective reports;
- the measures that need to be taken to facilitate the implementation of e-procurement, Sustainable Public Procurement, and Framework Agreement;
- the weaknesses/shortcomings noted in the course of implementation of the Act; and
- feedbacks obtained from stakeholders on our procurement system,

and propose appropriate amendments to the Act.

In his address at Sir Harilall Vaghjee Hall on 8 June 2010 on the Government Programme of 2010 – 2015, the President of the Republic, Sir Anerood Jugnauth, announced, *inter alia*, that the "Government will continue to empower Ministries and Departments by improving their capacity to implement capital projects and delivery of services. In this regard, the public procurement system will be further reviewed, modernised, decentralised and supported by the implementation of an e-procurement platform."

It would be recalled that in the course of implementation of the PPA during the past 24 months,

The Procurement Policy Office invites readers to submit comments or suggestions on the Procurement System for further improvements.

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certain changes were brought to the Act and regulations following government's policy decisions announced through the Budget Speech and the Additional Stimulus Package. It is high time to carry out a review in the context of further developments that are in the pipeline, such as the e-government project, the introduction of sustainable approach to procurement, the implementation of COMESA Regional Procurement Regulations and the assessment being undertaken by the World Bank for use

of our procurement system on projects funded by international funding agencies.

Stakeholders and the public in general will be invited to submit proposals to the Review Committee. It is believed that further improvements and modernisation of our procurement legislation will place Mauritius in a leading position in the field of procurement reforms. Already, the COMESA intends to include Public Procurement among the disciplines of the Regional Multidisciplinary Centre for Excellence, which is located in Mauritius.

Sustainable Public Procurement (SPP)

The members of the first sub-committee of the Task Force on SPP Policy & Action Plan met on 2 August 2010 to prepare a draft Policy Statement. The members analysed and commented upon the policies related to Sustainable Development that are being initiated /adopted by Ministries and Departments.

It was decided to prepare a draft Policy Statement by mid-August. The Policy Statement, which will be a concise statement of intent and high level principles, will form part of the procurement policy of Public Bodies.



Training in Public Procurement Administration and COMESA Procurement Information System

In the context of its Enhancing Procurement Reform Capacity Project (EPRCP), the COMESA, in collaboration with the Procurement Policy Office, will be conducting a training programme covering Public Procurement Administration and COMESA Procurement Information System (PROMIS) from 13 to 17 September 2010.

The general objectives of the training programme are:

- to develop open competition and transparent procurement system in the COMESA region through the technical grounding and professional development of a dedicated cadre of procurement personnel in the country that will be capable of cascading the procurement knowledge and skills to lower levels in the public bodies.
- to develop technical skills and knowledge required to manage the web-site-driven COMESA Procurement Information System which is designed to encourage increased awareness of procurement opportunities in support of the proposed regional procurement market in COMESA.

Some 25 officers responsible for procurement and 10 IT professionals, all operating in public bodies, will participate in the training programmes.

Training in Public Procurement for Senior Officers

The Procurement Policy Office is conducting a training programme specially designed for senior officers who are fully involved in public procurement processes. The aim is to improve the overall effectiveness of the procurement decisions in public bodies.

The targeted groups are chairpersons and members of the Departmental Tender Committees, Managers Procurement & Supply, and other senior officers responsible for procurement. Specific areas of the PPA will be covered during 16 hours of training on Wednesdays from 1400 to 1600 hours over a period of 8 weeks starting August 25, 2010.



Public Procurement **Foreign expertise for technical assistance**

- Mrs B. Morton and Mr F. Yaker, Sustainable Public Procurement (SPP) experts, will be visiting Mauritius in the coming weeks. The purpose of their visit is to provide technical assistance in the development of the SPP Policy & Action Plan.
- Mr Stephen Mc Dermott, Deputy Director, Buying Solutions, UK will be visiting Mauritius from August 30 to September 3, 2010. The purpose of his visit is to provide technical advice and assistance in the implementation of Framework Agreement.
- Mrs Caroline Nicholas, Senior Legal Officer at UNCITRAL, will be visiting Mauritius in the third week of October 2010. The purpose of her visit is to provide technical assistance in the major review to be brought to the Public Procurement Act 2006.



The Competition Commission of Mauritius in collaboration with the Procurement Policy Office will be organising a workshop on the impact of bid rigging on public Procurement in Rodrigues in the coming weeks. The aim is to provide an opportunity to all stakeholders in Rodrigues to understand the implications of bid rigging, the warning signs, and the reaction to a suspected case of bid rigging.



Request for Advice

A Public Body is looking for 1000 to 1500 m² of Office space along the main road of a coastal village to relocate its Information Centre. The Public Body is targeting landlords with buildings which are well fenced and secured with a main entrance.

It is found that the method of placing invitation for bids through the Public Procurement Portal may not reach those landlords of that region since they may not be checking PPO website regularly for such advertisements. There exists the possibility that no bids would be received for this procurement, since the Public Body believes that the landlords are not regular bidders.

Question

Can the Public Body publish a detailed type of advertisement by a press communiqué on two local dailies instead of having it published on the PPO website?

Answer

Where the Public Body considers that the advertisement on the Public Procurement Portal may not reach a maximum number of bidders concerned, it may publish a detailed communiqué in the newspapers as well.





Essential Drug List

The Essential Drug List (EDL) is a list of the most common pharmaceuticals used to treat about 90 percent of the causes of morbidity in developing countries. It is also known as the National Formulary. The most basic list of drugs that a doctor would carry in his bag to treat most of the causes of morbidity among scattered population in developing countries consists of 20 to 30 drugs only.

An Essential Medicine List or Essential Drug List consists of:

- **Proprietary pharmaceuticals**

Proprietary pharmaceuticals are protected by trademark or patent or copyright; they are made or produced or distributed by one having exclusive rights; “Tamiflu’ is a proprietary drug of which ‘oceltamivir’ is the generic form”. Those drugs can be produced and sold only by the company holding the patent.

Drug manufacturers are allowed to reproduce the drugs using the same formula after the expiry of the patent (usually 20 years) but are not allowed to use the same name. They should use the International Non-proprietary Name (INN) also known as the generic name. The drugs on the EDL are always listed in their generic names.

- **Drugs for tropical diseases**

Tropical diseases are prevalent in or unique to tropical and subtropical regions. The diseases are less prevalent in temperate

climates. Nowadays, due to the change in climate worldwide, tropical diseases occur more frequently than before in European, North-American and North-Asian countries.

- **Pharmaceuticals used for certain rare diseases**

The prevalence of diseases is different among populations and regions. Hay fever is more frequent in Europe. Malaria is endemic to tropical regions. However, some diseases are quite rare but are treated with standard medication. Those drugs must be maintained in an EDL.

- **Pharmaceuticals, the consumption of which is small and sporadic in a developing country, because of cost**

Not all countries can afford expensive drugs. Those drugs are usually life saving and therefore classified as highly critical.



Essential Drug List

Points to ponder while developing a national EDL

- EDL includes the most commonly needed pharmaceuticals to treat the majority of problems seen at public sector facilities. Public sector procurement is limited to the EDL or national formulary and any items outside the list are procured only in emergencies. EDL encourages the selection of appropriate and cost-effective health sector goods and ensures that goods of appropriate quality are procured
- Range of available drugs is extensive. For one “basic drug” there may be as many as fifty to one hundred brand names and generics in the market from as many manufacturers. In any distinct therapeutic group, there are many similar pharmaceuticals with only minor variations. New products frequently come on the market with only minor variations in therapeutic effectiveness, but at a much higher price.
- Intense competition in the market can create pressure on buyers to recommend inclusion of new brand name products in the approved procurement lists. This makes the tasks of selection, evaluation, and inventory management extremely difficult. As a result, procured items can rapidly become superseded by other non-prescribed drugs and have to be disposed of, with a consequent net loss to the system
- This problem can be addressed by designing formularies or EDL for the procurement of pharmaceuticals. Anything outside the list would have to be bought and paid for by the patient unless medical necessity has been documented. The formulary is often established from standard treatment guidelines. The drugs required for the optimal treatment then become entries on the formulary or essential drug lists. Adopting an essential drug list or a national formulary for public sector procurement, using the WHO essential drug list as a model, will help address many issues.
- The WHO EDL list comprises 400 drugs meant for all countries of the world. The richest can afford 400 drugs and the poorest, less than 100. A good healthcare may require only 200 – 300 drugs. Mauritius has a drug list of more than 800. The WHO essential drug list should be modified to a particular country situation. EDL may be used as a supply list from which to select items to be procured. EDL should be periodically reviewed and revised as appropriate to account for changing product offerings and modifications in standard treatment guidelines.

Source: Managing Drug Supplies

PPO Newsletter

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