

PROCUREMENT TRACKER NAMIBIA



Issue No. 26

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SPOTLIGHT:

The Ballot Paper Printing Tender



INVITATION FOR BIDS (IFB)	
OPEN INTERNATIONAL BIDDING (OIB)	
Purchaser:	Electoral Commission of Namibia (ECN)
Country:	Namibia
Description of the Bid and Reference Number	Design and Printing of Ballot Papers for the 2025 Presidential and National Assembly Elections BID NUMBER: NCS/OIB/28-01/2024/25
Bid Price:	A non-refundable amount of N\$ 1000 for each bid is payable at the Cashier, Ministry of Finance, OR deposited into Account Number 65007 Bank of Namibia, Reference Number 28BIDDOCUMENT(INITIALS SURNAME OR COMPANY NAME)
Address for collection & Submission of Documents:	A set of complete documents and detailed specifications can be obtained from the Electoral Commission of Namibia – Procurement Management Unit, Office No. 259, 2 nd Floor, 67-71 Van Rhijn Street, Windhoek North, Windhoek upon producing a valid payment receipt issued by the Ministry of Finance or a Valid (EFT) proof of payment. The proof of payment can be emailed to hshoombe@ecn.na
Briefing session	A compulsory briefing session will be held on: Tuesday, 24 September 2024 @11h00 . Further details on the virtual meeting can be obtained from Ms Zenia Klazen at zklazen@ecn.na
Closing Date and Time:	Wednesday, 09 October 2024 at 11H00
Opening of Bids:	Bids will be opened in the presence of the Bidder's representatives in attendance on Wednesday, 09 October 2024 at 11H15 as specified in the bidding document: Electoral Commission of Namibia, Main Boardroom Second Floor, 67-71 Van Rhijn Street, Windhoek North, Windhoek.
General Enquiries:	ECN Procurement Management Unit, 061 376215
Technical Enquiries:	Ms Zenia Klazen 061 376201/ zklazen@ecn.na
Bid Clarifications:	All clarifications, clearly containing the bid reference number, should be sought within 14 days and must be addressed to hshoombe@ecn.na

Questions are furiously swirling around the Electoral Commission of Namibia's handling of the tender for the printing of ballot papers for the looming elections

The Namibian political and electoral landscapes have been in uproar ever since the 17 October 2024 announcement by the Electoral Commission of Namibia (ECN) that a Johannesburg, South Africa, based printing firm had been awarded the contract to produce, print and deliver the ballot papers for the upcoming parliamentary and presidential elections.

While much of the attention has centred around the printing firm, Ren-Form, the cancelling of the initial procurement process and the subsequent reversion to directly procuring the services of the print-

ing firm has largely escaped examination.

The questions that have arisen from this episode are: How and why the emergency arose that necessitated the cancellation of the initial open international bidding process in favour of a direct procurement process? Also, what did this mean in terms of the related costs? And, of course, why and how the printing firm was selected?

These questions bring into sharp relief three crucial considerations in any procurement matter, namely, **1) the timelines and deadlines of the activity, 2) the cost or value of the contract, and 3) the integrity of the bidder / supplier**. In this instance, the ECN's approach to each of these aspects has to be critically examined.

Timelines & deadlines

Indications are that the ECN mishandled its own timelines and deadlines for the procuring of ballot paper printing services.

According to the ECN's [annual procurement plan for 2024/25](#), the invitation of bids for the printing of ballot papers should have commenced on 25 July 2024. The annual procurement plan is dated 12 April 2024.

Meanwhile, the [ECN's electoral calendar](#), which was issued 10 days after the procurement plan on 23 April, indicates that the procurement process for ballot paper printing services should have commenced on 1 August 2024.

However, the invitation for bids and the [bid document](#) were only issued on 10 September 2024, about a month and a half later than what the annual procurement plan stipulates, and over a month later than what the ECN's own electoral calendar states.

The deadline for submission of bids was 9 October 2024, but the [ECN announced the cancellation](#) of the procurement action (reference NCS/OIB/28-01/2024/25) two days before this deadline, on 7 October 2024.

In its announcement of the bid cancellation the ECN stated that it was done "in the the best interest of electoral democracy and public interest to avert the risk of the late delivery of the ballot papers". **The decision to cancel the procurement process was reached "following consideration of various factors which may negatively affect the timely delivery of the ballot papers", the ECN stated.** That said, why the ECN had failed to adhere to its own timelines and deadlines with regard to the procurement of ballot printing services had yet to be explained by the time of publication of this edition of *Procurement Tracker Namibia*.

At the same time, it should be noted that the existence of different timelines for the same process in different ECN documents suggests incoherent planning and a lack of synchronising plans and activities.

Contract cost

The second aspect that the ECN needs to provide clarity on is the cost of the contract. Specifically, the cost escalation from what had been estimated to what will actually be paid.

In [a statement issued on 18 October 2024](#), in which it denied allegations of corruption regarding the award of the tender to Ren-Form, the ECN stated: **"To be clear and set the record straight: the total cost of this contract is N\$6,259,686 ..."**

This is more than double the amount that the ECN had estimated six months earlier that it would cost to print the ballot papers. In its procurement plan the ECN had estimated that it would cost about N\$2,904,000 to print the ballot papers. The difference between these two figures is N\$3,355,686, which itself is almost N\$500,000 more than the ECN's initial estimated cost of the ballot printing contract.

The actual contract value is 116% more than what had been estimated.

Once again, the difference between the estimated cost and actual cost of printing ballot papers points to questionable planning and costing of activities.

Contractor integrity

Adherence to timelines and the cost of a contract also have a bearing on the conduct of a contractor.

In this instance, [media reporting indicates](#) that the contractor that was hand-picked by the ECN to print and deliver the ballot papers, Ren-Form, has struggled to meet deadlines and has been accused of inflating costs.

Questions have been asked of the ECN's decision to award the ballot printing contract to a firm that has been accused of engaging in

serious irregular and unlawful activity, specifically around the supply and delivery of a range of goods and materials to the Zimbabwe Electoral Commission in 2023 ahead of that country's national elections.

To be clear, **the ECN's decision to go with Ren-Form has unnecessarily and irrevocably cast a pall over the integrity of the upcoming elections** and by all indications has further undermined trust in the ECN, which already appears to suffer from generally low and declining public trust, [according to Afrobarometer](#).

To date, **the ECN has not provided a clear explanation for why it directly procured the services of Ren-Form** for the ballot printing job and to what extent it took into account the very serious allegations that have been publicly levelled against the firm. All the ECN has done is announce that it engaged in ["a comprehensive evaluation process"](#) before contracting Ren-Form in terms of section 33(3)(b) of the [Public Procurement Act of 2015](#) (see Box 1). What the "comprehensive evaluation process" encompassed remains unclear.

However, while the ECN has not been wholly transparent publicly about its contracting of Ren-Form, the law stipulates in section 33(4) that when engaging in emergency procurement a public entity **"must submit a report to the Policy Unit in the prescribed manner and form stating the reasons for, or the situation which necessitated, the emergency procurement"**.

What does section 33(3)(b) state:

Section 33 of the Public Procurement Act of 2015 deals with emergency procurement.

Section 33(1) states:

"A public entity may procure goods, works or services using the direct procurement method in cases of emergency."

Section 33(3) states:

"For the purposes of this section, "emergency", includes a situation where -

Section 33(3)(b) states:

"life or the quality of life or environment or national interest or public interest may be seriously compromised;"

Unanswered questions:

1. What contributed to the ECN not sticking to the timelines set out in its annual procurement plan and electoral calendar for procuring ballot paper printing services?
2. How many bids had been received by 7 October 2024, when the ECN cancelled the open international bidding process (reference NCS/OIB/28-01/2024/25)?
3. What were the "various factors which may negatively affect the timely delivery of the ballot papers" that were considered before the cancellation of the open international bidding process?
4. How does the ECN explain the significant difference between what it had estimated it would cost to print the ballot papers and what it is actually costing?
5. What did the "comprehensive evaluation process" encompass that informed the decision to contract Ren-Form?
6. Has the PPU received a report yet from the ECN regarding the use of the emergency procurement method for the printing of ballot papers?



Photo: CPBN

CPBN releases half-year figures

The Central Procurement Board of Namibia (CPBN) unveiled statistics and data regarding its activities and performance over the first half of the 2024/25 financial year on 23 October 2024. Following are the highline figures released by the CPBN.

Table 1: Value of bids awarded by method

During the six months from April to September 2024, the CPBN approved 14 bids of almost N\$4 billion, with 10 of the awards happening via competitive methods (open national bidding and restricted bidding). During the same period, four (4) non-competitive methods (direct procurement) were used to award bids of almost N\$2,7 billion. Roughly N\$2 billion of the direct procurement was between the Ministry of Health and Social Services (MoHSS) and the Namibia Institute of Pathology (NIP).

Distribution of Procurement Awards Per Procurement Method		
Procurement Methods	Number	Value
Open National Bidding	9	1,090,891,004
Restricted Bidding	1	202,032,154
Direct Procurement	4	2,665,632,184
Open International Bidding	0	0
Total	14	3,958,555,341

Table 2: Project monitoring

During the first six months of 2024/25 financial year the CPBN was monitoring the implementation / execution of 164 procurement contracts by 70 public entities, for bids that it had awarded over the years.

Category	Number of Projects in Execution	# of Public Entities	# of Service Provider	Value of Active Contracts (N\$)
Works	63	10	43	4,137,170,257
Goods	28	3	25	1,092,605,301
Consultancy Services	1	1	1	55,728,460
Non-consultancy Services	72	56	56	1,461,677,069
Total	164	70	125	6,747,181,088

Table 3: Value of monitored projects by region

The regional value breakdown of the 164 contracts the CPBN has been monitoring from April to September 2024 is as follows.

Region	Sum of Project Value in N\$ as 30 September 2024
Erongo	223,962,005
Hardap	24,552,502
Karas	997,851,465
Kavango East	28,644,989
Kavango West	127,394,156
Khomas	1,016,862,973
Kunene	121,449,078
Ohangwena	184,451,409
Omaheke	19,164,751
Omusati	241,848,751
Oshana	854,310,215
Oshikoto	168,222,963
Otjozondjupa	673,421,959
Zambezi	128,049,280
National	1,936,994,592
Overall Awarded Amount	6,747,181,088

Table 4: Projects performance

As shown in the following table, roughly 55% of the 164 contracts being monitored by the CPBN are reported to be on track, while almost 10% are behind schedule, and for nearly 20% execution data remained outstanding.

#	Legend s	Description	Number of Contracts	% of Total Contracts
1	On track	On track	91	55.5%
2	Fallen behind/ Off Track	Fallen behind/ Off Track	16	9.8%
3	Less than 3 months into Contract implementation	Less than 3 months into Contract implementation	17	10.4%
4	Practically completed/on defect liability period	Practically completed/on defect liability period	6	3.7%
5	Contract Determined/terminated	Contract Determined/terminated	3	1.8%
	Reports Pending	Reports Pending	31	18.9%
			164	100%

Public procurement in numbers

The following data has been gathered from information available through the e-Procurement Client System operated by the Procurement Policy Unit in the Ministry of Finance and Public Enterprises.

Annual Procurement Plans

There are

173

public entities with a procurement function. All of these entities have to submit an annual procurement plan to the Procurement Policy Unit (PPU), which then publishes the plan on the [e-Procurement Portal](#).

By 24 October 2024, only

75

annual procurement plans were viewable via the e-Procurement Portal.

That means only about

43%

of public entities had submitted their plans to the PPU for the 2024/25 financial year.

This represents a

compliance rate of less than 50%

halfway through the 2024/25 financial year.

Only 20 of the 33

annual procurement plans of offices, ministries and agencies of the central government were available via the e-Procurement Portal by late October 2024.

This means **61%** of the plans of OMAs were accessible at the time via the e-Procurement Portal.

The most downloaded plan via the e Procurement Portal by late October 2024 was that of the Ministry of

Agriculture, Water and Land Reform, with **973** downloads,

followed by the Ministry of Health and Social Services, with **697** downloads.

Making sure that the public has access to annual procurement plans remains

a major compliance issue

for the public procurement system.