

MAPS assessment of  
**CABO VERDE**

**5 December 2024**  
**14:00 Praia**  
**(16:00 Paris)**

*Findings and  
Recommendations*





Submit your  
questions via the  
Zoom Q&A





# Opening remarks

**Samira Duarte**

Chair  
Cabo Verde Public Procurement  
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# Opening remarks

**Clément Ahossi**

Procurement Manager  
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# Findings and recommendations

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# Assessment of the Cabo Verde public procurement system

Methodology for Assessing Procurement Systems

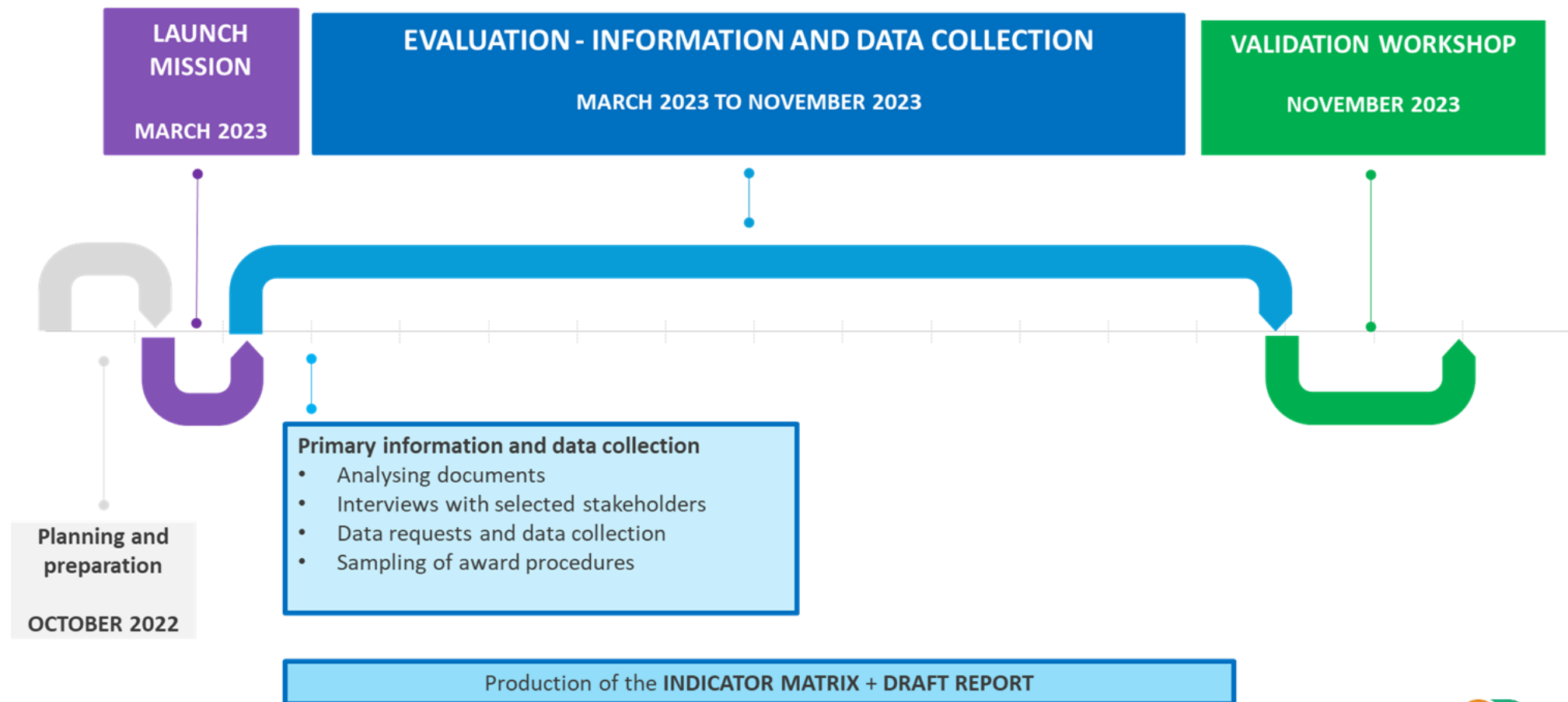


December 5<sup>th</sup>, 2024

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# MAPS Cape Verde - the road travelled



# MAPS Cape Verde - the road travelled

(cont'd)





# Pillar I: Findings and recommendations

## • KEY STRENGTHS

**Solid Legal System:** Cape Verde has a mature and consistent legal system.

**Clear Hierarchy of Norms:** The hierarchy of norms is clear, providing legal certainty for all actors involved.

**Broad Coverage of Public Procurement Law:** Covers the various types of contracts and clearly establishes what constitutes a contracting authority.

**Aligned with best practice:** Overall, the national legal framework is aligned with international standards

## • KEY GAPS/ AREAS FOR IMPROVEMENT

### **Legislative gaps :**

- List of Non-eligible sanctioned economic operators
- Price adjustments in works contracts
- Role and job profile of “Public Purchaser” and “ Contract Manager”
- Legal framework needs to adapt to e-GP and be used as an accelerator of the take up (mandatory use by ALL PEs by end of 2025)
- Lack of legal provisions for a smooth use of life cycle costing

**Absence of a Sustainable Public Procurement Strategy, Policy and Implementation Plan** that can be consistently implemented by ALL Procuring Entities and monitored by the regulatory authority (based on specific KPIs)

## • KEY RECOMMENDATIONS

### **Legislative Reform** (legal compact)

- Cover the legislative gaps
- Improve existing provisions: PPC, RJCA, e-GP, Code of Criminal Procedure, etc.), ARAP Statute, CRC Statute, etc...
- Enact the recommendations included in "*Diagnosis on the application of the CCP and RJCA - 2021*" now combined with MAPS recommendations

**Adopt a Sustainable Public Procurement Strategy, Policy and Implementation Plan** (Quantitative targets and deadlines) that can be consistently implemented by ALL Procuring Entities and monitored by the regulatory authority (based on specific KPIs)





# Pillar II: Findings and recommendations

## • KEY STRENGTHS

**Institutional framework** for public procurement is robust and generally adequate for reaching a good performance

**Regulation of public procurement:** The regulatory agency has the typical competences of regulatory bodies (including the dispute resolution mechanism) and the criteria for guaranteeing independence are generally met.

**E-GP has started** and its use - ideally by all contracting authorities - will intensify in 2025



## • KEY GAPS / AREAS FOR IMPROVEMENT

The **absence of a National Public Procurement Strategy** jeopardises the efficiency of the system and makes it difficult to assess the performance of key players.

**Current level eGP uptake is not significant** – the vast majority of contracts (and their aggregated value) are still formed through paper-based processes (manual).

**Persistent failure to publish Annual Procurement Plans.** Publication is mandatory by law but there is:

- no linkage to the budgetary preparation,
- no deadline for publishing
- no consequences for infringement

## • KEY RECOMMENDATIONS

**Provide the system with a National Public Procurement Strategy and Policy**, including the **Capacity building strategy, Sustainable Public Procurement**. To be approved by the Council of Ministers. Ministry of Finance to lead the process for designing, developing and implementing the Strategy and Plan.

**Generalisation of electronic public procurement (e-gp)** Roadmap, Action Plan and Budget for generalising GPP to all PEs and contracts (type and value).

**Procurement planning** Digitalisation of planning processes and integration with budget cycle (PFM) should be undertaken.





# Pillar III: Findings and recommendations

## • KEY STRENGTHS

There is a focus on **efficient use of financial resources**

**Procurement methods and award criteria** are generally well applied

There are **standard procurement documents** that guarantee a high degree of compliance (sample has shown that most procedural deficiencies occur when SPDs are not used).

**Contracts are generally executed within the set deadlines** and subject to quality control and invoice verification procedures

## • KEY GAPS / AREAS FOR IMPROVEMENT

**No statistical information on public contracts.** Measuring efficiency is therefore more difficult than measuring legal and formal compliance

**Low level of award decisions publication** only a small (not significant) portion of awards is published in the e-GP and the Regulatory Authority websites.

**Price and cost considerations** are dominant in the procurement decisions. Life-cycle costing – and associated quantitative methods - also not explicitly foreseen in the legal framework.

## • KEY RECOMMENDATIONS

**Generalisation of the use of e-GP** to strengthen compliance, transparency and efficiency and allow for proper quantitative monitoring according to relevant KPIs

**Feasibility Study for a Central Purchasing body/mechanism:** the economic and operational feasibility and business plan for a central purchasing body or mechanism (to replace the current UGAC) to serve the EAs of the central direct administration (with the possibility of local and indirect administration joining)



# Pillar IV: Findings and recommendations

## • KEY STRENGTHS

The system comprises **internal and external control bodies and processes**, both a priori and ex-post

**The Dispute Resolution Commission** (hosted by the Regulatory Authority) is independent and its decisions are published

Legal framework for preventing and combating corruption is generally **in line with the UNCAC principles**

## • KEY GAPS / AREAS FOR IMPROVEMENT

There is no **National Corruption Prevention Strategy and Plan**

The limited resources of the control bodies have led to a **much greater focus on prior control** (prior approval of the Court of Auditors) than on concomitant control and ex-post control. The **implementation of audit recommendations** is scarce and the results of follow-up audits are not published.

**The average duration of appeals** to the Dispute Resolution Commission (36 and 41 days in 2021 and 2022) is far from the 18 days established by law.

**CSOs do not have the capacity** (i.e. specialised knowledge of public procurement) to intervene more and better

## • KEY RECOMMENDATIONS

A National Corruption Prevention Strategy and Plan needs to be adopted so progress can be measured and a "**Coalition against Corruption in Public Procurement**" led by the **Council for the Prevention of Corruption** (hosted by the Court of Auditors) can be formed

**Reinforcement of the Dispute Resolution Commission's** specialised human resources is needed to enhance the response rate (duration from lodgment to decision)

Need to provide special emphasis needs of Control Bodies and the Civil Society Organisations in a **Multiannual Training Programme**.





# Read the full CABO VERDE MAPS report



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# The way forward

**Samira Duarte**

Chair  
Cabo Verde Public Procurement  
Regulatory Authority (ARAP)





# Q&A and closing

Nicolas Penagos

Head of the MAPS Secretariat





Read the full MAPS assessment at:

[www.mapsinitiative.org/assessments](http://www.mapsinitiative.org/assessments)

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