

**PUBLIC PROCUREMENT IN
EMERGENCY-COVID-19: COUNTRY
EXPERIENCES
THE CASE OF CONGO BRAZAVILLE**

By

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I -The Health Context

On March 14, 2020 the Government alerted the Congolese on the onset of the first case of corona virus (Covid-19).

The President of the Republic of Congo, Mr. **Denis SASSOU NGUESSO**, four (4) days after the first case of corona virus (Covid-19) signed a decree on the establishment, the responsibilities and the organization of a Task Force to be supervised by the Prime Minister and Head of the Government to assess the economic and social impact of corona virus (Covid-19). It will

II - Cyclical Response Measures

Institutional Measures

The Task Force

Under the supervision of the Prime Minister, Head of the Government, this Task Force has as these principal responsibilities:

assess the economic and social impacts of the measures taken in the frame of the national plan of readiness and response to the corona virus (Covid-19) epidemic;

help pass on the information to the authorized authorities, namely; The President of the Republic and the Prime Minister, Head of the Government.

- **The Technical Committee**
- This too, under the control of the Prime Minister, Head of the Government,
- to reinforce the mechanism to fight against the Corona virus (Covid-19) pandemic.
- Its main responsibilities are:
- Guarantee the technical and operational coordination of the response to the Corona virus (Covid-19) pandemic;
- Ensure the safety of public interventions.
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- **Technical Measures.**
- **1- The Finance Committee**
- In the perspective of the guidance provided by the President of the Republic and the Prime Minister,

- The Ministry in charge of Health formalized the policy framework for the fight against the Corona virus (covid-19) pandemic through a memorandum establishing the covid-19 Finance Committee with a component related to public procurement.
- In that sense, the said Ministry centralizes all the procurement related to the management of the pandemic.
- In that exceptional context, and to face the emergency, frameworks and rules exist accordingly.
- The Republic of Congo has had since 2009, a public procurement code and application texts.
- The pertinent provisions of that code set up open tenders as the main procurement method and the over-the-counter, a controlled exception.
- Facing the emergency and without deviating from the public procurement code and the application texts, the procedure to follow was the one in the article 28 of the decree n° 2009 – 156 of May 20, 2009 on public procurement code, such as:

- Public contracts are made after competitive bidding of potential candidates on the tenders.
- Open tenders are the rule; « the use of any other method of public contracts must be exceptional, justified by the project manager or the delegated owner and be granted previously by the authorized General Directorate of public procurement control... »

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- Concerning the control of regulation compliance, the public procurement code has set up two (2) control bodies.
- the a priori control of public contracts' procedures exercised by the General Directorate of Public Procurement Control;
- the a posteriori control of the procedures for public contracts and the regulation of the whole system of public contracts exercised by the Public Procurement Regulatory Authority.

- At present, the Public Procurement Regulatory Authority (ARMP) cannot offer any figure regarding the situation simply because the final report on public procurement linked to coronavirus (Covid-19) is not made available yet by the authorized bodies.
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- **2– The Communication Committee**
- Following the message to the nation from the President of the Republic on the health crisis in the world, and the precautionary measures to respect by the population, the communication committee took the following actions:

- The sensitization of populations through the press;
- The regular presentation of the strategic data on the coronavirus (Covid-19) pandemic at TV news at 8 p.m.;
- Free distribution of masks to the population;
- Setting up of focal points all over the country.

- **Perspectives**
- According to the national technical Committee report on October 12, 2020, the coronavirus (Covid-19) pandemic response situation is as follows:
 - 5, 118 confirmed cases of covid-19,
 - 3, 913 healed :
 - 90 deaths.

- 11 moves over 12 recorded covid-19 cases
- It is important to inform that Congo is the third (3rd) country in Africa to have recorded the lower covid-19 cases and the fourth (4th) country to have recorded the lower number of deaths due to that pathology.

- It is necessary to indicate that the whole measures taken by the Congolese authorities are to preserve human lives and mitigate the social and economic harm of Covid-19.