



PROCUREMENT POLICY

Approved by the Board of Directors 05/01/2024

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1. Policy Statement

The AJEMALEBU SELF HELP (AJESH) is committed to championing the rights and livelihoods of people and communities living in harmony with the environment. Procurement is a strategic process that involves the acquisition of goods and services that support the work of the charity in achieving its core mission and purpose.

The policy outlined in this document establishes standards and guidelines for the procurement of supplies, equipment, construction, and services to ensure that they are obtained as economically as possible through an open and competitive process and that contracts are managed with good administrative practices and sound business judgment.

AJESH is committed to ensuring procurement is carried out in a fair, transparent, and cost-effective manner, and in compliance with established standards of good practice.

This policy covers the:

- Purchase of all goods, services and equipment
- Appointment of (non-staff) personnel, such as consultants

This Policy applies to all Employees. Employees are required to familiarise themselves with the content of this Policy and all other related policy documents and procedures and ensure they are compliant with them when engaging in procurement activities on behalf of AJESH.

2. Procurement Objectives

Procurement should be undertaken with the objectives of:

- Obtaining maximum value for money
- Fostering innovation and promoting sustainability in our supply chain
- Complying with the established good practice guides of the sector.

In pursuing these objectives AJESH requires that procedures are in place to ensure:

- The procurement process is fair and transparent, and avoids conflict of interest
- Prevention of terrorist financing, trafficking in persons, and the use of child labour
- The use of environmentally-preferable goods and services
- Competitive tender/bidding processes are followed
- Suppliers are monitored for performance and delivery
- Goods and service purchases are made only with proper authorisation

2.1 Value for Money

Following the National Audit Office's definition, we understand Value for Money as "optimal use of resources to achieve intended outcomes". Our value for money approach is based on understanding of organisational and programmatic needs, costs and results so we can make informed, evidence-based choices. The key factors we consider while engaging in a procurement activity are cost, quality and excellent delivery of service.

Depending on context-specific circumstances, type, and quantity of the goods or services purchased, other factors may be used to assess the feasibility of the supplier or a product. There is, therefore, no definitive list of criteria that should be applied to all procurement activities, but the following may be appropriate:

- Capability;
- Capacity;
- Technical merit;
- Aesthetic and functional characteristics;
- Performance standards, quality control, self-monitoring, and complaints;
- Sustainability issues and environmental characteristics;
- Skills level of the workforce;
- After-sales service;
- Technical assistance;
- Delivery date or period and ability to deliver;
- Equal opportunities;
- Continuous improvement;
- Customer care policies.

Where relevant, we will evaluate long term value for money, using whole life costing to assess the total cost for the working life of the good or service. This not only includes the purchase price, but also the costs of consumables, maintenance, repairs and spares, warranty, installation, and disposal.

2.2 Innovation and Sustainability

It is AJESH's policy to encourage a diverse range of suppliers to tender to provide services, materials or expertise and our aim is to give equal opportunities to suppliers owned by under-represented groups. This enables The AJESH to contribute to increased social inclusion, whilst tapping into alternative sources to define the needs of the local community and the aspirations of currently under-represented groups.

Sustainability is a key aspect of our commitment to innovation. We will work with suppliers to explore service-based contracts for products, to reduce their whole life costs and environmental impacts.

We will encourage suppliers to propose innovations, and suppliers will recognize the company's commitment to sustainability and strive to offer innovative and cost-effective sustainable solutions.

All purchases will be assessed in accordance with AJESH Environmental Policy to ensure that the goods or services supplied fit with organizational aims. We will recognize those suppliers whose products and services offer the greatest sustainability improvements.

2.3 Compliance

In order to comply with the procurement requirements of its stakeholders, AJESH adheres to the principles of good practice shared within the sector. Considering that some of our work is publicly funded, we respect and expect to comply with requirements to ensure best value for money in public expenditure and endeavor to comply with The Public Contracts Regulation 2015¹, other guides, and applicable legislation.

Procurement Activities within AJESH will be carried out to the professional standards required by best practice and in compliance with:

- All prevailing legislation including but not limited to The Organization for the Harmonization of Business Law in Africa (OHADA) and Cameroon Procurement Law (OHADA Uniform Act ¹)
- AJESH's Internal Policies and Procedures, Articles of Association, Schemes of delegation.

2.3.1 Conflicts of Interest and Bribery

- All procurement activity must be carried out in accordance with AJESH's Anti-bribery and Conflict of Internal Policies;
- AJESH staff will declare any conflicts of interests, or make known any close personal acquaintance, with suppliers prior to the agreement for exchange of services;
- AJESH will only procure services from suppliers with whom they maintain a close personal relationship, upon completion of a thorough and transparent procurement process;
- AJESH staff will not accept or offer bribes or hospitality that exceed the acceptable thresholds and guidelines as indicated in the Gifts and Hospitality Policy, and will report any attempted or actual instances through the appropriate mechanisms as outlined in that policy.

2.3.2 Terrorism and compliance with anti-terror legislation

- AJESH staff conducting procurement will familiarise themselves with relevant UK anti-terror legislation and definitions, and will to the extent possible, ensure that their procurement activities do not run afoul of any such legislation;
- AJESH staff will not knowingly facilitate the transfer of finances to individuals or groups who support, promote or intend to carry out terrorist activities, including those named on the following lists:
 - CMR Suppression of Acts of Terrorism (Anti-Terrorism Law) - <http://www.minjustice.gov.cm/index.php/en/instruments-and-laws/laws/383-law-n-2014-28-of-23-december-2014-of-the-suppression-of-acts-of-terrorism>
 - HM Treasury's Office of Financial Sanctions Implementation – [Financial sanctions: consolidated list of targets](#)

¹ <https://www.droit-afrique.com/uploads/OHADA-Uniform-Act-1998-simplified-recovery-procedures.pdf>

- UK Home Office – [Proscribed terrorist groups or organisations](#)
- European Union – [Consolidated list of sanctions](#)
- United Nations – [United Nations Security Council Sanctions List](#)
- World Bank – [World Bank Listing of Ineligible Firms & Individuals](#)
- If AJESH works or begins to work in any context or area that it deems to be a high risk for terrorist activities, as defined by the Cameroon (CMR) legislation, the organisation will review its internal controls to ensure that it is not in breach of points this policy, or any international anti-terror legislation;
- AJESH will report any actual or suspected breaches to the relevant CMR authorities and regulatory bodies, at the earliest opportunity, and will cooperate fully with any investigations into alleged terror-related activities.

2.3.3 Slavery and compliance with the Modern Slavery Act 2015

- AJESH staff conducting procurement will familiarise themselves relevant CMR and United Nations legislations on the prevention of slavery and its definitions, and will, to the extent possible, ensure that their procurement activities do not directly violate, or facilitate violations of, this or any related legislation;
- If AJESH or its staff believe that any AJESH procurement activities are at risk of breaching, or are in breach of, any aspects of the Modern Slavery Act 2015, these activities will be halted until such time that suitable controls can be put in place to prevent or avoid any scenario whereby the activities of the organisation will (continue to) be in violation of this legislation;
- AJESH and its staff will not knowingly engage with any partners or suppliers whose supply chains are at unreasonable risk for facilitating breaches of the Modern Slavery Act 2015;
- Where and when applicable, whether driven by contractual/legal obligations or moral imperative, AJESH will report any breaches of the Modern Slavery Act 2015 in its supply chain to the relevant regulatory and legal authorities and/or will report instances where such practices are revealed to AJESH, but concern activities taking place outside of the AJESH supply chain.

3. Procurement Procedure

3.1 Procurement Thresholds and Authorisation

Only Employees with delegated procurement authority will be permitted to make a third-party commitment on behalf of AJESH. The Delegation of Authority for conducting procurement procedures does not override any other prevailing procedures for authorisation of expenditure

Source of funding	Threshold	Procurement procedure	Authorisation level
Unrestricted	XAF 0 - XAF 2,000,000	Follow existing procedures for the use of Cash/credit card	Budget Holder
	>XAF 2,000,000	Business case plus competitive tender process, minimum of three written tender submissions required	Executive President (CEO)
Restricted (accountable grant)	XAF 0- XAF 2,000,000	One or more written quotations required. Where an existing supplier bids, the quote must be cross-checked against one competitive bid.	Program Manager
	> XAF 2,000,000	Business case plus competitive tender process, minimum of three written tender submissions required	Executive President (CEO)

The tables above summarise the procurement procedure to follow depending on the value of the item or service, and the source of funding for the purchase.

**Note that if procurement is from accountable grant funding then donor specific procurement procedures also apply.*

Tender Waiver Form: In exceptional circumstances such as an emergency situation, in which a procurement must be made but the full procurement procedure specified above cannot be followed a tender waiver form may be submitted. The form must be completed where the requirement to obtain a competitive tender or quotation(s) is to be waived entirely or in part, or if the specified procurement procedure needs to be altered in any other way. The tender waiver form must be signed off by the budget holder and submitted to the Executive President (CEO) and Account and Finance Officer for approval who will make a decision whether to authorise such expenditure on the basis of justification and any risk to operations.

3.2 Procurement Specification and Supplier Selection

A detailed list of procurement requirements is required before quotations are obtained and must be outlined in a procurement specification. Depending on the requirements, the specification could be a short brief or detailed business case. This should be approved in principal by the budget holder and procurement authority before quotations are sought.

Where multiple quotations and/or a competitive tender process is not required, and a working relationship or framework is already in existence with a supplier who can provide the goods matching the specification at a competitive price and within the necessary timescales, the offer should be checked against at least one competitive quotation.

Where a competitive tender process is required, an open bidding process must take place. In some cases, it may be necessary for the opportunity to be advertised externally in relevant media in order to meet the requirements of OHADA Procurement Guidelines.

Once quotations have been received they should be evaluated against the specification based on the procurement principles outlined in section 2. The final selection should be approved in principal by the budget holder and procurement authority before spend is committed (orders placed / contracts signed).

3.3 Tender Documentation

The process has to be recorded in a Procurement Log and contain all the necessary supporting information such as submissions, quotes and offers to ensure transparency of the process for the auditing purposes. Documentation includes:

- Invitation to Tender (Annex 1)
- Instructions to Tender (Procurement specification) (Annex 2)
- Evidence of tender process – Tender Return Form (Annex 3)
- Submissions/Quotations
- Evidence of authorisation (at each stage when required)

3.4 Tender Advertisement

All tender documents should be published on the AJESH website for a minimum of four weeks. Where possible tender document should be placed on public sites to ensure maximum visibility. Individual organisations/suppliers may be approached to provide a submission. Where organisations/suppliers have been contacted a record of this must be kept alongside the tender documentation.

3.5 Standstill Period

After the tender has been approved, and successful and unsuccessful organisations have been informed, a standstill period of ten working days will be enforced. As per the Public Contracts Regulations 2015. During which time suppliers can challenge the decision.

4. Code of Conduct

This Code of Conduct shall govern the performance, behavior and actions of the AJESH, including Board members, employees, directors, volunteers, or agents who are engaged in any aspect of procurement, including – but not limited to – purchasing goods and services; awarding contracts and grants; or the administration and supervision of contracts.

- No employee, officer, director, volunteer or agent of the Organization shall participate in the selection, award or administration of a bid or contract supported by donor funds if a conflict of interest is real or apparent to a reasonable person.
- Conflicts of interest may arise when any employee, officer, director, volunteer or agent of the Organization has a financial, family or any other beneficial interest in the vendor firm selected or considered for an award.
- No employee, officer, director, volunteer or agent of the Organization shall do business with, award contracts to, or show favoritism toward a member of his/her immediate family, spouse's family, or to any company, vendor, or concern who either employs or has any relationship to a family member; or award a contract or bid which violates the spirit or intent of Federal, State and local procurement laws and policies established to maximize free and open competition among qualified vendors.
- The Organization's employees, officers, directors, volunteers, or agents shall neither solicit nor accept gratuities, gifts, consulting fees, trips, favors, or anything having a monetary value over XAF 60,000 (100 dollars (\$) from a vendor, potential vendor, or from the family or employees of a vendor, potential vendor or bidder; or from any party to a sub-agreement or ancillary contract.

As permitted by law, rule, policy or regulation, AJESH shall pursue appropriate legal administrative or disciplinary action against an employee, officer, director, volunteer, vendor or vendor's agent who is alleged to have committed, has been convicted of or pled no contest to a procurement related infraction. If said person has been convicted, disciplined or pled no contest to a procurement violation, said person shall be removed from any further responsibility or involvement with grants management, procurement actions, or bids, consistent with the OHADA and Cameroon government policies.

5. Definitions

For the purpose of this Policy, the terms highlighted in bold in this paragraph have the meanings set out below.

- **The AJEMALEBU SELF HELP (AJESH)** refers to all parts of the AJESH, registered entity etc.
- **Budget holder** refers to a person officially delegated to control the Budget (or its part).
- **Employee** or **staff** refers to any person, whether on a fixed term, temporary or permanent contract, who carries out a job role, full or part-time for AJESH or any of its associated legal entities on or off AJESH site.
- **Governance** refers to the overall framework of AJESH internal controls.
- **Procurement** refers to all of the Procurement functions within AJESH.
- **Procurement Activity** refers to any or any combination of transactions as listed below in accordance with applicable procurement procedures:
 - (i) Any activity either orally or in writing which commits, or may be taken to commit, AJESH to any contractual relationship, including the issue of letters of intent and variations to contracts.
 - (ii) The settlement of any claim for additional payment not covered by an existing contract or arrangement.
 - (iii) The imposition of remedies for breach of a contractual commitment eg. Calling of bonds and guarantees, exercising step-in or termination rights or.
 - (iv) The sale or other disposal of surplus material and assets, together with any discussions, negotiations, or preparatory work in respect of those items.
 - (v) The process of obtaining supplies, services, and works including seeking formal written tenders or proposals following applicable procurement procedures.
 - (vi) Obtaining informal or low-value quotations and/or information for budgeting purposes in accordance with applicable Procurement procedures.
- **Procurement Policy** refers to this policy document.
- **Supplier** refers to any third party (for example any person, individual, firm, company, consultant or agent) for goods, works or services with which AJESH has entered into a contract or is engaged in discussions for potential business opportunities.
- **Tender** refers to a formal procurement process where invited suppliers would bid to supply products or services under conditions specified by AJESH.
- **Value for money** means the optimal combination of costs, service delivery and quality.