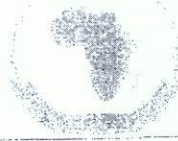


AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

---

AFRICAN UNION COMMISSION  
GRANTS MANAGEMENT  
MANUAL

### Records of Revisions

Date of revision	Revised sections	Authorized by
June 2016	<p>1. This manual was revised and approved in June 2016 to take into account the following specific grant provisions:</p> <ul style="list-style-type: none"><li data-bbox="587 488 1098 546">(i) Grants awarded without calls for proposals ("Direct award"); and</li><li data-bbox="587 553 1098 611">(ii) Restricted call for proposals under the Call for Proposals</li></ul> <p>2. Upon approval by the Chairperson of the African Union Commission, this Manual shall supersede previously existing Grants Management Manual within the African Union.</p>	

## Table of Contents

<b>CHAPTER 1: INTRODUCTION.....</b>	<b>5</b>
1.1 FOREWORD.....	5
1.2 DEFINITION OF TERMS.....	5
1.3 PURPOSE OF THE MANUAL.....	5
1.4 SCOPE.....	6
1.5 PRINCIPLES OF GRANTS MANAGEMENT.....	6
1.5.1 <i>General</i> .....	6
1.5.2 <i>Transparency</i> .....	7
1.5.3 <i>Equal treatment</i> .....	7
1.5.4 <i>Non-cumulation</i> .....	7
1.5.5 <i>Non-retroactivity</i> .....	7
1.5.6 <i>Co-financing</i> .....	7
1.5.7 <i>Non-profit</i> .....	8
1.6 ETHICS.....	8
1.6.1 <i>Code of Ethics</i> .....	8
1.6.1.1 <i>Ethical Principles</i> .....	8
1.6.1.2 <i>Conflict of interest</i> .....	9
1.6.1.3 <i>Confidentiality and accuracy of information</i> .....	9
1.6.1.4 <i>Equal treatment</i> .....	9
1.6.1.5 <i>Business gifts</i> .....	9
1.6.1.6 <i>Hospitality</i> .....	9
1.6.1.7 <i>Reporting</i> .....	9
1.6.2 <i>Examples of Unethical Conduct</i> .....	9
1.6.3 <i>Obligations of Officers</i> .....	10
1.6.4 <i>Responsibilities of Officers</i> .....	10
1.6.5 <i>Sanctions for Non-compliance with Ethical Standards</i> .....	11
<b>CHAPTER 2: GRANTS MANAGEMENT RESPONSIBILITY.....</b>	<b>11</b>
RESPONSIBILITIES.....	11
<b>CHAPTER 3: METHODS OF GRANTS MANAGEMENT.....</b>	<b>12</b>
<b>PART A: OPEN OR RESTRICTED CALL FOR PROPOSALS.....</b>	<b>12</b>
I OPEN CALL FOR PROPOSALS.....	12
II RESTRICTED CALL FOR PROPOSALS.....	12
3.1 PREPARATION AND PUBLICATION.....	14
3.1.1 <i>Programming</i> .....	14
3.1.2 <i>Drafting and contents of the guidelines for applicants</i> .....	14
3.1.3 <i>Publicity</i> .....	15
3.2 SUBMISSION.....	16
3.3 EVALUATION.....	17
3.3.1 <i>The criteria</i> .....	17
3.3.1.1 <i>The eligibility criteria</i> .....	18
3.3.1.2 <i>The exclusion criteria</i> .....	19
3.3.1.3 <i>The selection criteria</i> .....	19
3.3.1.4 <i>The awarding criteria</i> .....	19
3.3.2 <i>The evaluation committee</i> .....	20
3.3.2.1 <i>The role and composition of the evaluation committee</i> .....	20
3.3.2.2 <i>Impartiality and confidentiality</i> .....	20
3.3.2.3 <i>Responsibilities of the evaluation committee</i> .....	21
3.3.3 <i>Stages in the evaluation process</i> .....	22
3.3.3.1 <i>Receipt and registration of proposals</i> .....	22
3.3.3.2 <i>Opening session and administrative check</i> .....	22
3.3.3.3 <i>Evaluation of the concept note</i> .....	23
3.3.3.4 <i>Evaluation of the application form</i> .....	24
3.3.3.5 <i>Verification of eligibility</i> .....	24
3.3.3.6 <i>Conclusions of the Evaluation Committee</i> .....	25
3.3.4 <i>Cancelling the call for proposals procedure</i> .....	27
3.4 AWARDING AND CONTRACTING.....	27
3.4.1 <i>Notification of applicants</i> .....	27

3.4.2	Contract preparation and signature.....	27
3.4.3	Publicising the award of grants.....	28
3.5	MODIFYING GRANT CONTRACTS.....	28
3.5.1	General principles.....	28
4.5.2	Preparing an addendum.....	29
3.6	SECURITIES AND RETENTIONS.....	29
3.6.1	Bid Securities.....	29
3.6.2	Performance Securities.....	30
3.6.3	Advance Payment Securities.....	30
3.6.4	Procedure for Receipt, Storage and Return of Securities.....	30
3.6.4.1	Safe Storage.....	30
3.6.4.2	Record of Security details.....	30
3.6.4.3	Return of Securities.....	31
3.6.4.4	Expiry reminder.....	31
3.6.4.5	"Called" Security.....	31
3.6.5	Retentions.....	31
3.7	USE OF ASSESSORS AND EXPERTS.....	32
<b>PART B: DIRECT AWARD.....</b>		<b>33</b>
3.8	DEFINITION OF DIRECT AWARD.....	33
3.9	MANAGEMENT OF ACTIONS.....	34
3.9.1	Planning.....	34
3.10	LEVEL OF RESPONSIBILITY AFTER CAPACITY ASSESSMENT.....	35
3.10.1	Minimal (or partial) direct award.....	35
3.10.2	Maximal (or full) direct award.....	35
3.11	ROLE OF CONTRACTING AUTHORITY AND BENEFICIARY ON FINANCIAL MANAGEMENT.....	36
3.12	COORDINATING AND TECHNICAL COMMITTEES.....	37
3.12.1	STEERING COMMITTEES.....	37
3.12.2	Functions of the Steering Committees.....	37
3.12.3	Steering committee meetings.....	38
3.12.4	Technical Meetings.....	38
3.13	MONITORING AND EVALUATION.....	38
3.14	PROGRESS REPORTING.....	38
3.14.1	General issues.....	38
3.14.2	Content of the reports.....	39
<b>CHAPTER 4 – GENERAL PROVISIONS.....</b>		<b>40</b>
4.1	PROCUREMENT.....	40
4.1.1	Value For Money.....	40
4.1.2	Fairness, Integrity and Transparency.....	40
4.1.3	Effective Competition.....	41
4.1.4	Efficiency and economy.....	42
4.1.5	Co-financing.....	42
4.1.6	Mis – procurement.....	42
4.2	DISBURSEMENT OF FUNDS.....	43
4.3	ACCOUNTABILITY.....	43
4.4	AUDITS.....	43
4.4.1	Internal audits.....	43
4.4.2	External audits.....	43
4.5	FINANCIAL REPORTING.....	44
4.5.1	Currency for Reporting, interests And Exchange Rate.....	45
4.6	TRAVEL POLICY.....	45
4.7	RECOVERY.....	46
4.8	COMMUNICATIONS AND RECORDS MANAGEMENT.....	46
4.8.1	Correspondence/Communications.....	46
4.8.2	Documentation/Records Management.....	47
4.8.2.1	Documentary Records.....	47
4.8.2.2	Filing/Record Management System.....	47
4.8.2.3	Document Retention.....	47
4.9	FINANCIAL SUPPORT TO THIRD PARTIES.....	47
4.10	USE OF CONTINGENCIES.....	48

## CHAPTER 1: INTRODUCTION

### 1.1 FOREWORD

The Grants Management Manual explains the administrative policies, contracting procedures, internal controls and institutional capacity of the African Union (AU) to provide effective grant oversight, coordination function and improving the efficiency and effectiveness of programs and services funded from the general budget (the AU budget) through grants. The AU recognizes that grant funding plays a critical role in accomplishing its mission by availing significant resources to support mechanisms that enhance its ability to deliver on its mandate and therefore will continue to strengthen its grant management system by adhering to intentional standards.

### 1.2 DEFINITION OF TERMS

**“Beneficiary”** means the eligible entity whose application for grant has been accepted by the Contracting Authority to perform any action specified in the Grant Contract;

**“Contracting Authority”** means the African Union Commission and all national offices and international organs of the African Union;

**“Grant”** means a direct financial contribution, by way of donation, in order to finance an action intended to support achievement of a specific objective forming part of the African Union policy; a grant is made for an operation which is proposed to the Contracting Authority by a potential beneficiary and falls within the normal framework of the beneficiary's activities;

**“Officer”** means an official of the Contracting Authority involved in grant management pursuant to this Grants Manual.

### 1.3 PURPOSE OF THE MANUAL

The purpose of this Grants Manual (hereinafter referred to as “Manual”) is to provide guidelines on the contractual obligations of the contracting parties (Contracting Authority and beneficiaries) and detail the implementation modalities concluded by the parties. The Manual includes information on how to manage grants by the parties upholding the key principles of grant management. The standards, policies and procedures presented in this manual are designed to:

- (a) provide detailed guidance on the grants management processes;
- (b) provide uniform procedures for the grants management of goods, works and services;
- (c) ensure transparency and accountability in all operations, and consistency with the guidelines of partners where necessary;
- (d) improve the efficiency and effectiveness of operations; and
- (e) promote the consistent application of best grants management practices and international standards

#### 1.4 SCOPE

- i) This manual provides the basic set of principles, processes and applicable rules in line with commonly accepted international standards.
- ii) It covers the following specific methods of granting:
  - a) Open Call for proposals;
  - b) Restricted call for proposals; and
  - c) Grants awarded without calls for proposals ("Direct award").
- iii) The manual explains the process cycle for granting from selection of beneficiary to implementation and evaluation. It also recognises that there may be instances of limited number of potential beneficiaries, or where the Contracting Authority has sufficient knowledge of these beneficiaries. Based on prior experience, beneficiaries may be selected without recourse to a formal Call for Proposals. A direct grant award may be given under these circumstances.

#### 1.5 PRINCIPLES OF GRANTS MANAGEMENT

##### 1.5.1 General

- i) The overall objective of grants managed by the AU is to achieve the stipulated results of the different programmes by ensuring that funds are spent in a transparent, efficient and fair manner. This section sets out the minimum principles which AU and Beneficiaries must adhere to when managing grants.
- ii) A grant can only be made for an operation whose immediate objective is non-commercial. Under no circumstances may the grant give rise to profits. Grant beneficiaries are generally non-profit-making. A beneficiary is responsible for implementing the operation and retains ownership of its results.
- iii) The grant is expressed by ways of a percentage and a maximum amount of the eligible costs of the action actually incurred by the beneficiary. If lump sums (with a unit value not exceeding (USD) Twenty-Five thousand (25,000) per category of eligible cost) or flat-rate financing are envisaged, its use and the maximum amounts must be authorised by grant or type of grant by the Contracting Authority in a decision, e.g. in the financing decision. The use of lump sums, flat-rate financing or a combination of the different forms of expressing a grant requires an amendment of the standard grant contract, which is subject to derogation. The threshold specified in this paragraph only applies to call for proposals.
- iv) A grant contract cannot be signed unless the action concerned meets the definition of a grant. A Standard Grant Contract is a legally binding Contract signed between the AU and the Grant Beneficiary. An action eligible to receive grant funding must be clearly identified. No action may be split for the purpose of evading compliance with the rules laid down in this Manual.
- v) There are strict rules governing the way in which grants are awarded. The award of grants is subject to the principles of transparency and equal

treatment. The amount eligible for financing, as specified in a grant contract, may not be exceeded.

vii) Grants shall be awarded by a written agreement concluded with the beneficiary.

#### **1.5.2 Transparency**

Transparency ensures that everything in relation to an award process is visible and evident to everyone and that nothing is hidden. Information on award policies, procedures, opportunities and processes must be clearly defined and made public to all interested parties. A transparent system has clear rules and mechanisms to ensure compliance with established rules. Evaluation of proposals must be conducted by an evaluation team; with the advice of assessors or experts where appropriate, using the published eligibility and evaluation (selection and award) criteria. All grants awarded in the course of a financial year shall be published annually with due observance of the requirements of confidentiality and security.

#### **1.5.3 Equal treatment**

The grant award process must be completely impartial. All beneficiaries must be offered equal access to the same opportunity. A fair process is free from favouritism, self-interest or preference in judgement. Each award process must be conducted on the basis of clear and appropriate regulations, rules, processes, procedures and standards that are applied consistently to all potential beneficiaries.

#### **1.5.4 Non-cumulation**

No single beneficiary may receive more than one grant financed by the African Union for the same action. The applicant shall immediately inform the Contracting Authority of any multiple applications and multiple grants relating to the same action or to the same work programme.

#### **1.5.5 Non-retroactivity**

Grants may, as a rule, only cover costs incurred after the date on which the grant contract is signed. A grant may be awarded for an action which has already begun only where the applicant can demonstrate the need to start the action before the contract is signed. In such cases, expenditure incurred prior to the deadline for submitting, the date of submission of the grant application, and if applicable the date of signature of the relevant financing agreement, will not be eligible for financing. No grant may be awarded retroactively for actions already completed.

Notwithstanding the above, where applicable, the AU may retroactively authorise grants for actions that have been completed, the details of which will be elaborated in the special conditions of the agreement.

#### **1.5.6 Co-financing**

Grants may not, as a rule, finance the entire cost of the action or the entire operating expenditure of a beneficiary. The financing of an operation in full may be authorised if the Contracting Authority is in a position to show that financing in full is essential in

order to carry out the operation in question and substantiates its award decision accordingly.

The beneficiary must supply evidence of the amount of the co-financing brought either with its own resources or in the form of financial transfers from third parties. The Contracting Authority may accept co-financing in kind, if considered necessary or appropriate. This possibility must be specifically mentioned in the Guidelines for Applicants. Non eligible contribution in kind must always be included in the budget so as to prove the operational capacity and feasibility of the action.

#### **1.5.7 Non-profit**

Grants may not have the purpose or effect of producing a profit for the beneficiary. Profit is defined as a surplus of receipts over the costs incurred by the beneficiary when the request is made for final payment. Lump-sums and flat-rate financing should be established in such a way as to exclude a priori a profit.

### **1.6 ETHICS**

This Manual incorporates policy provisions and procedures to promote transparency, accountability and ethics in the operation, management and reporting of grants management. All Officers are required to consistently apply these policies and procedures, together with professional judgement and good management.

The AU requires that:

- i) all Officers involved in grants management from initiation to completion shall be held accountable and responsible for their actions; all grants beneficiaries will be treated fairly and given equal opportunity to obtain grants from the AU;
- ii) grants management shall be done in the most efficient manner, upholding the principles of transparency and equal treatment;
- iii) funds will be used solely for the purposes for which they have been entrusted;
- iv) all transactions are properly authorised and fully supported by written records;
- v) the Code of Ethics detailed in 1.6.1 shall be followed by all Officers involved in the grants management process.

#### **1.6.1 Code of Ethics**

##### **1.6.1.1 Ethical Principles**

- i) An Officer of the AU shall not use his or her authority or office for personal gain. Personal gain includes accepting or requesting anything of material value from applicants for the Officer, his or her spouse, parents, children or other close relatives, or for other persons from whom the Officer might gain direct or indirect benefit of the gift.



- ii) An Officer shall seek to maintain and enhance the reputation of the AU by:
1. maintaining the highest standards of honesty and integrity in all relationships both inside and outside the AU;
  2. developing the highest possible standards of professional competence;
  3. using funds and other resources for which he or she is responsible to provide the maximum benefit to the AU; and
  4. complying with the letter and spirit of (i) the principles and policies of the African Union; (ii) accepted professional ethics; and (iii) contractual obligations.

#### **1.6.1.2 Conflict of interest**

An Officer shall immediately after the opening of proposals or during reviews of work programmes declare any personal interest that may affect or might reasonably be deemed by others to affect impartiality in any matter relevant to his duties.

#### **1.6.1.3 Confidentiality and accuracy of information**

An Officer shall respect the confidentiality of information gained in the course of duty and shall not use such information for personal gain or for the unfair benefit of any applicant. Information given by an Officer in the course of his or her duty shall be true, fair and not designed to mislead.

#### **1.6.1.4 Equal treatment**

An Officer shall treat all applicants with fairness and impartiality, and avoid any arrangement that might prevent equal treatment among applicants.

#### **1.6.1.5 Business gifts**

An Officer shall not accept business gifts from current or potential AU grant beneficiaries unless such gifts are of very small intrinsic value such as a calendar or business diary.

#### **1.6.1.6 Hospitality**

An Officer shall refrain from accepting any business hospitality that might be viewed by others as having an influence in making an AU business decision as a result of accepting that hospitality.

#### **1.6.1.7 Reporting**

An Officer has a duty to report any unethical conduct by a colleague or an applicant to his superiors or to the auditors.

#### **1.6.2 Examples of Unethical Conduct**

The following are examples of the type of conduct prohibited by the Code of Ethics:

- i) Revealing confidential or "inside information" either directly or indirectly to any applicant or potential beneficiary;
- ii) Discussing a grants management with any applicant or prospective applicant outside the official rules and procedures for conducting grants managements;
- iii) Favouring or discriminating against any applicant or prospective applicant in the drafting of terms of reference, or in the evaluation of proposals or work programmes;
- iv) Destroying, damaging, hiding, removing, or improperly changing any official grants management document;
- v) Accepting or requesting money, travel, meals, entertainment, gifts, favours, discounts or anything of material value from applicants or prospective applicants;
- vi) Discussing or accepting future employment with a beneficiary;
- vii) Instructing/influencing/requesting any other Officer or representative of AU in a grants management process to violate the rules or procedures defined in the Grants management Manual;
- viii) Ignoring evidence that the Code of Ethics has been violated by any Officer, other employee or representative of the AU; and
- ix) Ignoring illegal or unethical activity by applicants or prospective applicants, including any offer of personal inducements or rewards.

### 1.6.3 Obligations of Officers

- i) The guiding principles of ethical behaviour are impartiality, independence and integrity. Ethical behaviour must be promoted and supported by appropriate systems and procedures, but systems and strict adherence to procedures alone cannot create an ethical and accountable grants management function.
- ii) It is essential that all grants management activities are carried out in a manner above reproach, with complete impartiality and with no preferential treatment. The grants management process must allow applicants to compete on a fair basis. Officers associated with the grants management function are responsible for protecting the integrity of the grants management process and maintaining fairness in the AU's treatment of all beneficiaries.

### 1.6.4 Responsibilities of Officers

Officers have responsibility to:

- (i) Provide instructions and guidance to staff, especially where they may be exposed to opportunities for accusations of fraud or corruption;
- (ii) Encourage staff to follow ethical principles and practices and create an environment where transparency and openness are the standard;
- (iii) Ensure that all staff comply with instructions and guidelines, including the maintenance of documented records;

- (iv) Set appropriate levels of financial delegation, if appropriate, and ensure a proper separation and rotation of duties.

#### 1.6.5 Sanctions for Non-compliance with Ethical Standards

Due to the special and additional trust placed on those involved in the grants management processes as custodians of AU funds, adherence to the Code of Ethics by Officers is obligatory. Any unethical conduct will be considered an offence subject to disciplinary action under the Rules and Regulations of the African Union.

### CHAPTER 2: GRANTS MANAGEMENT RESPONSIBILITY

#### RESPONSIBILITIES

- (i) This chapter will be further developed once experience and increase in this activity allow the AU to be in a position to conceive a permanent structure in which responsibilities can be clearly defined.
- (ii) The main reason for postponing this decision is because it would not be efficient to devote time to conceive and develop a complete system when the implementing activities of the AU in managing grants are still in embryonic stage.
- (iii) In the meantime, an ad-hoc decision will be taken in which responsibilities will be entrusted to staff and departments. This decision should comprise, at least, the following essentials:
  - 1. Identification of AU staff, organisational entity or roles who will be empowered to take the following decisions:
    - a. Publication and modification of the work programme.
    - b. Publication of the call and its related documents, in particular, the Guidelines for Applicants and the four criteria.
    - c. Cancel a call for proposals.
    - d. Legal authorisation to sign grants agreements on behalf of the AU
    - e. Request or authorise in the financial system the budgetary commitment and related payments, including pre-financing.
    - f. Roles of Opening Session Committee
    - g. Composition of the Evaluation Committee, vote in the Committee, including the clear definition of roles of experts and assessors.
    - h. Interact with potential applicants, applicants and beneficiaries.
    - i. Carry out ex-post publication.
    - j. Identification of the Awarding Board (Tender Board, African Ministerial Conference System etc. to be determined)
  - 2. The division of operational and financial responsibilities. In particular, an arrangement should be made between the implementing department and

the Directorate of Programming, Budgeting, Finance and Accounting (PBFA) and/or the Legal Counsel in order to ensure the existence of the following procedures:

- i. Budget availability check before the call publication and grant award.
  - ii. Participation of the PBFA in the formal eligibility check.
  - iii. Request for creation of a third party.
  - iv. Request for awarding and budgetary commitment.
  - v. Analysis of reports and request for payment.
  - vi. Request for recovery of funds in the cases of: unused pre-financing amounts, recovery of overstated amounts, fraud and implementation of ex-post audit results.
2. The procedure to follow in case the grant award decision departs from the proposal made by the evaluation committee.
  3. The organisation, schedule and responsibilities necessary to carry out audits to beneficiaries.
  5. The nomination of a "Call responsible" and his/her responsibilities.
- (iv) All the supporting documents, exchange of letters and emails, etc., resulting from the activities included in this chapter are subject to the application of paragraph 2.8 of this Manual (Communications and Records Management).

### **CHAPTER 3: METHODS OF GRANTS MANAGEMENT**

#### **PART A: OPEN OR RESTRICTED CALL FOR PROPOSALS**

##### **I OPEN CALL FOR PROPOSALS**

Grants must be awarded following the publication of an Open Call for Proposals. Calls for proposals are open where all applicants are free to submit a grant application form including a full proposal in response to the published Guidelines for Applicants. Calls for proposals shall be published in media of a wider circulation including but not limited to the African Union Official website.

##### **II RESTRICTED CALL FOR PROPOSALS**

- i) Calls for proposals are restricted when valid reason exists for not conducting an open call and a limited number of participants are invited to submit proposals / grant applications. Valid reasons for limited competition include:
  - (a) An open competition would have negative security implications
  - (b) The subject matter of the call is otherwise sensitive and cannot be advertised.

- (c) The requirement is below the threshold for open competition.
  - (d) The number of potential grant applicants is limited.
  - (e) Geographical Restrictions on the grant.
  - (f) An open call has failed to bring an award of contract
- ii) Where a Restricted call for proposals is required for a reason other than those listed above, the contracting office or department shall request approval from the relevant authority.
  - iii) The measures applicable to an open call for proposals apply by analogy to a restricted call for proposals, with the exceptions below:

In a restricted call for proposals, the guidelines for applicants require applicants to first submit a concept note. The administrative checks are done on the concept notes, and then on the full applications; evaluations are made using the relevant checklists.

- iv) The guidelines for applicants state that a specific number of lead applicants, based on the available budget, will be invited to submit a final proposal. A list restricted to the published number is drawn up, consisting of the applicants with the best scores for the concept notes, ranked in order. A report is drafted to document the results of the opening session and administrative checks and the concept note evaluation.
- v) The shortlisted lead applicants are then invited in writing to submit a full application. The eligibility checks are only made on the proposals that have been provisionally selected at the end of the evaluation, on the basis of the supporting documents requested by the contracting authority and of the declarations by the lead applicant, according to the rules set out in the guidelines for applicants and within the available budget for the call. Further to submission of the full proposals, an eligibility check will be performed for those provisionally selected entities. This check will be undertaken on the basis of the supporting documents requested by the Contracting Authority.
- vi) The information assessed on the basis of the concept note may not be changed by the applicants in the full application. The contribution requested from the Contracting Authority for the action may not differ from the initial estimate. Should that requested contribution differ from the initial estimate, the difference between the Contracting Authority's contribution and the total cost of the action must remain within the limits imposed by the guidelines for applicants.
- vii) The lead applicant may replace a co-applicant or an affiliated entity only in duly justified cases (e.g. bankruptcy of initial co-applicant or affiliated entity). In this case the new co-applicant/affiliated entity must be of a similar nature as the initial one. The lead applicant may adjust the duration of the action if unforeseen circumstances outside the scope of the applicants have taken place following the submission of the concept note and require such adaptation (risk of action not being carried out). In such

- a. The **exclusion** criteria are about the organisation itself, regardless of the nature of the call, in relation with its legal and social obligations.
  - b. The **eligibility** criteria serve to check if the organisation fulfils the specific conditions of a particular call.
  - c. The **selection** criteria aims to ensure that the applicant has the operational and financial capacity to implement the project proposed.
  - d. Finally, the **awarding** criteria are about the project and the project only. Proposals will be awarded to best projects as compared to the objectives and priorities of the call.
- ii) All criteria specified in the Call for Proposals must be applied as they stand and cannot be changed in the course of the procedure. The criteria should be clear and non-discriminatory. See the templates of evaluation grids given in Annexes EVL1 Concept note evaluation grid & EVL2 Full application evaluation grid.

#### 3.3.1.1 The eligibility criteria

- i) The eligibility criteria shall determine the conditions for participating in a call for proposals. Those criteria shall be established with due regard for the objectives of the action and shall comply with the principles of transparency and non-discrimination.

The eligibility criteria relate to two different aspects:

- (a) Eligibility of the applicant: this refers to the applicant's legal and administrative status. If a Call for Proposals relates to actions to be implemented in partnership, the minimum number of partners and the eligibility criteria applicable to each of the partners of the lead applicant must be specified. The eligibility criteria applicable to the lead applicant and to the partners may differ.
  - (b) Eligibility of the action: this refers to the types of activities, sectors or themes and geographical areas covered by the Call for Proposals.
- ii) Participation in the award of grants contracts is, as a general rule, open on equal terms to all natural and legal persons established in any member state of the African Union and, after prior approval from the relevant services of the Contracting Authority, to entities which do not have legal personality under the applicable national law, provided that their representatives have the capacity to undertake legal obligations on their behalf and assume financial liability and who are established in an eligible country in accordance with the basic act governing the programme in question.
- iii) Exceptions to the nationality rule must be specifically mentioned in the Guidelines for Applicants and is subject to the prior approval of the Contracting Authority. The award of such derogations is decided on a case-by-case basis by the Contracting Authority before the procedure is launched and they will depend on the objective of the programme (e.g. enhancing cooperation with non-member states)

### 3.3.1.2 The exclusion criteria<sup>1</sup>

Applicants will be excluded from participation in all AU calls for proposals if:

- (i) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (ii) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*; (i.e. against which no appeal is possible);
- (iii) they have been guilty of grave professional misconduct proven by any means which the AU can justify;
- (iv) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the AU's financial interests;
- (v) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or those of the country where the contract is to be performed;
- (vi) they have been previously removed from the AU Supplier Register or debarred from previous procurement activities for any of the reasons given above or any other reasons which the AU can justify.
- (vii) they are citizens of AU Member States under sanctions by the day of the Call deadline

### 3.3.1.3 The selection criteria

- i) The selection criteria are used to assess the applicant's financial and operational capacity to complete the proposed action: the applicant must have stable and sufficient sources of funding to maintain its activity throughout the period during which the action is being carried out and to participate, where appropriate, in its funding. Applicants and their partners must also have the necessary professional competencies and qualifications to complete the proposed action.
- ii) The verification of financial capacity based in particular on an analysis of the supporting documents requested from the applicants does not apply to natural persons in receipt of scholarships, public bodies or international organisations.

### 3.3.1.4 The awarding criteria

- i) The award criteria are used to assess the quality of proposals against the set objectives and priorities, so that grants are awarded to the actions which maximise the overall effectiveness of the call for proposals. They should enable

<sup>1</sup> These criteria have been taken from point 8.1 of the M. M. procurement manual (grounds for exclusion).

the Contracting Authority to select proposals which it can be confident will comply with its objectives and priorities.

- ii) The award criteria relate, in particular, to the relevance of the action and its compatibility with the objectives of the grant programme under which the Call for Proposals is being financed, to the quality, expected impact and sustainability of the action, and to its cost-effectiveness.

### **3.3.2 The evaluation committee**

#### **3.3.2.1 The role and composition of the evaluation committee**

- i) Proposals are evaluated by an Evaluation Committee appointed by the Contracting Authority comprising a Chairperson, a non-voting Secretary and an odd number of voting members (minimum of three). The voting members must possess the technical and administrative capacities necessary to give an informed opinion on the proposals. They must have a reasonable command of the language in which the proposals are submitted. They must represent at least two organisational entities of the Contracting Authority with no hierarchical link between them. Substitutes to the members can be nominated on the same conditions as the titulars where justified by the size and/or the technical nature of the call for proposals. The participation of other observers must be authorised in advance by the Contracting Authority.
- ii) The Evaluation Committee members should attend all meetings, except the opening meeting. Any absence must be recorded and explained in the evaluation report. A member who withdraws from the Evaluation Committee for whatever reason must be replaced by his substitute or following the standard procedure for appointing members of the Evaluation Committee. The Chairperson of the Evaluation Committee determines to what extent the evaluation process must be restarted. Such decision as well as any decision relating to the replacement of a Committee member must be recorded and justified in the evaluation report.
- iii) All voting members of the Evaluation Committee have equal voting rights.
- iv) The Evaluation Committee should be formed early enough to ensure the availability of the designated members (and any observer nominated by the Contracting Authority, in the case of decentralised ex-ante control) during the period necessary to prepare and conduct the evaluation process.

#### **3.3.2.2 Impartiality and confidentiality**

- i) All members of the Evaluation Committee and any observers must sign a Declaration of Impartiality and Confidentiality (see Annex A4). Any Evaluation Committee member or observer who has a potential conflict of interest with any applicant must declare it and immediately withdraw from the Evaluation Committee. He/she will be excluded from participating further in any capacity in the evaluation meetings.



- ii) The Chairperson of the Evaluation Committee determines to what extent the evaluation process must be restarted. Such decision must be recorded and justified in the Evaluation Report.
- iii) While the call for proposals procedure is under way, all contacts between the contracting authority and candidates must satisfy conditions ensuring transparency and equal treatment; they may not lead to amendment of the conditions of the grant contract or the terms of the original call. No information about the examination, clarification, evaluation or decisions about the contract award can be disclosed before the signature of the contract(s). Any attempt by an applicant to influence the process in any way (whether by initiating contact with members of the Evaluation Committee or otherwise) may result in the immediate exclusion of its proposal from further consideration.
- iv) For service tenders and call for proposals, the proceedings of the Evaluation Committee, from the opening of tenders/proposals to the conclusion of the work of the Evaluation Committee, are conducted in camera and are confidential.
- v) In order to maintain the confidentiality of the proceedings, participation in the Evaluation Committee meetings is strictly limited to the members of the Evaluation Committee designated by the AU and any authorised observers (including designated assessors in the case of call for proposals).
- vi) Apart from the copies given to any assessors(s) or experts in call for proposals, the proposals should not leave the room/building in which the committee meetings take place before the conclusion of the work of the Evaluation Committee. They should be kept in a safe place when not in use.

#### **3.3.2.3 Responsibilities of the evaluation committee**

- i) The Chairperson is responsible for co-ordinating the evaluation process in accordance with the procedures of this Guide and for ensuring its impartiality and transparency. The voting members of the Evaluation Committee have collective responsibility for decisions taken by the Committee.
- ii) The Secretary to the Committee is responsible for carrying out all administrative tasks connected with the evaluation procedure. These will include:
  - (a) circulating and collecting the Declarations of Impartiality and Confidentiality;
  - (b) keeping the minutes of all meetings of the Evaluation Committee and the relevant records and documents;
  - (c) registering attendance at meetings and compiling the Evaluation Report and its supporting annexes.
- iii) Any request for clarification requiring communication with the applicants during the evaluation process must be conducted in writing. Copies of any such communication must be annexed to the Evaluation Report.

- iv) If a proposal infringes the formal requirements, the Evaluation Committee may use its discretion to decide whether or not it should still be considered during the rest of the evaluation process, while ensuring the equal treatment of tenders and applicants and in accordance with the principle of proportionality. Whatever the Evaluation Committee decides, this must be fully recorded and justified in the Evaluation Report.
- v) Tenders or proposals falling e.g. in the following situations should not be rejected.
  - (a) submitted in fewer number of copies than required;
  - (b) submitted with the wrong presentation (but the correct templates used);
  - (c) proposals which have not been signed or contains a scanned signature (the signature can be requested subsequently - if not obtained, the tender must be rejected).

### **3.3.3 Stages in the evaluation process**

The evaluation process starts with the receipt of the concept notes/proposals by the Contracting Authority, and ends with the decision to award grants to the selected applicants. The procedure is set out below.

#### **3.3.3.1 Receipt and registration of proposals**

On receiving proposals, the Contracting Authority must register them and provide a receipt for those delivered by hand (see Annex EVL14 Receipt for hand delivered proposals). The envelopes must remain sealed and be kept in a safe place until they are opened.

#### **3.3.3.2 Opening session and administrative check**

- i) All proposals received should be opened in an opening session at which the registration details will be checked and completed and the proposals numbered the Opening Session Committee according to the AU Procurement Manual.
- ii) The secretary to the Opening Session Committee supervises the opening session and requests the assistance of other staff of the Contracting Authority as need be.
- iii) The registration of concept notes/proposals should contain the following information:
  - a. - registration number of concept note/proposal
  - b. - date of submission
  - c. - the applicant's name and address.
- iv) For each proposal, the original is kept safely in the archives of the Contracting Authority, and the copies are distributed to the evaluators and, where appropriate, to the assessors.

- v) The proposals having met the deadline are then subject to an administrative check, which will assess whether they satisfy all the criteria mentioned in the checklist (Part 1 of section V of the grant application form). Under no circumstances may assessors or members of the Evaluation Committee change this checklist.
- vi) Incomplete dossiers will be disqualified from the evaluation process. However, if some of the criteria are not satisfied, according to the option chosen in the call for proposals, the applicant is rejected or invited to submit a clarification within the deadline fixed by the Evaluation Committee. In the latter, the Evaluation Committee may use its discretion to decide whether or not it should still be considered during the rest of the evaluation process, while ensuring the equal treatment of proposals and in accordance with the principle of proportionality. Whatever the Evaluation Committee decides, this must be fully recorded and justified in the Evaluation Report.
- vii) The Contracting Authority must keep proposals not considered for further evaluation.
- viii) The administrative check may be carried out by members of the Evaluation Committee or by assessors.
- ix) If the members of the Evaluation Committee do not carry out the check themselves, the Evaluation Committee must review the conclusions of the assessors on the basis of their completed grids. In order to facilitate the Evaluation Committee's review of the assessments, the Secretary to the Evaluation Committee must ensure that one list is drawn up containing proposals which did not satisfy the administrative criteria mentioned in the checklist. For each entry on the list, the criteria not satisfied must be identified.
- x) Following the opening session and the administrative check, the Evaluation Committee meets to decide on any contentious case and sign the Proposal Opening session and administrative check Report, (see Annex EVL3 Opening session and administrative check).
- xi) Once the required approvals received, the Contracting Authority must send a standard letter to the applicants (see Annex EVL7 Letter to applicants after opening session) that includes a statement indicating to the applicants whether or not their application was submitted within the deadline, informing them of the reference number they have been allocated, whether their application has satisfied all the criteria mentioned in part 1 of the checklist and whether their concept note has been recommended for further evaluation.

#### 3.3.3.3 Evaluation of the concept note

- i) The concept notes submitted within the deadline and having satisfied the administrative criteria mentioned in the checklist will undergo an evaluation of the relevance of the action, its effectiveness as well as of the feasibility and sustainability of the action on the basis of a concept note evaluation grid (see Annex EVL1 Concept note evaluation grid). The overall assessment is based on the scores obtained under each subheading, added up by heading. In the

case the Evaluation Committee does not evaluate itself the concept notes, the final score is the arithmetical average of the scores given by the assessors.

- ii) The Contracting Authority reserves the right not to undertake the evaluation of the Concept Notes whenever considered justified (for example when a less than expected number of proposals are received) and to go straight to the evaluation of the corresponding full proposals.
- iii) The Secretary will then prepare a list of all the concept notes, ranked by score. At a first step, only the concept notes which have been given a score of *X* points in the category "Relevance" as well as a minimum total score of *Y* points will be considered for pre-selection (*X and Y are threshold points decided at the moment of submitting the call for approval to the Administration*). The completed evaluation grids for each concept note must be sent to the Evaluation Committee.
- iv) Following the evaluation of the concept notes, the Contracting Authority will send a letter to the applicants, whose concept note has been evaluated, indicating whether their full application will be evaluated or not (see Annex EVL8 Accept letter to applicants after concept note evaluation).

#### **3.3.3.4 Evaluation of the application form**

- i) The quality of the applications forms must be assessed on the basis of the evaluation grid (see Annex EVL2 Full application evaluation grid) containing the selection and award criteria. Comments are made for each heading on the basis of the questions and criteria used for that heading. In particular cases, comments may need to be made for specific subheadings. The overall assessment is based on the scores obtained under each subheading, added up by heading. In the case the Evaluation Committee does not evaluate itself the application forms, the final score is the arithmetical average of the scores given by the assessors.
- ii) The Secretary will then prepare a list of all the proposals, ranked by score. The completed evaluation grids for each proposal and must be sent to the Evaluation Committee.
- iii) Once the required approvals received, the Contracting Authority must send a standard letter (see Annex EVL7 Letter to applicants after opening session) to the applicants, stating whether their proposal has been provisionally selected according to their score, and inviting those whose proposals have been provisionally selected to supply the required supporting documents.

#### **3.3.3.5 Verification of eligibility**

- i) This assessment must be carried out using the Declaration by the applicant (part 2 of section VI of the grant application form) and the criteria set out in the Guidelines for Applicants. Under no circumstances may assessors or members of the Evaluation Committee change this Declaration.

- a. Is the Declaration by the applicant in conformity with the supporting documents requested?  
Any missing supporting document or any incoherence between the Declaration and the supporting documents will lead to the rejection of the proposal on that sole basis.
  - b. Eligibility: are the applicant, the partners and action eligible?  
This is assessed according to the criteria set out in the Guidelines for Applicants.
- ii) The verification of eligibility may be carried out by members of the Evaluation Committee or by assessors. Each proposal may be examined by one person.
  - iii) Even though the verification of eligibility is foreseen to be carried out only for the provisionally selected applicants at the end of the procedure, the Committee may decide to verify this point at any previous step of the procedure.
  - iv) Taking into account the Good Administrative Practices, the Evaluation Committee can exclude an applicant at any stage of the Call for proposals evaluation process whenever it is obvious that the latter does not meet the eligibility criteria.
  - v) If the members of the Evaluation Committee do not carry out the assessment themselves, the Evaluation Committee must review the conclusions of the assessors on the basis of their completed grids. In order to facilitate the Evaluation Committee's review of the assessments, the Secretary to the Evaluation Committee must ensure that one list containing the proposals which are ineligible is drawn up. For each entry on a list, the grounds for ineligibility must be identified.

#### **3.3.3.6 Conclusions of the Evaluation Committee**

- i) The Evaluation Committee will draw up its recommendations after the assessors have examined all the proposals. The Evaluation Committee must not change the assessors' scores or recommendations and must not alter the evaluation grids completed by the assessors.
- ii) The Evaluation Committee may decide to approve the ranking drawn up by the secretary on the basis of the assessors' report. If the Committee does not accept the scores awarded by the assessors to a proposal, for example where there is a significant difference between the scores awarded by the assessors, it must justify this decision in the evaluation report. Subject to the points below, the Committee then has to prepare a new evaluation grid for the proposal concerned. The list will be amended on the basis of the scores from the new evaluation, which replace those completed by the assessors.
- iii) All such decisions must be recorded and fully substantiated in the Evaluation Report. The evaluation grids completed by the members of the Evaluation Committee must be kept with those completed by the assessors.

- iv) The Evaluation Committee's decisions are taken independently and in an advisory capacity. The Evaluation Committee must ultimately draw up a list of the proposals selected for financing, indicating the score obtained by each proposal, the amount of the proposed grant and the proportion of the eligible costs it is proposed to finance. Subject to the following considerations, this list is made up of the proposals obtaining the best scores, ranked by order, within the limits of the funds available under the call for proposals.
- (a) The Committee may not allocate all the available funds if it finds that there are too few proposals of the quality required to receive a grant.
  - (b) The Committee may draw up a list by subject or geographical area specified in the Guidelines for Applicants.
  - (c) The Committee may reject a proposal if it has selected another which is of a similar nature but has been awarded a higher score.
  - (d) Where several proposals submitted by the same applicant are selected for financing, but the applicant does not have the financial and operational capacity required to implement the actions all together, the Committee may reject the proposal(s) which has (have) been awarded a lower score, and select the proposal(s) that the applicant has the capacity to implement.
- v) The Committee may furthermore draw up, in the same conditions, a reserve list comprising a limited number of proposals having obtained the best scores after those selected for financing. This reserve list is valid during the period mentioned in the evaluation report. The proposals included in that list are likely to receive a grant insofar as funds become available under the call for proposals (decrease of the eligible costs of the selected proposals, impossibility to sign a contract with a selected applicant, etc.).
- vi) The final Evaluation Report (see Annex EVL6 Final evaluation report), covering the eligibility verification, is drawn up following the final meeting of the Evaluation Committee. It comprises the minutes of the evaluation sessions and must be signed by all members of the Evaluation Committee.
- vii) Once the approvals have been given, the Contracting Authority will commence awarding the grants (see paragraph 3.4).
- viii) The award decision contains the subject and overall amount of the decision, the approved evaluation report and, where appropriate, the grounds for the decision by the Contracting Authority to depart from the recommendations made by the Committee in the report in respect of a particular proposal.
- ix) Subject to the Contracting Authority's policy on access to documents, the entire procedure, from the drawing-up of the Call for Proposals to the selection of successful applicants, is confidential. The Evaluation Committee's decisions are collective and its deliberations must remain secret. The committee members are bound to secrecy.

### **3.3.4 Cancelling the call for proposals procedure**

- i) The Contracting Authority may decide to cancel the call for proposals procedure at any stage, but particularly in the light of the Evaluation Report, if:
  - (a) the call for proposals has been unsuccessful, i.e., no worthwhile proposal has been received or there were no replies;
  - (b) the economic or technical data of the programme have been fundamentally altered;
  - (c) exceptional circumstances or force majeure render the normal conduct of the planned actions impossible;
  - (d) there have been irregularities in the procedure, in particular where these have prevented equal treatment
- ii) In the event of cancellation of a call for proposals, applicants must be notified of the cancellation by the Contracting Authority but will not be entitled to compensation.

## **3.4 AWARDING AND CONTRACTING**

### **3.4.1 Notification of applicants**

- i) After the Contracting Authority has given its official approval to the final list of grants to be awarded, it notifies the successful applicants in writing that their applications have been selected (see Annex EVL12 Award Letter).
- ii) It must also send the unsuccessful applicants a standard letter (see Annex EVL10 Reject letter to applicants after full proposal evaluation) informing them that they have not been selected and specifying the reasons.
- iii) The letters to the successful applicants must be sent within 15 days of the award decision and letters to the unsuccessful applicants within a further 15 days of that.

### **3.4.2 Contract preparation and signature**

- i) The Contracting Authority notifies the successful tenderer in writing that its tender has been accepted (see format of letter in Annex EVL12 Award Letter) and draws attention to any arithmetical errors or ineligible costs which were corrected during the evaluation process. The Description of the action is corrected accordingly if need be.
- ii) Other clarifications or minor corrections may be brought to the Description of the action or to the budget in so far as they would not call into question the grant award decision or be contrary to the equal treatment of applicants and:
  - (a) Relate to aspects clearly identified by the Evaluation Committee: or

- (b) Aim at taking into consideration the changes which have occurred since the date of receipt of the proposal
- iii) Those modifications may in any case not lead to an increase of the amount of the grant nor of the percentage of the co-financing fixed by the Evaluation Committee.
- iv) Any other alteration to the successful applicant's proposal or negotiation with it is, in principle, not permitted. The responsible department may divert from this rule in duly justified cases. This possibility should be clearly communicated in the Guideline for applications, providing the applicants with all the changes in the procedure in order to respect the principle of transparency and equal treatment.

#### **3.4.3 Publicising the award of grants**

- i) Once the contracts have been signed, the Contracting Authority prepares a notice of award for each call for proposals (see Annex PUB3 Award Publication) and publishes it in the AU website within three months.
- ii) In addition, the Contracting Authority must record all statistical information concerning the procedure (including the number of applicants in the past year; the number and percentage of successful applications per call for proposals; the mean duration of the procedure from date of closure of the call for proposals to the award of a grant, grant amounts, the names of the applicants, and details of the beneficiaries).

### **3.5 MODIFYING GRANT CONTRACTS**

#### **3.5.1 General principles**

- i) The modifications must not have the purpose or the effect of making such changes to the contract as would call into question the grant award decision or be contrary to the equal treatment of applicants. No modification to the contract may alter the award conditions prevailing at the time the contract was awarded.
- ii) The maximum amount of the grant may not be increased.
- iii) Following this logic, major changes, such as a fundamental alteration of the Guide for Applicants, cannot be made by means of an addendum or an administrative order.
- iv) A request for grant contract modifications should not automatically be accepted by the Contracting Authority. There must be justified reasons for modifying a contract. The Contracting Authority must examine the reasons given and reject requests which have little or no substantiation.
- v) Grants contracts can only be modified within the execution period of the contract. The purpose of the addendum or administrative order must be closely connected with the nature of the project covered by the initial contract.



- vi) Requests for contract modifications must be made (by one contracting party to the other) well in advance to allow for the addendum to be signed by both parties before the expiry of the execution period of the contract.
- vii) Special care must be taken for calls for proposals partially or totally funded under Financing Agreements by other international organisations, partners or donors: any modification extending the period of implementation must be such that implementation and final payments can be completed before the expiry of the Financing agreement under which the initial contract was financed.

#### 4.5.2 Preparing an addendum

In preparing an addendum, the Contracting Authority must proceed as follows:

- i) Use the template for an addendum (Annex CNT10 Contract Addendum):
  - (a) All references in the proposed addendum to article numbers and/or annexes to be modified must correspond to those in the initial contract.
  - (b) Any addendum modifying the budget must include a replacement budget showing how the full budget breakdown of the initial contract has been modified by this addendum (and any previous addenda) (see Annex APF1 Budget).
  - (c) If the budget is modified by the proposed addendum, the payment schedule must also be modified accordingly, taking into account any payments already made in the course of the contract.
  - (d) The payment schedule must not be modified unless either the budget is being modified or the contract is being extended.
- ii) Prepare a dossier comprising the following items:
  - (a) Explanatory note providing a technical and financial justification for making the modifications in the proposed addendum;
  - (b) Copy of the request for (or agreement to) the proposed modifications;
  - (c) Three originals of the proposed addendum, which is based on the standard addendum template and includes any revised annexes.

### 3.6 SECURITIES AND RETENTIONS

#### 3.6.1 Bid Securities

- i) Bid securities are used to protect the AU against an applicant withdrawing from the grants management process prior to the award of contract and are normally in the form of a bank guarantee specifying the detailed conditionality for defaults under which the AU may call for payment. Due to the costs incurred by an applicant in obtaining a bank guarantee bid securities are normally only used

in higher value open calls for proposal procedures. Alternative acceptable formats of bid security such as Bankers Cheques, or bonds issued by insurance companies may be specified as acceptable within the bidding documents.

- ii) Any requirement for a bid security shall be indicated in the bid document as a fixed sum only, based on a varying percentage of between one percent ( 1% ) and five percent (5%) .

### **3.6.2 Performance Securities**

- i) Performance securities from a supplier or contractor are used to protect the AU by guaranteeing performance under the terms of the contract. Such securities are normally required in the form of a bank guarantee specifying the specific conditionality for defaults under which the AU may call for payment. Alternative acceptable formats of performance security such as Bankers Cheques, or bonds issued by insurance companies may be specified as acceptable in the bidding documents.
- ii) Any requirement for a performance security shall be indicated in the bidding documents as a set percentage of the contract sum. The value shall normally be set at between ten percent (10%) and twenty-five percent (25%) of the contract sum, based on consideration of the risks and costs that AU may suffer in the event of any default by the supplier or contractor.

### **3.6.3 Advance Payment Securities**

Where advance payments of Ten Thousand United States Dollars (USD 10,000) or above are made, an advance payment security shall be required from the supplier or contractor to cover the full amount of the advance payment. Advance payment securities shall normally be in the form of a bank guarantee specifying the specific conditionality under which the AU may call for payment.

### **3.6.4 Procedure for Receipt, Storage and Return of Securities**

#### **3.6.4.1 Safe Storage**

Securities, whether for the purpose of Bid Security, Advance Payment Guarantee or Performance Security must not be annotated in any way and must, after the details have been recorded, be immediately stored in a safe, secure place by the Directorate of PBFA.

#### **3.6.4.2 Record of Security details**

The Secretary of Tender Board shall record the following details of the Security in a Register:

1. Call for proposals Reference number;
2. Proposal Title (as applicable);
3. Applicant Name;

4. Amount of Security;
5. Form of Guarantee (e.g. Certified Cheque or Bank Guarantee)
6. Name of Bank; and
7. Expiry date of Security.

#### 3.6.4.3 Return of Securities

All securities must be returned to the applicant, supplier or contractor as soon as they are no longer required. Bid securities in particular must be returned immediately to all applicants once the relevant contract is signed and all conditions for contract effectiveness have been met. Performance and advance payment securities must be returned once the supplier has discharged his obligations.

#### 3.6.4.4 Expiry reminder

The Secretary of Tender Board shall issue reminders not less than two weeks before any security is due to expire for the following reasons:

- (a) upon notification by the Grants management and Travel Division;
- (b) If the reason for the security is no longer applicable then the security must be immediately returned to the applicant or supplier - i.e. when: (i) the contract has been awarded to another applicant; (ii) work which is covered by a performance security has been performed or the warranty period has expired; or (iii) the value of the advance payment has been deducted from other payments to the supplier or contractor;
- (c) If the award of a tender is delayed, invite applicants in writing to extend their Bid Securities for an appropriate period;
- (d) If a Supplier or Contractor is not expected to complete/perform the task to which the security relates within the remaining period, request the Supplier or Contractor to extend the guarantee by an appropriate period;
- (e) If the Supplier or Contractor has defaulted on his contractual obligations, or refuses to extend an advance payment or performance security, seek advice of the Tender Board to consider calling bank guarantees immediately by demand in writing to the issuing bank, not less than one week before the expiry date.

#### 3.6.4.5 "Called" Security

A "called" Security shall be paid to the AU for the credit of the appropriate Account Code to compensate for costs or losses due to the Supplier's non-performance.

#### 3.6.5 Retentions

Retentions are normally only applicable to works projects or occasionally to the supply of machinery and equipment. The rates of retention to be withheld from all certificates or stage payments for works contracts shall be specified in the contract. Following interim takeover of the works, a further payment may be made to the contractor under the terms of the contract to reduce the retention to a lower percentage of the contract

price. The balance of any Retention monies are only released to the supplier or contractor on satisfactory completion of the guarantee or warranty period stated in the contract.

### 3.7 USE OF ASSESSORS AND EXPERTS

- i) Where the proposals received are particularly numerous or highly technical, it may not always be possible for the Evaluation Committee to examine each one in detail. If necessary, all or part of this detailed examination may be carried out by assessors or experts so that the Evaluation Committee may conduct its deliberations on the basis of their assessments. Assessors may attend the meetings of the Evaluation Committee as observers to present the results of their assessments and answer any questions from Committee members. The Contracting Authority may grant, on justified cases, voting rights to experts; they should have the same weight as the rest of the members of the Evaluation Committee, becoming, therefore, full-right members.
- ii) Assessors are normally selected and contracted by using the appropriate procedure for service contracts. Their areas of expertise are typically civil engineering, transport, energy, health, industry, etc. Experts are normally selected from a list resulting from a call for expression of interest; they are appointed and not hired and they do not enter into competence (they receive a flat amount per day of evaluation). Experts are normally necessary to evaluate research proposals.
- iii) Outside assessors who are not officials or other staff of the AU must be selected using the appropriate AU procedure for service contracts. Experts selection must respect the principle of transparency and they should sign a "absence of conflict of interest" form (see annex EVL13 Experts declaration of impartiality and confidentiality)
- iv) Whenever possible, experts should be citizens of one of the African Union member states. Depending on especial arrangements resulting from international cooperation agreements, the Contracting Authority may invite to join as expert staff from such organisations, regardless of their nationality. They should enjoy equal voting rights as the rest of the members of the Evaluation Committee.
- v) In the case assessors or experts are not used, it suffices that the Evaluation Committee completes one collective evaluation grid for each respective step of the procedure.
- vi) Assessors and experts work under the supervision of the Chairperson of the Evaluation Committee. Although the same persons may be used for the different stages, different types of expertise are required for the different assessments and it is recommended to use different persons wherever possible. Experts participating in evaluation committees of calls under the same work programme must rotate at a rate of 25%

- vii) With respect to the administrative check and the verification of eligibility, the task of assessors consists of carrying out a screening of each proposal on the basis of the Checklist (section V of the application form) and the Declaration by the applicant (see Annex 2 Logical framework). Each proposal need only be screened by one assessor.
- viii) It would be preferable to delegate this work (verification of eligibility) to officials or other staff members of the Contracting Authority. Outside assessors may be recruited as required.
- ix) With respect to the evaluation of the concept notes and of the proposals, the task of assessors or experts consists of carrying out a written assessment on the basis of the published evaluation grids (see Annexes EVL1 Concept note evaluation grid and EVL2 Full application evaluation grid). At least two assessors or experts must assess each concept note and each proposal, working independently of each other. They should preferably be chosen internally within the Commission services. Where there are insufficient internal resources, external assessors or experts can however also be chosen. They must have an in-depth knowledge of the issues covered by the grant programme concerned. Their expertise should be verified on the basis of their CVs. A minimum of five years' experience of a particular issue should be expected.

## **PART B: DIRECT AWARD**

### **3.8 DEFINITION OF DIRECT AWARD**

- i) Non-competitive procedures are based on direct contracting (single-sourcing, sole-sourcing) where a beneficiary is selected under very limited circumstances, usually when there is no possible competition and hence the economy and efficiency would not be served well by a competitive process.
- ii) Direct selection method shall be appropriate where;
  - (a) Award for identical requirements have been approved within a reasonable period and the conditions offered remain unchanged;
  - (b) Where a former competitive call for proposals has failed to bring an award of grant;
  - (c) The beneficiary is a specialized institution;
  - (d) For tasks that are a natural continuation of previous grant or project carried out by the beneficiary;
  - (e) For emergency situation and natural disasters;
  - (f) When only one beneficiary is qualified or has the necessary experience for the assignment; and

- (g) Open and restricted call for proposals would have negative security implications.
- iii) All requests for direct award shall be fully justified and approved by the relevant authority prior to engagement with the beneficiary.
- iv) Following approval of the direct award, the Contracting Authority shall perform capacity assessments to ensure that the Beneficiaries have proper institutional mechanisms to support the implementation of actions agreed upon in writing. Similarly, the beneficiaries shall be responsible for ensuring that the sub-Beneficiaries, where applicable, have the required capacities to manage the sub-grants.

### 3.9 MANAGEMENT OF ACTIONS

- i) The Contracting Authority shall take the lead role in the management of actions. The implementation of actions is vested within the strategic functions of the Beneficiaries.
- ii) The Beneficiaries shall retain management and implementation responsibility for their respective activities, as contained in the approved work plans.
- iii) Coordination mechanisms at strategic and technical levels shall be put in place to provide oversight to implementation of actions.
- iv) A Programme Management mechanism shall be put in place by the Contracting Authority to support and coordinate the day to day operations of the actions.

#### 3.9.1 Planning

- i) The actions as agreed upon in writing, including the results frameworks, shall provide the key interventions, performance indicators, activities, means to achieve activities, work plans and indicative budgets.
- ii) Work plans shall be prepared by the beneficiaries as agreed in writing.
- iii) Steering Committees may be convened to provide oversight to implementing parties on preparation of work plans.
- iv) The Contracting Authority shall review and approve work plans of Beneficiaries based on the criteria set out in writing under Grant Agreements signed between the parties.
- v) Work plans shall include:
  - (a) Key Intervention areas for each Implementing Party;
  - (b) Plans on how the activities to be undertaken contribute to the attainment of the expected results/outputs of the action as defined in the relevant Grant Agreement; and

- (c) Estimation of resources required.

### 3.10 LEVEL OF RESPONSIBILITY AFTER CAPACITY ASSESSMENT

- i) The degree of direct award may vary depending on the number and the nature of implementation tasks. The degree of direct award is based on the possible combination of two implementation tasks:
  - (a) Direct award relating to procurement, grants and financial instruments procedures. In this case the Beneficiary concludes contracts for procurement, grants and Financial Instruments with third parties but it is the Contracting Authority who makes the payments to third parties; **and/or**
  - (b) Direct award of **financial management** (payments).
- ii) Consequently direct award may range from minimal (or partial) direct award to maximal (or full) direct award as follows:

**3.10.1 Minimal (or partial) direct award** under ex-ante controls of the Contracting Authority (during the steps of the contracting procedure): The Beneficiary is responsible for contracting either in accordance with its own procurement, grant and/or Financial Instruments procedures or in accordance with the procedures of the Contracting Authority. However, the Contracting Authority, and not the Beneficiary, have the final decision on the amounts to be paid / recovered and make all the related payments to third parties. There is no delegation of financial management to the Beneficiary. In the case of minimal (or partial) direct award grants, the Contracting Authority must have control and supervisory measures in place which ensure that:

- (i) Beneficiary (including Financial Intermediaries) to which the Contracting Authority has sub-delegated contracting tasks applies appropriate procedures for providing financing from Contracting Authority funds through grants, procurement and Financial Instruments. Depending on the case, these are the Contracting Authority or the Beneficiary's own procedures.
- (ii) Beneficiaries (including Financial Intermediaries) to which the Contracting Authority has sub-delegated contracting tasks comply with criteria for internal control, accounting and independent external audit insofar these criteria are relevant for the contracting procedures and tasks.

**3.10.2 Maximal (or full) direct award:** The Beneficiary is responsible for concluding contracts for procurement, grants and Financial Instruments with third parties – either in accordance with its own procedures or the procedures of the Contracting Authority – and for the financial management (including payments to third parties) of these contracts. In this case the Contracting Authority must have control and supervisory measures in place which ensure that:

- (i) Beneficiary (including Financial Intermediaries) to which the Contracting Authority has sub-delegated contracting and payment tasks apply appropriate procedures for providing financing from Contracting Authority funds through grants, procurement and Financial Instruments. Depending

on the case these are the Contracting Authority or the Beneficiary's own procedures.

- (ii) Beneficiaries (including Financial Intermediaries) to which the Contracting Authority has awarded contracting and payment tasks comply with the positive assessment by the Contracting Authority or an external audit firm as to its compliance with generally acceptable international standards and best practice criteria for internal control, accounting, procurement and independent external audit.

### 3.11 ROLE OF CONTRACTING AUTHORITY AND BENEFICIARY ON FINANCIAL MANAGEMENT

i. The Contracting Authority shall:

- (a) conduct its supervisory and coordinating role regarding the overall financial management;
- (b) carry out verification of the financial transactions and financial reports of Beneficiaries;
- (c) advise Beneficiaries on how to improve procedures and report to the relevant programme Steering Committee in case major problems arise regarding the financial management and accounting system of Beneficiary;
- (d) carry out monitoring visits to each Beneficiary as appropriate to perform minimum financial and programme verification procedures. The terms and frequency of such monitoring visits shall be stated in the grant agreement;
- (e) provide Budget Monitoring Templates to the Beneficiaries;
- (f) prepare consolidated quarterly and annual financial reports in accordance with agreed reporting formats; and
- (g) perform such roles as may be necessary for management of actions pursuant to the direct award.

(ii) The Beneficiary shall:

- (a) keep accurate and regular records and accounts of the implementation of the Action. The accounting Regulations and Rules of the Beneficiary shall apply provided that these Regulations and Rules conform to internationally accepted standards. Financial transactions and financial statements shall be subject to the internal and external auditing.
- (b) have the responsibility to administer the financial resources in accordance with sound financial management and accounting procedures, by complying with the following:



1. maintenance of a double entry accounting and management systems for financial resources coming from the Programme.
  2. maintenance of a dedicated bank account which shall be denominated in the currency agreed in the grant agreement.
  3. continuous monitoring of expenditure so that any budget over-runs are closely monitored and corrected.
  4. reporting clearly any interest and other income accrued on the Programmes.
  5. providing quarterly Budget performance Reports in accordance with template provided by the Contracting Authority.
- (c) perform such other functions as may be required by the Contracting Authority in the implementation of actions pursuant to the direct award.

### **3.12 COORDINATING AND TECHNICAL COMMITTEES**

#### **3.12.1 STEERING COMMITTEES**

The Grant Agreement may establish Steering Committees for the purpose of directing, coordinating, monitoring and facilitating the implementation of activities and ensuring maximum success and efficiency in carrying out the activities foreseen. The Steering Committee shall consist of representatives of the Parties to the Grant Agreement.

#### **3.12.2. Functions of the Steering Committees**

The Steering Committees shall:

- (i) Present recommendations on strategic and policy issues to relevant decision makers aimed at ensuring that the outcomes of the actions are realised.
- (ii) Monitor and make recommendations on the implementation of the activities foreseen.
- (iii) Be fora for the Parties to discuss and promote exchange of views on policy and progress made under the various actions.
- (iv) Review and approve the work plans prior to submission to the Contracting Authority.
- (v) Design policy proposals of common interests in line with the activities covered by the actions.
- (vi) Discuss and agree on implementation issues such as fund flows, budget and budget reallocation and priorities.

- (vii) Receive audit and evaluation reports related to activities financed by the Contracting Authority, and ensure audit findings and recommendations are properly addressed.
- (viii) Resolve differences regarding the interpretation of the Grant Agreements.

### **3.12.3 Steering committee meetings**

- i) The Steering Committees shall meet at least once a year. The Parties shall nominate representatives to the steering committee and shall communicate the details to the Contracting Authority.
- ii) The Steering Committees shall decide on their own rules of procedure which shall not prejudice the parties to the grant agreement. The Contracting Authority shall provide support to the Steering Committee to ensure that minutes of Steering Committee meetings are approved and circulated.

### **3.12.4 Technical Meetings**

The Contracting Authority may organise sub-committee and/or technical meetings of the Steering Committees, including planning meetings as required.

## **3.13 MONITORING AND EVALUATION**

- i) The monitoring of implementation of work plans shall be made on the basis of intervention frameworks. The indicators for the various components of the results chain (activity, output, outcomes and impact) shall constitute benchmarks for the monitoring of implementation.
- ii) In line with best practice, both a Mid-Term and Final Evaluation Review of the actions, assessing their efficiency, effectiveness, impact, relevance and sustainability, shall be conducted to assess some or all of the following issues:
  - (a) the continued relevance and feasibility of the actions;
  - (b) progress in achieving objectives and resources used;
  - (c) quality of management, including risk management;
  - (d) prospects for sustainability of benefits.
- iii) Independent evaluations may be prepared and commissioned by both the Contracting Authority and Beneficiary.

## **3.14 PROGRESS REPORTING**

### **3.14.1 General issues**

- i) The Beneficiary shall provide the Contracting Authority with full information on the implementation of the Action. The Beneficiary shall submit to the Contracting Authority progress report(s) and a final report in accordance with the provisions set out in the Grant Agreement. These reports shall consist of a narrative part and a financial part.
- ii) Every report, whether progress or final, shall provide a complete account of all relevant aspects of the implementation of the Action for the period covered. The final report, narrative and financial, will cover the entire period of Action implementation.
- iii) The Contracting Authority may request additional information at any time, providing the reasons for that request. Subject to the Beneficiary's Regulations and Rules, such information shall be supplied within the timeline stipulated in the Grant Agreement.

#### 3.14.2 Content of the reports

- i) The progress report(s) shall at least include:
  - (a) summary and context of the Action;
  - (b) actual Results, including an updated table based on a results framework including reporting of Results achieved by the Action (Impact, Outcomes or Outputs) as measured by their corresponding indicators; agreed baselines and targets; and relevant data sources;
  - (c) activities carried out during the reporting period;
  - (d) challenges and lesson learned;
  - (e) information on the implementation costs incurred as well as the legal commitments entered into by the Beneficiary during the reporting period; and
  - (f) a summary of controls carried out, if any under Grant Agreements, and available final audit reports in line with the Beneficiary's policy on disclosure of such controls and audit reports. Where errors and weaknesses in systems were identified, analysis of their nature and extent as well as information on corrective measures taken or planned shall also be provided;
- ii) The Beneficiary shall submit a report for every reporting period as specified in the Grant Agreements from the commencement of the Implementation Period, unless otherwise specified in the Grant Agreement. Reporting, narrative as well as financial, shall cover the whole Action, regardless of whether this Action is entirely or partly financed by the Contracting Authority. Progress reports shall be submitted within the stipulated timeframes of the Grant Agreement.

## CHAPTER 4 – GENERAL PROVISIONS

### 4.1 PROCUREMENT

- (i) In the performance of the activities, the Grant Recipient shall apply its own accounting, internal control, Audit and Procurement systems which would have been positively assessed by the Contracting Authority unless otherwise agreed upon in writing. In case the Beneficiaries' systems are found inadequate as per the capacity assessment, the Grant Recipient shall use the Contracting Authority's Procurement Guidelines for Beneficiaries in Annex IV.
- (ii) In the performance of the procurement activities, the Beneficiary shall be guided by the following principles: Beneficiaries and suppliers must adhere to the highest ethical standards, both during the bidding process and throughout the execution of a contract. The following general principles shall be given due consideration when exercising the procurement functions of the Contracting Authority:
  - (a) Value for money;
  - (b) Fairness, integrity and transparency;
  - (c) Effective competition;
  - (d) Efficiency and Economy.
- (iii) Beneficiaries are required to consistently apply the principles, policies and procedures in this Manual, together with professional judgement and good management, to ensure the highest standards of integrity and competency.

#### 4.1.1 Value for Money

Value for money is the trade-off between price and performance that provides the greatest overall benefit under the specified evaluation criteria. The purpose of public procurement is to obtain the best value for money and to do this it is important to consider, among other factors, the optimum combination of life cycle costing (i.e. acquisition cost, cost of maintenance and running costs, disposal cost) of a purchase and its fitness for purpose (i.e. quality and ability to meet the Grant Recipient's requirements). This definition enables the compilation of a procurement specification that includes social, economic and environmental objectives within the procurement process.

#### 4.1.2 Fairness, Integrity and Transparency

- (i) The procurement system must ensure fairness, integrity, transparency and value for money in the procurement of goods, services and works. The Procurement procedures of the Beneficiaries should be designed to facilitate the procurement of goods, consultancy services and non-consultancy services of the right quality, at the right price, at the right time and at the right place through effective competitive bidding processes.
- (ii) To achieve best value for money, the procurement process must guard against proscribed practices, for example, fraud, corruption, collusion and other unethical practices. Each procurement process must be conducted on the basis

#### 4.7 RECOVERY

- i) Where an amount granted under the agreement remain unspent or in a situation where the expenditures are considered to be ineligible for funding under the agreement such amount shall be recovered from the Beneficiary.
- ii) Before recovery, the Contracting Authority shall formally notify the Beneficiary of its intention to recover any undue amount, specifying the amount and the reasons for recovery. If the Beneficiary does not make the payment within 30 (Thirty) days from the date of notification, the Contracting Authority shall recover the amount due:
  - a) by offsetting it against any amounts owed to the Beneficiary by the Contracting Authority;
  - b) by taking action in accordance with the provisions of the Grant Agreement;  
or
  - c) in exceptional circumstances, justified by the necessity to safeguard the financial interests of the Contracting Authority, the Contracting Authority may, when it has justified grounds to believe that the amount due would be lost, recover by offsetting before the deadline specified in the debit note without the Beneficiary's prior consent.
- iii) If the Beneficiary fails to repay by the due date, the amount due shall be increased by late payment interest calculated at the prevailing Contracting Authority's bank rate. The interest shall be payable for the period elapsing from the day after the expiration of the time limit for payment up to and including the date when the Contracting Authority actually receives payment in full of the outstanding amount. Any partial payment shall first cover the interest.
- iv) Bank charges incurred from the repayment of amounts due to the Contracting Authority shall be borne entirely by the Beneficiary.
- v) Where a claim is not settled fully within 30 days, the amount shall be recovered from subsequent payments to the respective Beneficiaries.
- vi) The Contracting Authority shall issue an official note to the Beneficiary with regard to the above action before disbursement of funds to the Beneficiary bank account.
- vii) Failing to settle the amount in full may lead to the respective Beneficiaries being excluded from participating in further management of the funds, until such a time that the accounts are settled.

#### 4.8 COMMUNICATIONS AND RECORDS MANAGEMENT

##### 4.8.1 Correspondence/Communications

Correspondence and communications are essential to the management of relationships with beneficiaries and other bodies, but communications issued by the AU may commit or bind it to a course of action with legal, contractual or financial implications. Therefore, all grants management correspondence and other communications issued by the AU shall emanate only from the department or office responsible for the Grant.

#### **4.8.2 Documentation/Records Management**

##### **4.8.2.1 Documentary Records**

Documentary records, both in print or electronic format, are essential for efficient and effective management of activities, provide evidence in support of decisions and actions taken, and provide an audit trail for verification of transparency, accountability and effectiveness. Efficient records management is essential to ensure effective storage, retrieval and use with due regard to security, integrity and confidentiality. All Officers shall ensure they obtain, retain and maintain appropriate documentation supporting the activities for which they are responsible. Senior Officers involved in approval or authorisation shall ensure that any transactions they approve or authorise are backed by appropriate supporting documentation.

##### **4.8.2.2 Filing/Record Management System**

The Grants management and the relevant AU Authority has a general responsibility for maintaining Grants management Dossiers and Contracts Registers, but local Grants management and other relevant services involved in the grants management chain must also ensure that complete documentation is maintained in respect of all grants management activities and for contracts and agreements entered into. Responsibility for the official maintenance of record files, authority to access files, and co-ordination of management and follow-up actions must be clearly defined in each Grants management and Travel Division to provide an audit trail and to avoid:

- (i) partial and incomplete records being held by several different sections and individuals;
- (ii) unauthorised access to records; or
- (iii) failure to take any necessary action at the right time..

##### **4.8.2.3 Document Retention**

For a period of ten (10) years from the end date defined in the grant agreement or up to the date of the limitation period of any claim pursuant to the applicable law governing the Grant Agreement and any Procurement Contracts or Grants concluded under the Agreement if the latter last longer, the Beneficiary shall keep and make available according to the grant manual and any agreement all relevant financial information in its original form (electronic as the case may be) or, in exceptional and duly justified cases, certified copies of original documents related to the Agreement and to any Procurement Contracts, Grant agreements and financial support to third parties concluded pursuant to a direct award.

#### **4.9 FINANCIAL SUPPORT TO THIRD PARTIES**

- i) In order to support the achievement of the objectives of an Action, and in particular where the implementation of the Action requires financial support to be given to third parties, the Beneficiary may award financial support if so provided by the Grant Agreement. The Beneficiary shall ensure that the Contracting Authority and Auditors and any authorised representatives may exercise their rights towards the third parties awarded financial support.
- ii) The Beneficiary shall ensure that the conditions applicable to the Beneficiary, including Conflict of interest, Communication and visibility, Accounts and Archiving are also applicable to third parties awarded financial support.
- iii) The maximum amount of financial support shall be specified in the Grant Agreement, except where one of the main purposes of an Action is to redistribute the grant. The description of an Action in the Grant Agreement shall also define the types of entities eligible for financial support and include a fixed list with the types of activity which may be eligible for financial support. The criteria for the selection of the third party recipients of this financial support, including the criteria for determining its exact amount, shall also be specified.
- iv) The Contracting Authority shall consider the costs of financial support as ineligible if the financial support is not given by the Beneficiary in accordance with the conditions specified in the Grant Agreement. The Contracting Authority may reduce its contribution to the Beneficiary if the third party recipient of financial support substantially breaches any of the obligations in the Grant Agreement, or if the third party recipient failed to use the funds for the purpose foreseen in its agreement with the Beneficiary.

#### 4.10 USE OF CONTINGENCIES

The contingency reserve included in the budgets of actions to cover any adjustment necessary in light of changed circumstances shall only be used with the prior written and duly justified requests from the Beneficiary's to the Contracting Authority.

*NC Zuma*

H.E. Dr. Nkosazana Dlamini Zuma  
Chairperson of the African Union Commission

Done at 04. July 2016 this 04 day of July 2016  
*Abdus Kabala. on this* 04 day of July 2016 *NC Zuma*

... of the ...  
... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...  
... of the ...