



The Do's and Don'ts of Managing Risks in Procurement

14:15 - 16:00 (Bangkok Time, GMT+7), 28 October 2021



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SESSION OUTLINE

Session 5: The Do's and Don'ts of Managing Risks in Procurement

28 October 2021

14:15-16:00 Bangkok time

Background

Regional Dialogue

The regional dialogue is organized by United Nations Development Programme (UNDP) through its FairBiz – Promoting Fair Business environment in ASEAN, in partnership with UN Women, Open Government Partnership, Infrastructure Transparency Initiative (COST) and Open Contracting Partnership. The FairBiz project is supported by the UK Government, ASEAN Economic Reform Programme.

The regional dialogue will bring together government representatives from the region along with private sector leaders and civil society representatives interested in learning more about and/or implementing the sustainable public procurement agenda via the SDGs, integrity, and value-for-money lenses.

This regional dialogue will contribute to:

- Promoting sustainable public procurement as a strategic tool in achieving progress on the SDGs
- Introducing new resources advocating for a collective action approach and multi-actor collaboration to improve the procurement ecosystem.
- Building a community of practice and learning for procurement practitioners and reformers in Asia
- Understanding and managing integrity risks in public procurement vis-à-vis SDG attainments.
- Inspiring the community of practitioners and reformers in the region to adopt innovative solutions
- Facilitating knowledge exchange by showcasing relevant use cases and case studies
- Sharing emerging technology trends in public procurement

(Full agenda at the end)

The Session: **The Do's and Don'ts of Managing Risks in Procurement** is co-organized by The [Open Government Partnership](#), [Open Contracting Partnership](#), and UNDP Promoting a Fair Business Environment in ASEAN (FairBiz).

Session Description

Public procurement has always been fraught with risks, and such risks are exacerbated in times of crisis. Agile procurement systems that can rapidly adapt and respond during crisis situations are good, but it is also equally important to ensure that transparency and accountability are not sacrificed for expediency. Managing risks demands a closer look at the procurement ecosystem. It is not just about the infrastructure or digitizing information; it is also about building the capacities of different stakeholders (government, CSOs, media, audit institutions, etc.) to ensure accountability. During this session, we will look at the different strategies and approaches used by the government, civil society, and the private sector within the Asia Pacific region. We will also highlight how certain approaches such as OCP's accelerator program and OGP's co-creation process have enabled countries to manage procurement risks by weaving in transparency and accountability mechanisms that are helpful during times of crisis.

Session objectives

By the end of the session, participants will:

1. Have a common understanding of the common procurement risks faced by governments in normal times and during crisis situations;
2. Develop an appreciation of various strategies and approaches used by government and civil society to identify and manage procurement risks; and
3. Draw inspiration from good practices of various countries who have used the OGP and OCP platforms

Target Audience

Practitioners from public procurement authorities, relevant oversight or anti-corruption bodies, national audit offices, as well as civil society representatives and key private sector partners predominantly coming from ASEAN countries.

Format

Each panelist will have 5-7 minutes to speak followed by Q&A

Speakers and Panellists

Panel A: Identifying procurement risks in normal and crisis situations: This set of speakers will present government and civil society approaches in identifying risks in public procurement and how these risks are managed through policies and legislation.

- **Procuring in Emergency: Reflecting on the Bayanihan to Heal as One Act**
Atty. Rowena Candice Ruiz, Executive Director, Government Procurement Policy Board, Philippines
- **Assessing Procurement Risks for Businesses amid the COVID-19 Pandemic**
Livio Sarandrea, Lead Advisor and Team Leader of B+HR Asia, United Nations Development Program
- **Enabling Citizen Participation in Procurement Risk Identification**
Siti Juliantari Rachman, Deputy Coordinator, Indonesia Corruption Watch
- **Procurement Risk Pattern Identification and Mitigation Strategy**
Setya Budi Arijanta, Deputy of Legal Affairs and Dispute Settlement, Indonesia National Public Procurement Agency

Moderator: Nanda Sihombing, Asia Senior Manager, Open Contracting Partnership

Panel B: Managing procurement risks through government and civil society collaboration

This session will discuss how government and civil society partnerships are able to help identify and manage procurement risks.

- **Giving Citizens a Seat at the Table through Participatory Audit in the Philippines**
Aida Maria Talavera, Director, Citizen Participatory Audit, Commission on Audit, Philippines
- **Mitigating Procurement Risks through Open Contracting Data Standards**
Tserensambuu Nurenzedgombo, Head of Electronic Procurement and Information Technology, State Procurement Agency, Mongolia (TBC)
- **Adapting the Open Contracting Approach in Climate Action Strategy**
Kabeer Arora, Urban Researcher, Civic Data Lab, India

Moderator: Ivy Ong, Senior Regional Coordinator for Asia Pacific, Open Government Partnership

Detailed Agenda

Time	Agenda
14:15 - 14:25	Welcome and introductions <ul style="list-style-type: none">• Nanda Sihombing, Asia Senior Manager, Open Contracting

14:25 -
15:05

Panel 1: Identifying procurement risks in normal and crisis situations

This session will present government and civil society approaches in identifying risks in public procurement and how these risks are managed through policies and legislation.

Speakers:

- **Atty. Rowena Candice Ruiz**, Executive Director, Government Procurement Policy Board, Philippines - 7 minutes
 - "Procuring in Emergency: Reflecting on the Bayanihan to Heal as One Act"
As the main policy making body in the Philippines, GPPB drafted emergency procurement guidelines to address the COVID-19 pandemic. Can you share more how these risks were identified and how these were addressed in the Bayanihan to Heal as One Act?

- **Livio Sarandrea**, Lead Advisor and Team Leader of B+HR Asia, United Nations Development Program - 7 minutes
 - "Assessing Procurement Risks for Businesses amid the COVID-19 Pandemic"
UNDP has published an assessment tool for businesses during the COVID-19 pandemic. Can you tell us more about this and how it can be used to identify and manage risks?

Q&A - 5 minutes

- **Siti Juliantari Rachman**, Deputy Coordinator, Indonesia Corruption Watch (ICW) - 7 minutes
 - "Enabling Citizen Participation in Procurement Monitoring"
ICW created a tool to identify red flags in procurement in Indonesia. What is the role of civil society in identifying procurement, and how does collaboration with the government strengthen the broader enabling environment for public monitoring?

- **Setya Budi Arijanta**, Deputy for Legal Affairs and Dispute Settlement, Indonesia National Public Procurement Agency (LKPP) - 7 minutes
 - "Lessons from Indonesia: Strategy to Identify Procurement Risks and Patterns"
As the national public procurement agency, how does LKPP identify procurement risks and patterns for both national and subnational governments?

Q&A - 5 minutes

Moderator: Nanda Sihombing, Asia Senior Manager, Open Contracting Partnership

<p>15:05 - 15:45</p>	<p>Panel 2: Managing procurement risks through government and civil society collaboration</p> <p>This session will discuss how government and civil society partnerships are able to help identify and manage procurement risks.</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Aida Maria Talavera, Director, Citizen Participatory Audit, Commission on Audit, Philippines - <u>7 minutes</u> <ul style="list-style-type: none"> ○ <u>"Giving Citizens a Seat at the Table through Participatory Audit in the Philippines"</u> <i>The COA is a co-commitment holder in the government's OGP commitment on Open Contracting. How can participatory audits identify and help manage public procurement risks during normal and crisis situations?</i> • Tserensambuu Nurenzedgombo, Head of Electronic Procurement and Information Technology, State Procurement Agency, Mongolia - <u>7 minutes</u> <ul style="list-style-type: none"> ○ <i>Mongolia has automatically generated procurement data in OCDS format and has also published in a public rest API that enables citizens and civil society to download and do their own analysis of contracting data. Can you share how these initiatives have helped identify and mitigate procurement risks during crisis situations?</i> • Kabeer Arora, Urban Researcher/Programme Lead, Civic Data Lab, India - <u>7 minutes</u> <ul style="list-style-type: none"> ○ <u>"Adapting the Open Contracting Approach in Climate Action Strategy"</u> <i>CBL has used open contracting datasets to mitigate flooding. Can you tell us how open data strengthens the enabling environment between government and the private sector? Can you also tell us how this approach can be used as part of a climate change adaptation strategy?</i> <p>Q&A – 20 minutes</p> <p>Moderator: Ivy Ong, Senior Regional Coordinator for Asia Pacific, Open Government Partnership</p>
<p>15:45 - 16:00</p>	<p>Closing Reflections and Ways Forward</p> <ul style="list-style-type: none"> • Ivy Ong, Senior Regional Coordinator for Asia Pacific, Open Government Partnership

Speakers Profile

Panel 1



ATTY. Rowena Candice M. Ruiz, LL.M., CESO I
Executive Director V
Government
Procurement Policy
Board –
Technical Support Office
Philippines

Rowena Candice M. Ruiz is a lawyer by profession, having received her Bachelor of Laws Degree from San Beda College of Law. Prior to that, she took her pre-law studies at the De La Salle University. She recently obtained her Master of Laws in Globalisation and Development with Merit Honors at the University of London, through a Chevening Scholarship Programme of the United Kingdom.

Before assuming the position of Executive Director, she worked at the Department of Budget and Management (DBM) for more than ten (10) years where she led the Office of the Legal Service. While at DBM, Executive Director Ruiz crafted special and general provisions in the proposed national budget and recommended the President's veto actions on the enrolled appropriations bill.

Executive Director Ruiz is no stranger to government procurement as she was part of the Technical Working Group on the revision of the Implementing Rules and Regulations of Republic Act No. 9184 and has been a recognized trainer of GPPB-TSO since 2014.



Livio Sarandrea
Lead Advisor and Team Leader of B+HR Asia
United Nations
Development Program

Livio Sarandrea, is UNDP's Global Lead for Business and Human Rights. He is based in Bangkok from where, since 2016, he has also been managing the program: Business and Human Rights in Asia (B+HR Asia) in support of the implementation of the UNGPs on BHR in 11 countries.

Livio started his international career in Bosnia and Herzegovina where he served from 1997 to 2003 first as Senior Human Rights Officer for the OSCE and from 2001 for the UN as Chief of the Bihac Regional Human Rights Office.

From 2003 to 2010 he worked for the OSCE Mission to Serbia as Senior Coordinator for Judicial and Legal Reform and Deputy Head of Rule of Law and Human Rights Department.

Livio Joined UNDP Mozambique in 2011 where he worked as an embedded Chief Technical Adviser in the Ministry of Justice and the National Human Rights Commission.

Livio is from Italy and holds a Law Degree with specialization in International and Criminal Law from La Sapienza University, Rome.



Siti Juliantari Rachman
Deputy Coordinator
Indonesia Corruption
Watch (ICW)

Siti Juliantari Rachman has been advocating for the anti-corruption movement since 2012 and currently serves as Deputy Coordinator of Indonesia Corruption Watch – an anti-corruption watchdog consistently listed in the Global Go To Think Thank Index.

As a research-driven activist, she has been involved in pushing for public procurement policy and system reforms through multiple data-driven research collaborating with civil society networks across the country, leading public campaigns with local and national journalists, and actively involved as CSO representative in transparency networks like the Open Government Partnership and Freedom of Information.

Previously, she was managing ICW's effort to monitor public service delivery, research, public campaign, and knowledge management before serving as deputy coordinator of ICW. Her most recent research is about Impact Analysis on the 10 Years of Procurement in Indonesia that will be released at the end of this year.



Setya Budi Arijanta
Deputy for Legal Affairs
and Dispute Settlement
Lembaga Kebijakan
Pengadaan Barang/Jasa
Pemerintah (National
Public Procurement
Agency)
Indonesia

Setya Budi Arijanta has 25 years' experience in Economic Cooperation Administration and Government Procurement including Policies, Goods/Services in Indonesia. His current position is the Deputy for Legal Affairs and Dispute Settlement in LKPP. He graduated as a Bachelor Law majoring in Civil Law and got his master's degree in Notary Program from Gadjah Mada University.

He started his career as Planning Staff at Bappenas Foreign Economic Cooperation Administration Bureau. There, he took care of the administration of International multilateral and bilateral economic cooperation, specifically OECF/Japan.

In Bappenas, he developed his career as becoming the Head of Subdivision of Development Financing and Balancing Funds (2000) and Head of Section for the Allocation of Development Financing and Balancing Funds at the Directorate of Bappenas Financing Systems and Procedures (2001), Head of Section for the Implementation of the National Budget in the Directorate of Development Planning Systems and Procedures (2003), and Head of Technical Services and Bappenas Procurement Information (2006).

He continued his career in LKPP (Lembaga Kebijakan Pengadaan Barang/Jasa) or National Public Procurement Agency (NPPA) since 2008 as a **Head of Sub-Director of Expert Witness Procurement Policy**. The role was newly established, which is the first legacy in LKPP.

He became the director for 5 years from 2010 until 2015 as the Director of Handling Institutional Legal Issues, the Director of Strategy Development and the General Procurement Policy, and the Director of

Institutional Legal Issues. In 2019 he became an Executive Secretary for 2 years in LKPP, in May 2021 he was appointed as Deputy for Legal Affairs and Dispute Settlement LKPP.

As he started his career in procurement, he became one of the members on the Presidential Drafting team for Presidential Regulation No. 80 of 2003 concerning Guidelines for the Implementation of Government Goods / Services Procurement. He was also a member of the Public Goods and Service Procurement Development Team in 2005, as well as a member of the Drafting Team of Presidential Regulation Regarding Guidelines for Electronic Procurement Implementation in 2006.

Beside his early contribution in Procurement Government Goods/ Services, He was also an expert witness in procurement cases-corruption-in Corruption Crime Trials (KPK, Attorney General's Office, and RI Police), and the Trial of Business Competition Supervisory Commission (KPPU). He was a witness with more than 30 cases in Procurement which were Corruption. Now becoming the Deputy for Legal Affairs and Dispute Settlement, he stills contributes to the drafting team for the law on Procurement of Public Goods/Services, he teaches procurement as a certify expertise in the Procurement of Goods/Services of the Government in all local or central government agencies and teaches a subject procurement of Goods/ Services in the Master of Management program in the Regional Finance Department at Trisakti.

Panel 2



Aida Maria Talavera
Director, Citizen Participatory Audit Commission on Audit Philippines

Aida Maria Talavera is the Director of the Project Management Office, Office of the Chairperson, Commission on Audit (COA), the Supreme Audit Institution of the Philippines. Her Office manages the Citizen Participatory Audit or CPA technique and reform strategy.

She has worked with the COA for 40 years in various capacities. She has extensive experiences in the areas of financial auditing, performance auditing, fraud auditing, technical support services to auditing, competency building, public policy analysis, and in the Citizen Participatory Audit technique and reform strategy. She also performed oversight functions over the COA's external auditors of the United Nations Environment Program in Kenya.

Her special assignment as Team Supervisor of various fraud audit teams of the Special Task Force on Local Government Units, led to the filing of cases and conviction of many local government officials.

She has also worked as a consultant of the World Bank and the Development Academy of the Philippines.

She is an alum of the Mapua Institute of Technology where she obtained her bachelor's degrees in Civil Engineering and in Environmental and Sanitary Engineering.

She holds a master's degree in National Security Administration (MNSA) from the National Defense College of the Philippines. She graduated class valedictorian and was awarded the gold medal for best thesis. She was also commissioned as a Lieutenant Colonel of the Philippine Army.

After her MNSA scholarship, the Armed Forces of the Philippines Reserve Command (AFPRESKOM) sent her to the Command and General Staff College where she completed the master's level Command and General Staff Course. She has also completed academic courses in a special Program leading to a master's degree in Accountancy.

She is also an International Auditor Fellow of the United States Government Accountability Office (USGAO). Her Strategy Paper in the Fellowship Program became the main basis for the implementation of the CPA.

She has represented the COA in various experience sharing activities on the CPA, requested by Supreme Audit Institutions of other countries. For the International Organization of Supreme Audit Institutions or INTOSAI Working Group on Environmental Auditing, she developed the *Experience Sharing Material on the CPA in the Context of Environmental Auditing*.



**Tserensambuu
Nurenzedgombo**

Head of Electronic
Procurement and
Information Technology
State Procurement Agency,
Mongolia

Tserensambuu Nurenzedgombo is an ICT and Public procurement expert with 15 years of experience in web application development, system analysis, business architecture and ICT development including work for governmental projects, 10 years of experience in Public Procurement.

Currently, He is the Head of Electronic Procurement and Information technology division in the State procurement agency of Mongolia. In this role, He leads the design and development of the e-Procurement system of Mongolia.

He has previously worked for the Government agency for Policy coordination on State Property, Ministry of Finance and programmer in the Software development companies. He has been software developer of various IT systems including Mongolian Budget planning information system, e-Balancing system, National Zip code system and Government data-sharing infrastructure. Also, he is a former member of the Information Technology Committee under the Prime Minister.



Kabeer Arora
Urban Researcher/
Programme Lead
Civic Data Lab, India

Kabeer Arora is a researcher and program manager, currently leading project on open contracting at CivicDataLab. He has worked largely on the intersection of social sciences and urban development.

He trained as an architect and then studied urban design to realize the importance of research needed before making any intervention.

He believes in democratizing research and for this likes to communicate his work in different forms (reports, books, essays, stories), maps and illustrations, to lectures, workshops and discussions. He has worked on large public projects to small houses as an architect, taught architecture history at university, helped conceptualizing and managing pedagogical and engagement programs for non-profit, worked on research projects and communicated research knowledge to various citizen groups in popular forms.

Currently he is working at CivicDataLab on exploring potential of open contracting in increasing civic engagement in governance processes.