



Office of Internal Oversight Services

INTERNAL AUDIT DIVISION

AUDIT REPORT

Audit of the Local Committee on Contracts in UNAMI

**Operational improvements including better
tracking of recommendations needed to ensure
that the Committee is a more effective
procurement control**

19 August 2008

Assignment No. AP2007/812/07

United Nations  Nations Unies

INTEROFFICE MEMORANDUM

MEMORANDUM INTERIEUR

INTERNAL AUDIT DIVISION - DIVISION DE L'AUDIT INTERNE

OFFICE OF INTERNAL OVERSIGHT SERVICES - BUREAU DES SERVICES DE CONTRÔLE INTERNE

TO: Mr. Staffan de Mistura
A: Special Representative of the Secretary-General
United Nations Assistance Mission for Iraq (UNAMI)

DATE: 19 August 2008

REFERENCE: IAD: 08- 01671

FROM: Dagfinn Knutsen, Director
DE: Internal Audit Division, OIOS



SUBJECT: **Assignment No. AP2007/812/07 – Audit of the Local Committee on Contracts in UNAMI**
OBJET:

1. I am pleased to present the report on the above-mentioned audit.
2. Based on your comments, we are pleased to inform you that we will close recommendations 1, 3, 4, 6, 8 and 10-12 in the OIOS recommendations database as indicated in Annex 1. In order for us to close the remaining recommendations, we request that you provide us with the additional information as discussed in the text of the report and also summarized in Annex 1.
3. Your response indicated that you did not accept recommendations 7 and 9. In OIOS' opinion, however, these recommendations seek to address significant risk areas. We are therefore reiterating recommendations 7 and 9 and request that you reconsider your initial response based on the additional information provided in the report.
4. Please note that OIOS will report on the progress made to implement its recommendations, particularly those designated as high risk (i.e., recommendation 9) in its annual report to the General Assembly and semi-annual report to the Secretary-General.

cc: Mr. Milan Trojanovic, Chief of Mission Support, UNAMI
Mr. Dan Dankwa, Chief Finance Officer, and Chairperson of the LCC, UNAMI
Mr. Swatantra Goolsarran, Executive Secretary, UN Board of Auditors
Ms. Maria Gomez Troncoso, Officer-in-Charge, Joint Inspection Unit Secretariat
Mr. Jonathan Childerley, Chief, Oversight Support Unit, Department of Management
Mr. Seth Adza, Operations Review Officer, Department of Field Support
Mr. Byung-Kun Min, Programme Officer, OIOS

INTERNAL AUDIT DIVISION

FUNCTION

“The Office shall, in accordance with the relevant provisions of the Financial Regulations and Rules of the United Nations examine, review and appraise the use of financial resources of the United Nations in order to guarantee the implementation of programmes and legislative mandates, ascertain compliance of programme managers with the financial and administrative regulations and rules, as well as with the approved recommendations of external oversight bodies, undertake management audits, reviews and surveys to improve the structure of the Organization and its responsiveness to the requirements of programmes and legislative mandates, and monitor the effectiveness of the systems of internal control of the Organization” (General Assembly Resolution 48/218 B).

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EXECUTIVE SUMMARY

Audit of the Local Committee on Contracts at UNAMI

OIOS conducted an audit of the Local Committee on Contracts (LCC) of the United Nations Assistance Mission for Iraq (UNAMI). The overall objective of the audit was to assess the effectiveness of the LCC as an internal control over procurement. The audit was conducted in accordance with the International Standards for the Professional Practice of Internal Auditing.

OIOS found that the UNAMI LCC was not fully effective as an internal control over the procurement process and that it needed to improve operations in the following areas:

- Not all members of the LCC, including alternates, complied with ST/SGB/2006/6 on financial disclosure and declaration of interest statement;
- Procurement documents were missing in certain LCC cases, and in other cases, errors in the procurement process were overlooked;
- There was no mechanism to track LCC recommendations raised during deliberations to ensure their implementation. For example, no action was taken against requisitioners who violated financial rule 101.2 by committing the Organization to a financial liability without proper authorization; and
- The LCC deliberated and noted *ex post facto* cases without written justification. Five of these cases could have been avoided with proper procurement planning.

OIOS also identified areas where the procurement process could be improved including the establishment of adequate timelines for vendors to respond to invitations-to-bid and request for proposals. OIOS will cover these in its forthcoming audit of procurement.

OIOS issued a number of recommendations to address the deficiencies identified during the audit.

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I. INTRODUCTION

1. The Office of Internal Oversight Services (OIOS) conducted an audit of the Local Committee on Contracts (LCC) of the United Nations Assistance Mission for Iraq (UNAMI). The audit was conducted in accordance with the International Standards for the Professional Practice of Internal Auditing.
2. According to Section 2.5.1.(1) of the Procurement Manual, the LCC shall review and provide advice to the Chief of Mission Support (CMS), or other officials duly authorized under Financial Rule 105.13, on whether proposed procurement actions, including contracts that generate income to the Organization, are in accordance with the Financial Regulations and Rules (FRRs), Secretary-General's Bulletins (SGBs), Administrative Instructions (AIs) and other procurement policies. The Headquarters Committee on Contracts (HCC) is proposing that the current financial limit of \$200,000, delegated to peacekeeping missions to enter into contracts for the procurement of goods and services, be raised to \$500,000.
3. During fiscal year 2006/2007, UNAMI processed 693 procurement cases valued at over \$30 million. Of the 693 cases, 81 valued at \$23 million were reviewed by the LCC in its 35 meetings held during the same period. Six of these cases valued at \$10 million were also submitted to the HCC.
4. Comments made by UNAMI are shown in *italics*.

II. AUDIT OBJECTIVES

5. The major objective of the audit was to assess the effectiveness of the LCC as an internal control over procurement. Specifically, the audit assessed whether:
 - (a) The composition of the LCC allows it to function independently and competently;
 - (b) The LCC is receiving relevant documents needed to properly review procurement actions; and
 - (c) The LCC is effectively identifying procurement issues that violate the relevant FRRs, SGBs, AIs and other procurement policies on the fairness, integrity and transparency of proposed procurement actions.

III. AUDIT SCOPE AND METHODOLOGY

6. The audit covered procurement transactions processed in fiscal year 2006/2007, and included a review of available documents, analytical tests and interviews of responsible Mission personnel. OIOS reviewed the minutes of 19 of the 35 LCC meetings held during the year, which included 24 non-core procurement cases valued at \$6.7 million. OIOS covered procurement cases related to core requirements in a separate audit of the execution of the delegation
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of authority to UNAMI to procure core requirements.¹ The provisions of the Procurement Manual issued August 2006 (Rev 003) were used as the primary criteria for this assignment.

IV. AUDIT FINDINGS AND RECOMMENDATIONS

A. Composition of the LCC

7. The LCC composition was first established in August 2003 and was periodically revised. The composition was in accordance with the provisions of the Procurement Manual except for the position of the LCC Secretary. Initially, contrary to the advice of the HCC, the LCC Secretary was a staff member reporting directly to the Chief of Administrative Services (CAS), who is responsible for managing the Procurement Section.

8. In September 2007, the situation was corrected, and the LCC Secretary was replaced by a staff member in the Office of the Chief of Staff. Nonetheless, the former LCC Secretary was designated the Alternate LCC Secretary. This, in OIOS' opinion, was not satisfactory. Section 2.5.4 (1) of the Procurement Manual states that the LCC Secretary shall be a staff member from an office outside of the procurement function, usually a different central administration function such as finance or human resources, preferably with procurement experience. This stipulation should also apply to the Alternate. OIOS subsequently followed up and noted that the situation changed as the Alternate LCC Secretary had been reassigned to another mission.

9. The required quorum for meetings was attained in all 19 LCC meetings reviewed. In two meetings (AMI7/07/002 and AMI7/07/021), however, there was no representation from the Legal Office. During those two meetings, issues were raised involving five cases valued at approximately \$3 million that required legal advice. Rather than waiting to obtain a legal opinion, the procurement cases were recommended for approval.

Recommendation 1

(1) The UNAMI Office of Mission Support should ensure that when holding Local Committee on Contracts meetings for cases that may require legal advice, the Legal Advisor/alternate is in attendance.

10. *The UNAMI Administration accepted recommendation 1 and stated that it will be implemented as far as practicable.* Based on management's comments OIOS is closing this recommendation in its database and wishes to affirm the

¹ Core requirements are essential goods and services which lend themselves to local procurement (e.g. fresh food, waste disposal services, potable water supply, etc.). Non-core requirements are all other goods and services.

importance of obtaining legal advice on LCC cases when required. Such advice could also be sought before the LCC recommendation is finalized.

Financial disclosure

11. LCC members are required to make financial disclosures as per Section 2.1 (d) of ST/SGB/2006/6, Financial Disclosure and Declaration of Interest Statements. The audit revealed that only the Chairman and one member had filed their financial disclosures in February 2007 and June 2007, respectively. Three of the LCC members and the Secretary were not aware of the requirement. In OIOS' opinion, a mechanism needs to be established to ensure that newly appointed LCC members comply with the financial disclosure requirement, and that existing members update disclosures annually.

Recommendation 2

(2) The UNAMI Office of Mission Support should ensure that members and alternates of the Local Committee on Contracts comply with their responsibilities to complete a Financial Disclosure and Declaration of Interest Statement on an annual basis.

12. *The UNAMI Administration accepted recommendation 2 and stated that it will ensure compliance during the next declaration period.* OIOS notes the UNAMI Administration's intention to comply and will close recommendation 2 in its database on receipt of documentation showing that all members of the LCC are complying with the provisions of ST/SGB/2006/6.

B. Effectiveness of the LCC

Distribution of minutes

13. Section 12.1.6 (3) of the Procurement Manual requires the signed minutes to be distributed within ten business days after conclusion of the LCC meeting to CMS, LCC members, the Chief Procurement Officer (CPO), requisitioning offices and OIOS. Of the 19 LCC minutes reviewed, the majority were signed by the members and CMS within 10 days. However, in three cases it took between 11 and 22 days. Moreover, the minutes were not distributed to the requisitioning offices or to OIOS.

Recommendation 3

(3) The UNAMI Office of Mission Support should ensure that minutes of the Local Committee on Contracts meetings are distributed to relevant persons in a timely manner.

14. *The UNAMI Administration accepted recommendation 3 and explained that the minutes of the LCC will be distributed timely.* Based on the assurances provided by management, recommendation 3 has been closed.

Submission of case documentation

15. Section 12.1.3 (4) requires procurement officers to ensure that submissions to the LCC are comprehensive, factually accurate and clear in order to facilitate the review of the procurement action. This will enable the LCC to obtain an accurate and complete description of procurement actions taken and constitute the basis of the LCC recommendation.

16. Of the 24 cases reviewed, 4 (AMI6/06/010, AMI6/06/015, AMI6/06/018 and AMI/06/025) did not contain sufficient documentation for LCC members to properly deliberate. The LCC raised questions and requested follow-up documents resulting in delays. For example, the following documents were missing in three cases reviewed: (a) a request to reduce the number of goods required; (b) a breakdown of cost estimates; and (c) an explanation by the CPO of why he approved an *ex post facto* case with a purchase order (PO) of \$77,439, exceeding his delegated procurement authority of \$75,000. Failure to furnish the LCC with pertinent documents impacts the ability of the members to make informed decisions and can result in delays.

Recommendation 4

(4) The UNAMI Office of Mission Support should ensure that procurement case submissions to the Local Committee on Contracts (LCC) are comprehensive, factually accurate and clearly written in order to facilitate the review process by LCC members.

17. *The UNAMI Administration accepted recommendation 4 and stated that Procurement will ensure LCC submissions are as comprehensive as possible. However, the move to the Electronic-LCC system (on-going in the Mission) limits presentations to a maximum of 25 pages per presentation as per the e-HCC at HQ.* Based on Mission's response, recommendation 4 has been closed.

Follow-up on issues

18. A tracking mechanism had not been established to follow-up on issues raised during deliberations. For instance, in an *ex post facto* case (#2 of AMI6/06/019), the requisitioner had violated Financial Rule 105.7, which limits direct expenditure to \$2,500 without an obligation document, by spending \$3,150. The requisitioner split the amount to avoid going through the procurement process. The CFO did not approve payment and presented the case to the LCC. During LCC deliberations, members advised that the requisitioner should be informed not to repeat such a violation. The LCC failed to follow-up on this, however, and there was no written communication to the requisitioner.

19. Moreover, in case #3 of AMI6/06/025 dated 6 December 2006, the lowest bidder, Gulf Telecom, was awarded a PO valued at \$127,973. The vendor declined the offer and, at its meeting AMI7/07/002 on 22 February 2007, the LCC recommended that the contract be awarded to the second lowest bidder.

Apart from the delay caused by Gulf Telecom's decline, the Mission incurred additional costs of \$17,572. Previously, similar situations had occurred. The Procurement Section (PS) stated these issues were forwarded to the Legal Advisor for advice. However, we were unable to find evidence of these submissions or any responses from the Legal Advisor. The "track record" of Gulf Telecom was well known to PS, which failed to provide any information in this regard to the LCC.

20. Section 7.12.2 (1) (ii) of the Procurement Manual outlines criteria for the suspension or removal of vendors from the vendor database. These include failure to perform in accordance with the terms and conditions of one or more contracts. Gulf Telecom is still an active vendor in the Mission and has been awarded seven POs with a total value of \$222,520 in 2007. Six of the POs were within the delegation of authority of the CPO and one (i.e., Gulf) was presented to the LCC for deliberation.

21. OIOS' review of relevant documentation revealed that although Gulf had not honored PO 6AMI-300375, a supplier performance report had been prepared and signed by the requisitioner, reviewed and signed by a procurement staff member, and signed by the CPO. The report indicated, *inter alia*, that delivery was made in accordance with the contract, even though there was no delivery. Based on this erroneous 'positive' evaluation, the Procurement Support Unit could not take any action.

22. Furthermore, the sample cases reviewed showed that there was non-compliance with the normal time limits given to vendors to submit offers. For instance of the 24 cases reviewed, 6 Invitations to Bid only allowed between 11 to 23 days, compared to the standard 30 days, and 4 Requests for Proposal, only allowed 16 to 30 days against the standard of between 30 to 60 days. The LCC did not question why vendors were not given more time to respond to the solicitation documents. Failure by Pos to give vendors enough time to submit their offers can affect competition and discourage potential vendors.

Recommendations 5 to 7

The UNAMI Office of Mission Support should ensure that:

(5) The Local Committee on Contracts establishes a mechanism to follow up on the implementation of pending actions raised during its deliberations;

(6) Accurate vendor performance reports are prepared and communicated in a timely manner and that issues with vendors are followed up, as appropriate; and

(7) Procurement officers allow sufficient time, in accordance with timelines cited in the Procurement Manual, for vendors to respond to solicitation documents.

23. *The UNAMI Administration accepted recommendation 5 and stated the LCC will include the implementation of pending actions in its agenda and will follow up on them. OIOS will close recommendation 5 on receipt of documentation showing that an adequate mechanism has been established to follow up on the implementation of pending actions raised during LCC deliberations.*

24. *The UNAMI Administration accepted recommendation 6 and explained that Procurement ensures performance reports are sought in regard to all procured goods and services from the respective requisitioner. It will also comply with the guidelines established in the Procurement Manual in regard to vendor registration status in the face of repeated "poor" performance. Based on management's comments, OIOS is closing recommendation 6 in its database and will assess the actions taken during a future review.*

25. *The UNAMI Administration did not accept recommendation 7 and stated that the timelines provided in the Procurement Manual are only a guide. Procurement usually uses reasonable timelines depending on the quantity and value of the solicitation and the operational necessity. OIOS reiterates this recommendation and notes that the guidelines provided in the Procurement Manual are meant to ensure transparency and the achievement of best value for money. Departure from these guidelines should be documented. Recommendation 7 remains open pending the receipt of documentation showing that the Mission has instructed responsible staff to comply with the timelines in Procurement Manual guidelines and to document any departures from the guidelines.*

Ex Post Facto cases

26. Section 12.1.8 (2) of the Procurement Manual provides that when *ex post facto* cases occur, written justification shall be provided to explain the reasons why timely presentation was not possible. Of the 24 cases reviewed, 9 (37.5 per cent) valued at \$333,700 (5 per cent of the total) were presented to the LCC as *ex post facto* cases. In 7 of the 9 cases, there was no written justification by the requisitioner detailing why the cases were not submitted timely.

27. In OIOS' opinion, of the nine *ex post facto* cases, only three could not have been avoided. The remaining six, with a total value of \$268,172, could have been avoided with proper procurement planning and supervision by the Procurement Section and by requisitioners.

28. The LCC Chairman indicated that once services have been rendered the vendor needs to be paid; therefore, the LCC 'takes note' of the case when it should 'not take note' to enable processing of the payment. This could impair the authority, independence and integrity of the LCC and may result in the rubber stamping of Procurement Section and requisitioner actions.

29. Section 12.1.8 (4) (a) of the Procurement Manual reiterates Financial Rule 101.2 and states that *ex post facto* cases that cannot be justified may be referred to the Under-Secretary-General for the Department of Management for

further action. In OIOS' view, by agreeing to note the *ex post facto* cases, after which payment is authorized, the LCC in effect sanctions the actions of the staff members who violated Financial Rule 101.2 by committing the organization to a financial obligation. It is vital to note that *ex post facto* cases may be indicative of other inherent management problems. The LCC and management need to take these cases seriously and take action in line with the guidelines in the Procurement Manual.

30. The Chairman of the LCC stated that in the past there was no requirement for written justification to be approved by the CMS before an *ex post facto* case was presented for deliberation. After receiving training, LCC members now require written and approved justifications as part of the presentation to the LCC. However, OIOS believes that written and approved justifications are not sufficient to note the case. The LCC should decide whether to 'take note' or 'not to take note' of *ex post facto* cases, which should trigger action based on the provisions of the Procurement Manual. The CMS issued information circular 16/2007, dated 28 January 2007, warning staff against entering into contractual obligations without the required authority. It is necessary that individual cases be addressed when violations occur.

Recommendations 8 to 10

The UNAMI Office of Mission Support should ensure that:

(8) All *ex post facto* cases presented to the LCC include a written justification as to why timely presentation of the case was not possible;

(9) The Local Committee on Contracts reviews *ex post facto* justifications to determine whether or not they meet the conditions specified in section 12.1.8 (4) (a) of the Procurement Manual and makes a clear decision on whether to 'take note' or 'not to take note' of the *ex post facto* cases; and

(10) Action is taken and documented for individual staff members who violate Financial Rule 101.2 by authorizing any *ex post facto* case that cannot be properly justified.

31. *The UNAMI Administration accepted recommendation 8 and explained that the Cost Center Managers and Procurement staff have been instructed to comply with this requirement. The UNAMI Administration also issued an inter-office memo on 21 July 2008 in this regard. Based on the action taken, recommendation 8 has been closed.*

32. *The UNAMI Administration did not accept recommendation 9 and stated that the LCC does not just accept *ex post facto* cases. There have been instances when the LCC has recommended to UNAMI Mission Support that corrective action be taken. OIOS acknowledges UNAMI's comments, but reiterates this recommendation. Recommendation 9 will remain open pending OIOS*

verification that *ex post facto* cases are systematically reviewed by the LCC to determine whether or not the justifications meet the conditions specified in the Procurement Manual and that the Committee makes a clear decision about the cases.

33. *The UNAMI Administration accepted recommendation 10 and indicated that it will take action, if justified, for any violation of the Financial Regulations and Rules. The UNAMI Administration also issued an inter-office memo on 21 July 2008 in this regard. Based on the action taken, recommendation 10 has been closed.*

Deliberation by LCC members

34. Section 2.5.1 of the Procurement Manual states that the LCC shall review and provide advice to the DMS/CMS, or other officials, duly authorized under Financial Rule 105.13, on whether proposed procurement actions, including contracts that generate income to the Organization, are in accordance with the FRR, SGBs, AIs and procurement policies. Thus, it is expected that LCC advice and recommendations be based on the review of documents presented and the applicable procurement and financial rules. A review of LCC member comments in the minutes showed that the Committee did not fully address certain issues:

- Case #2 of AMI7/07/003 (*ex post facto* case) – The Committee stated "committee has no choice but to approve" – value \$3,000;
- Case AMI6/021 (*ex post facto* case) – The LCC commented that "since the service has been rendered, they reluctantly agreed that the payment be made" – value \$13,616;
- Case #1 of AMI6/06/019 – The Senior Legal Advisor commented that "this explanation is not satisfactory in the absence of detailed description and it will need the verification of the record". However, the Committee noted and then recommended award of the contract – value \$299,041. There is no indication that the provision of verification of records was fulfilled; and
- Case #3 of AMI6/06/017 (*ex post facto* case) – The committee noted without comments – value \$15,400.

Recommendation 11

(11) The UNAMI Office of Mission Support should ensure that the Local Committee on Contracts' recommendations are direct and unambiguous, and if the information presented is not satisfactory, no recommendation be given.

35. *The UNAMI Administration accepted recommendation 11 and issued an inter-office memo to the LCC Members on 21 July 2008 in this regard. Based on the action taken, recommendation 11 has been closed.*

C. LCC cases submitted to HCC

36. Of the 24 cases reviewed, 2 cases totaling \$4,446,490 were submitted to the HCC.

- In case #1 of AMI6/06/017, the PS and the LCC recommended award of contract for \$309,990 on the basis of exigency. The HCC commented that the presentation did not meet the General Assembly approved definition of exigency. The HCC further expressed concern about the poor planning related to the case and recommended that any future solicitation for such a requirement (training equipment and facilities for troops) be undertaken by the Procurement Division at UN Headquarters. During its deliberations, the LCC had not questioned the basis of the exigency; and
- Case #3 of AMI7/07/007, for the provision of catering services costing over \$4 million, was recommended by the LCC on 18 April 2007 for a total not to exceed amount (NTE) of \$4,136,500 and submitted to HCC for approval. As evaluation criteria had been changed during the technical evaluation, the HCC considered the solicitation process flawed and advised the Mission to reject all bids and negotiate directly with one vendor (DAMAC).

Recommendation 12

(12) The UNAMI Office of Mission Support should ensure the Local Committee on Contracts carefully reviews documents presented by the Procurement Section to ensure complete and accurate information is provided and procedures comply with the Procurement Manual.

37. *The UNAMI Administration accepted recommendation 12 and stated that the LCC members are advised. An inter-office memo has also been issued on 21 July 2008 to all LCC Members in this regard. Based on the action taken, recommendation 12 has been closed.*

V. ACKNOWLEDGEMENT

38. We wish to express our appreciation to the Management and staff of UNAMI for the assistance and cooperation extended to the auditors during this assignment.

STATUS OF AUDIT RECOMMENDATIONS

Recom. no.	Recommendation	Risk category	Risk rating	C/O ¹	Actions needed to close recommendation	Implementation date ²
1	The UNAMI Office of Mission Support should ensure that when holding Local Committee on Contracts meetings for cases that may require legal advice, the Legal Advisor/alternate is in attendance.	Operational	Medium	C	Action complete	Implemented
2	The UNAMI Office of Mission Support should ensure that members and alternates of the Local Committee on Contracts comply with their responsibilities to complete a Financial Disclosure and Declaration of Interest Statement on an annual basis.	Financial	Medium	O	Submission of documentation to OIOS showing that all members of the LCC are complying with the provisions of ST/SGB/2006/6	31 December 2008
3	The UNAMI Office of Mission Support should ensure that minutes of the Local Committee on Contracts meetings are distributed to relevant persons in a timely manner.	Operational	Medium	C	Action complete	Implemented
4	The UNAMI Office of Mission Support should ensure that procurement case submissions to the Local Committee on Contracts (LCC) are comprehensive, factually accurate and clearly written in order to facilitate the review process by LCC members.	Operational	Medium	C	Action complete	Implemented
5	The UNAMI Office of Mission Support should ensure that the Local Committee on Contracts establishes a mechanism to follow up on the implementation of pending actions raised during its ratifications.	Operational	Medium	O	Submission to OIOS of documentation showing that a mechanism to follow up on the implementation of pending actions raised during LCC deliberations has been established	Immediately
6	The UNAMI Office of Mission Support should ensure that accurate vendor performance reports are prepared and	Operational	Medium	C	Action complete	Implemented

Recom. no.	Recommendation	Risk category	Risk rating	C/O ¹	Actions needed to close recommendation	Implementation date ²
	communicated in a timely manner and that issues with vendors are followed up, as appropriate.					
7	The UNAMI Office of Mission Support should ensure that procurement officers allow sufficient time, in accordance with timelines cited in the Procurement Manual, for vendors to respond to solicitation documents.	Operational	Medium	O	Submission to OIOS of documentation showing that the Mission has instructed responsible staff to comply with the timelines in the Procurement Manual guidelines and to document any departures from the guidelines. Action complete	Not provided
8	The UNAMI Office of Mission Support should ensure that all <i>ex post facto</i> cases presented to the LCC include a written justification as to why timely presentation of the case was not possible.	Operational	High	C	Action complete	Implemented
9	The UNAMI Office of Mission Support should ensure that the Local Committee on Contracts reviews <i>ex post facto</i> justifications to determine whether or not they meet the conditions specified in section 12.1.8 (4) (a) of the Procurement Manual and that it makes a clear decision on whether to 'take note' or 'not to take note' of the <i>ex post facto</i> cases.	Compliance	High	O	Verification by OIOS that <i>ex post facto</i> cases are systematically reviewed by the LCC to determine whether or not the justifications meet the conditions specified in the Procurement Manual and that they make a clear decision about the cases	Not provided
10	The UNAMI Office of Mission Support should ensure that action is taken and documented for individual staff members who violate Financial Rule 101.2 by authorizing any <i>ex post facto</i> case that cannot be properly justified.	Compliance	High	C	Action complete	Implemented
11	The UNAMI Office of Mission Support should ensure that the Local Committee on Contracts' recommendations are direct and unambiguous, and if the information presented is not satisfactory, no recommendation be given.	Operational	Medium	C	Action complete	Implemented
12	The UNAMI Office of Mission Support should ensure the Local Committee on	Operational	Medium	C	Action complete	Implemented

Recom. no.	Recommendation	Risk category	Risk rating	C/O ¹	Actions needed to close recommendation	Implementation date ²
	Contracts carefully reviews documents presented by the Procurement Section to ensure complete and accurate information is provided and procedures comply with the Procurement Manual.					

¹ C = closed, O = open

² Date provided by UNAMI in response to recommendations