

PRESIDENCE DE LA REPUBLIQUE

MINISTERE DES MARCHES PUBLICS

PRESIDENCY OF THE REPUBLIC

MINISTRY OF PUBLIC CONTRACTS

CIRCULAR LETTER No. 000011

¹LC/MIN/MAR/CAB OF 22 SEP 2020 TO SPECIFY

THE TERMS AND CONDITIONS FOR THE PREPARATION AND EXECUTION OF RUNNING
BUDGETS OF TENDERS BOARDS AND CONTRACTS CONTROL BOARDS

THE MINISTER DELEGATE AT THE PRESIDENCY OF THE REPUBLIC IN CHARGE OF PUBLIC
CONTRACTS, AUTHORITY IN CHARGE OF PUBLIC CONTRACTS

TO

- PROJECT OWNERS ;
- DELEGATED PROJECT OWNERS ;
- CHAIRPERSONS OF CENTRAL CONTRACTS CONTROL BOARDS ;
- CHAIRPERSONS OF TENDERS BOARDS.

My attention was drawn to the numerous disparities that mar the preparation and execution process of the running budget of Tenders Boards and Contracts Control Boards. In fact, some Tenders Boards do not have a running budget, in violation of pertinent provisions of Articles 21 and 22 of the Public Contracts Code, on the one hand and even when the running budget is available, some Project Owners are reluctant to accredit the Chairperson, on the other hand. Obviously, all these lapses and dysfunctions have a negative impact not only on the proper functioning of these technical support bodies, but also on the regular award of public contracts and, consequently, on their proper execution, thereby undermining the entire system.

In this regard, the purpose of this Circular-Letter is to specify and harmonize the terms and conditions for the preparation and execution of the running budgets of Tenders Boards and Contracts Control Boards in order to improve the overall performance of the entire system.

I. BUDGETING THE FUNCTIONNING OF TENDERS BOARDS AND CONTRACTS CONTROL BOARDS

1.1- Prior expression of needs of Tenders Boards and Control Boards

The budget estimates of a Tenders Board or Control Board shall be prepared and adopted by the Project Owner or Delegated Project Owner in conjunction with the Chairperson of the said Board.

The running budget of Tenders Board and Contracts Control Board shall be prepared based of a real work load plan, which is itself backed by the contracts programming of the structures under which they are placed.

It is understood that the budget of the Board shall be a sub-item of the overall budget of its relevant entity.

1.2- Budget nomenclature of Tenders Boards and Control Boards

In accordance with the combined provisions of Article 22 (2) of the Public Contracts Code and of Joint Order No.00000226/MINMAP/MINFI of 6 August 2013, the running budgets of Boards support the following items:

- the allowances of members, secretaries and Chairpersons of Boards, Sub-Committees for the Evaluation of Bids, consultants, guests and support staff;
- office equipment, computer devices and consumables;
- fuel and lubricants ;
- other supplies ;
- communication and various liaisons.

As concerns government services selected for the pilot phase of the Performance-Based Payment, the budget of the Board shall include, in addition to the points cited above, all the elements provided for by Order No. 0271/MINMAP/CAB of 27 September 2018 to establish and organize the terms and conditions to remuneration and payment based on the performance of some stakeholders in the public contracts system, as well as Decision No.331/A/MINMAP of 6 July 2020 enforce the procedures manual relating thereto.

II. EXECUTION OF THE BUDGET OF BOARDS

II.1- Accreditation of Chairpersons of Internal Tenders Boards and Central Contracts Control Boards

The accreditation of Tenders Boards and Contract Control Boards Chairpersons shall be governed by the provisions of **Articles 22 (3)** and **36 (2)** of the Public Contracts Code, specified at the beginning of each year by the Circular on budget execution.

- a) **For Internal Tenders Boards and Central Contracts Control Boards**, the Chairperson of the Board shall be the Delegated Budget Authorizing Officer. He shall be accredited by the Principal Authorizing Officer on the budgetary heads concerned.
- b) **With respect to the Regional and Divisional Tenders Boards**, the Regional Governor and the Senior Divisional Officer shall respectively be the Delegated Authorizing Officers, the running budget of these two bodies being supported by the specific budgetary heads of the budget of the Regions or Divisions concerned, in accordance with the provisions of Article 21 (2) of the Public Contracts Code

It should be indicated that a copy of the Chairperson's accreditation document shall be forwarded to the Authority in charge of Public Contracts, at the behest of the Project Owner or Delegated Project Owner.

II.2- Preparing and committing the financial statements of Boards

The Chairpersons of the Central Contracts Control Boards and Tenders Boards shall prepare and sign monthly, in conjunction with the services of the Project Owner or Delegated Project Owner, the financial statements relating to the session allowances or other running expenses of the technical support bodies which they manage.

The statements thus prepared and signed shall be committed, then paid no later than the end of each quarter.

As regards the case of the Chairpersons of Boards who do not possess an active service number, they should, at the initiative of the relevant Project Owners and Delegated Project Owners, request the Minister of Finance to give them a substitution budget service number.

Furthermore, Chairpersons of Tenders Boards and Central Contracts Control Boards shall be bound to prepare at the end of the financial year, a statement of accounts to be forwarded to the Project Owner or Delegated Project Owner, no later than the 31st of January of the following year, with the exception of Regional and Divisional Tenders Boards. A copy of the said statement of accounts shall be sent to the Authority in charge of Public Contracts.

II.3- Specific case of Special Tenders Boards

As concerns the specific case of Special Tenders Boards, the preparation and execution of their budget shall be done in accordance with the procedures manual of each Donor financing the project in question.

It shall be understood that the budget made available to Board Chairpersons are public funds, which must be managed in accordance with the orthodoxy of public finance management.

I attach great importance to the respect of the provisions of this Circular Letter whose strict implementation is a performance factor for Tenders Boards and Contracts Control Boards.

Yaounde, **22 SEPT 2020**


IBRAHIM TALBA MALLA

THE MINISTER DELEGATE