

المعهد الوطني لحقوق

الإنسان

NATIONAL INSTITUTE FOR HUMAN RIGHTS-NIHR

العراق - كركوك

Policy of Procurements

Who are we?

The National Institute of Human Rights is a non-Governmental, non-profit Organization, independent of any political, partisan and religious authority. Our NGO has been working in Iraq since 2005 and it holds business license with serial number of (1Z38615 on Nov, 8th, 2012) issued by the Iraqi NGOs Directorate. We're striving to disseminate Human Rights culture and democracy in our country targeting (children, youth and women) categories.

Introduction

According to Article 12, paragraph 6 of the Rules of Procedure of the organization, the fiscal policy has been set in place for laying the foundations and rules to deal with all purchases and services to achieve a clear, transparent and fair fiscal policy by taking systematic steps related to the competent committees and the mechanism for the promotion of the purchases and the receipt of bids and selection of suppliers and contracting with winning bidder and mechanism of the systematic monitoring for all the mentioned steps.

Description of procedures

Authorization of powers

Purchase order:-

To meet the needs of the organization, the employees, according to their fictional specialty, will submit their applications on those needs to the relevant committees.

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Procurement Committee: -

Procurement Committee consists of three members (president and two members or more). The members will be replaced every six months.

Purchase management

Purpose:

This section aims at explaining the principles and rules for dealing with all purchases and services in the organization.

Policy Description

Powers of the purchase:

Any purchase process will be approved in advance within the limits of the powers contained in the financial regulations of the organization.

Types and methods of purchase: -

Purchase deals are carried out as follows: -

1) According to formal receipt if the value of the item was not more than 500, 000 Iraqi dinars, or the equivalent.

2) According to formal receipt with three bids if the value of the item was more than 500,000 Iraqi dinars, or the equivalent.

3) By tendering if the value was more than (5000, 000) Iraqi dinars, or the equivalent.

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The Suppliers:

The account keeps a record of the names of suppliers appointed by the Directors of the Authority whom will be contacted in case of purchases. This record is approved by the Director-General and the Accountant. The record will be updated constantly to add or delete the names of the suppliers.

:

Procurement Committee:

Procurement Committee will be formed by a decision of the Executive Director of the organization. This committee will consist of three members, project managers or their representatives will be one of its members. The members of this Committee will be replaced every six months.

Procurement procedures:

Market Analysis

The objective of the procurement process

Meeting the needs of the organization according to the suitable schedules by the preparation of an annual and estimative future purchases plans, based on the plans of the organization for expanding or development.

1. Repeated purchases routine contained detailed in paragraph procurement methods are purchased according to the instructions.
2. Purchase Order shall be prepared within (Purchase Request) for all non-routine purchases and all purchases that increase the cost of US \$ 20.

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3. Prepare purchase order by the person who needs and purchases are approved purchase request by directly responsible for that person within the mandates conferred in Article IV of the Financial Regulations of the Organization.
4. Sends the procurement request to the accounts to make sure there is balance in the organization for the required purchases.
5. The purchase order shall be adopted according to the schedule of the powers of purchases.
6. Specs of the items or the services to be purchased shall be determined by procurement Committee.
7. The best ways and methods of procurement for goods and services required by the committees and sections of the Organization and its branches and at the best prices in the light of the list of terms and conditions of tenders and auctions shall be applied.
8. After the completion of the necessary procedures to adopt purchase request prepare the request bids by the Commission depending on market analysis.
9. Learning about the latest developments on the field of purchase, price, and market conditions.
10. Prices request, receiving offers, opening them, studying them and selecting of supplier and documenting shall be carried out according to the policy of quotes policy and adopting that according to the schedule of the powers of purchase.
11. (Purchase Order) shall be prepared and sent to the supplier that has been adopted. And the purchase order must include purchase the quantity and type of procurement specs, with a timetable for the supply of materials or provide services to the organization.
12. The purchase order consists of three copies, a copy to the supplier and a copy to the person responsible for the receipt and purchases and a copy to the accounts.
13. The adoption of an agreement with the supplier of all purchases. The agreement shall include all the specs and conditions that ensure the right of the

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organization to receive the items or services of the best quality, according to a specific timetable.

14. basic information contained in the purchase order:

- Number and date of PO.
- Name of purchase project, code of project and order.
- Type of item / service.
- Price and schedule for payment.
- Quantity ordered.
- Section name / project.
- Date of request and desired date for the arrival of purchases.
- Signature of the persons authorized with signature according to the schedule of the powers of purchase.
- Agreements for a specific period of time shall be signed with agencies that provide continuous service to the organization, in order to determine the prices and specs of the services and make sure to get the best prices.

Receipt of purchases:

1. Receipt of purchases shall be carried out by a committee consisting of at least two people.
2. The committee responsible for the receipt of purchases shall be provided with a copy of the purchase order and the referral decision.
3. Upon receipt of purchases being compared with the referral decision and with the purchase or formal procurement and supplier invoice, in terms of quantity, quality, and price and delivery date. This process is

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shall be documented due to receipt acceptance signed by the receiving committee.

4. The bill of the supplier shall be signed by the committee, which has received the purchases or the service, to make sure that the receiving process has been carried out, in accordance with the legislations and principles in force.

5. In case purchases were services for a period of time longer than a month, the services shall be offered according to the quality on a regular basis till the end of the contract, service provider will also prepare a report to give a summary of the services provided to the organization with details of the costs of services.

6. At the end of the contract of these services, a committee of three members at least shall which will be appointed by the Procurement Committee, among which the head of the concerned organization to inspect the situation and provide services and compare them to the terms and conditions of the contract with the service provider. Based on that, a form of receipt\assessment shall be prepared and shall be signed by the members of that committee.

7. Upon receipt of the regular services such as phone bills, those bills are compared with the previous month bills by the accounts any differences shall be recorded if any.

8. After receiving the purchases by the committee, a voucher shall be created for that or delivered to the concerned organization after the signing of the receiving person and entry voucher.

9. In the event that the purchases received will be consumed or distributed over a period of more than two weeks and cost of more than 500,000 Iraqi dinars, are kept such purchases and registration in accordance with the instructions set forth in the above stocks.

Return of purchase

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In case the purchased items or parts of them did not meet the specs agreed upon with the supplier in terms of (contract, prices, PO, RO) upon examine, those items shall be rejected and returned back to the supplier with notes on reasons of rejection.

.1

Committees

Committee of specs and examine: this committee is the technical committee, which consists of several experienced cadres. The committee will lay down sufficient and detailed accounts on the items needed to be purchased for meeting the needs of the organization. Those specs shall be manifested in a minutes signed by the members of the committee in order to be submitted later on to the Procurement Unit to be as a reference for purchasing the required items. This committee shall also examine the items when they're supplied and approve them as a conformation for meeting the specs.

Bids Opening Committee: is a committee composed of three members minimum , including a director of supporting businesses .The committee shall open the bids received by the bidders(suppliers and contractors) and shall state the data of the bids in the bidding statement after a reviewing of each bid and making the required calculations and then handing over opening minutes attached with the offer to the chairman of the Committee to decide on.

The Deciding Committee: it's the committee that examines the bids received in terms of the advertised conditions and their correspondence with bids unloading statement and selecting of the best technically submitted offers and their correspondence with the specs set by the specs committee, selecting the best prices offered. Members must be five persons minimum.

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Records of Committees: these records are numbered records used to verify the minutes of meetings of former committees with all their details, and it must be signed by all the members of the committees formed for their approval on what has been mentioned in the details of the minutes.

Supply orders: it's the order that has been issued by the organization and forwarded to the supplier or contractor who was awarded the tender, including the tender data, history, number and date of his extradition, and the penal conditions resulting from any delay for the supply exact date specified by the order.

Suppliers record : is a manual record with numbered pages or to contains suppliers data such as (name - type of items traded - Commercial Registration Number - Tax Identification Number - Title - Telephones - previous experience etc.), to be divided and ranked according to the type of item or service provided, and is used in the selection of suppliers who will be addressed on any kind of goods or on request of the , suppliers also must be classified and arranged for the same type of commodity or service in accordance with set standards (previous experience - performance - supply on time - size of the company's operations in the market ... etc.) so the a / B / C in the registry.

Competence of the Committee: is as follows:

- Call for the submission of tenders and delivery of tenders form.

The Procurement Committee in the organization will invite suppliers to submit their bids on the purchase of materials to be supplied and according to the standards and requirements and specs set for them .Promotion will be carried out by several means such as the read, heard and seen media promotion, based on need and direct delivery of the Chairman of the Committee.

- Delivering bid forms.

The Committee shall distribute forms for tenders for suppliers willing to participate in tenders for a price of (\$ 150) which is not refundable according to receipt. Amounts of the forms will be used to cover expenditures of media promotion on provided the increase to be taken in payments revenue .If the amount was not enough to cover the media promotion; it shall be compensated by the organization.

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- Display of prices and materials at hand.

The total prices and the required numbers shall be displayed. In addition to determine the materials to be supplied according to the specs required provided taking into account the Dinar exchange rate against foreign currencies and foreign currencies ,preferably to deal in U.S dollar line with the local market, and adopting the government's exchange rate.

- Receipt of bids.

The PC shall set a special fund with a sign of (receipt of bids Fund) on it and shall be closed and its keys shall be kept with the. It shall be opened only after the receipt of the last bid submitted by suppliers. PC shall be supervising its opening in the presence of all its members and create a list with the numbers of requests and offers for those who have provided them.

- Opening of tenders.

1. The place for opening of tenders shall be determined in minutes for that.

2. Examining the bids in terms of compliance with the price and specs required selecting of the lowest bids.

- Selection of suppliers.

Notifying the supplier who won the tender after having his bid the required conditions depending on the address to match the supplied materials and carry out contract with him by the concerned party in the organization.

- organizing the contracts with the bid winners.

The contract between the organization and the winning supplier shall be organized. The contract shall include all materials and conditions that must be bound with by both parties in terms of rights and duties of both of them .

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Tasks of PC.

1. Chairman of the Committee: - director of the organization is selected to be the Chairman of the Committee . His duties shall be as follows: -

- Direct supervision of the entire works of the committee.
- The implementation of all the preplanned policies.
- Monitoring and assessment of the performance of employees in the Committee.
- the account must not be selected among the members of the Committee .

Committee members:-

1. Apply of the policies and directives issued by the Chairman of the Committee.
2. Supervision of opening of the box and organizing minutes with the bidders (suppliers).
3. Supervise the opening of tenders and analyzing them to select the most suitable tender for the supply.
4. Notifying the party that wins the tender with an official letter issued by the organization.
5. Notifying the not winning party with the result with notes on reasons for the rejection of but without disclosing of bids of other details.
6. Notifying the organizers of the contract to complete the signing and implementation procedures.

Transparency and accountability: -

The Committee has to be committed with transparency and accountability standards on all stages of planning, implementation and it must apply the full methodology at work. It also must be committed with non-conflicting of interests of the of the employees, and suppliers , and it must achieve fair , transparent and competitive bidding and selecting provided to select those suppliers with clear commercial history violation free or had been blacklisted by the relevant authorities in coordination with the Chamber of Commerce for the concerned region.

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Banking Address: The organization shall deal with the government and private banks according to the requirements of the donors, including the banks available in Kirkuk city as listed below:

1	Bank name	Bank of Baghdad
2	Bank address	Kirkuk, Baghdad rd.
3	Account name :	National Institute Human Rights
4	Account number	153073
5	Currency	IQD-US.\$
6	Branch name	Kirkuk branch
7	Swift Code	
8	Babiiqba	

Correspondence:

Correspondence with our organization will be carried out via e-mails listed below:

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The application of the values and principles: -

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Standards of protection: -

Application of protection policy particularly child protection in all our dealings. Entry into another actions is not allowed without written consent.

Standards of prevention: -

To ensure commitment of all employees and staff to the principles of methodological practices enforced in our organization and adhere to the mechanism of lodging complaints, suggestions and recommendations to contribute to help reduce risks of all types of bribery and corruption .Establishment of basis and a criteria for the internal monitor to assess the degree of commitments to the policies and procedures of procurement processes in the organization.

Awareness:-

The organization shall apply a sustainable methodology for spreading the culture of awareness among employees of organization in the companies to avoid the problems that are related to corruption and bribery.

Reports:

Full compliance with reporting on the course of action with all in order overcome the challenges and develop points of strengths and opportunities.

Response:

To make sure of the submitted reports and finding the appropriate solutions for them.

- **Definition of the policies that govern all aspects and methods appropriate procurement organization operations.**

Definitions:

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The bid: technical and financial proposal, submitted to the committee of bidding to respond to the invitation.

Tender: a set of technical, administrative and legal measures taken by the organization in order to get the most appropriate bids.

The public tender :is a method of procurement represent a set of actions when competitions are opened for a large group of qualified bidders, in order to reach the bidder who present the most appropriate tender for the supply of items or providing of services . Announcement on the public tender will be carried out on two daily newspapers or more according to their importance.

Limited Tender: is the process in which competition will be limited among a limited number of suppliers or contractors, whom must not be less than three persons, and are subject to all terms and conditions of the public tender except for publication in the media.

Practice: is negotiating with a number of at least two of the suppliers or contractors to choose the best offers and the best specs at the lowest prices, so that contracted will be carried out according to those criteria.

Direct purchase: is the direct agreement between the Organization and one of the suppliers for purchasing of goods or for providing a service which is not possible only by this supplier or contractor. Or in cases of emergency or circumstances which is not possible for tendering procedures or practices, provided that the reasons for direct contracting or the qualities or the business are suitable stated in the documents .

Public Bid: is a collection of advertised procedures in accordance with the conditions set forth by law to gain the highest prices of the items to be sold.

Bidding by closed envelopes: is a set of announced procedures in accordance with the conditions set out by the regulation in order to obtain the best prices for the items to be sold by sealed envelopes which will be carried out in a confidential manner.

Bidding practice: is negotiating with no less than two of the bidders to get to know their prices in order to sell at the highest prices for the items to be sold.

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