

PROJECTS MONITORING AND EVALUATION TEMPLATE BILL, 2017

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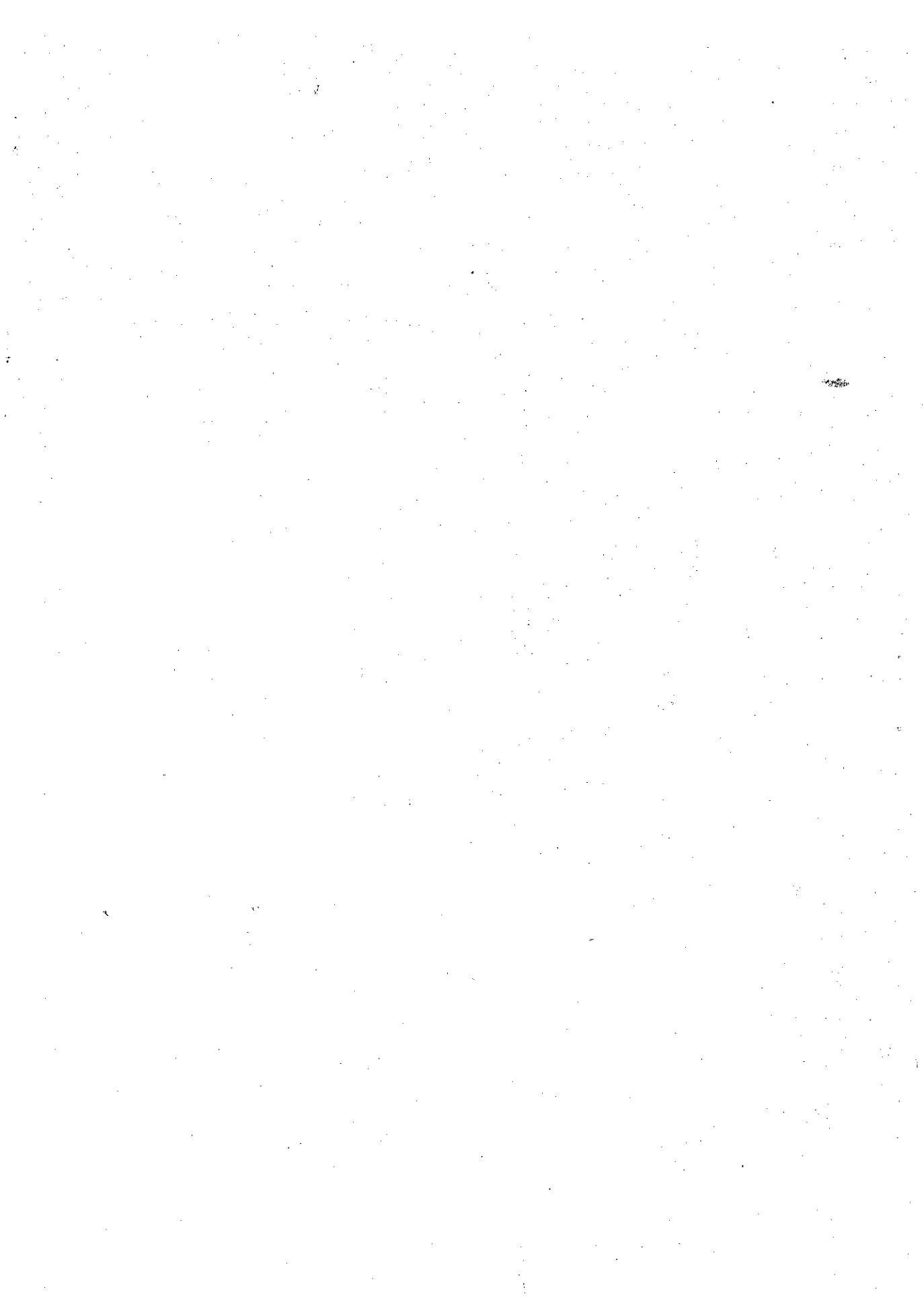
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A BILL

FOR

AN ACT TO ESTABLISH PROJECTS MONITORING AND EVALUATION TEMPLATE TO PROVIDE FOR EFFECTIVE AND FULL IMPLEMENTATION, SUPERVISION AND FEEDBACKS MECHANISM ON CAPITAL AND RECURRENT EXPENDITURE BASED ON BUDGETARY ALLOCATIONS AND FOR RELATED MATTERS, 2017

Sponsored by Hon. Ossai Nicholas Ossai

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 PART 1 - ESTABLISHMENT Establishment

2 1. There is hereby established Projects Monitoring and Evaluation
3 Template Act, To Provide for Effective and full Implementation,
4 Supervision and Feedbacks Mechanism on
5 Capital and Recurrent Expenditure Based on Budgetary Allocations.

6 PART 2 - PURPOSE OF THE ACT

7 2. The purpose of this Act is to: Purpose of the Act

- 8 (i) Aid effective oversight of capital projects implementation;
- 9 (ii) Reduce the challenges being faced on capital projects
10 monitoring and evaluation;
- 11 (iii) Bridge the implementation gaps of capital projects
12 completion;
- 13 (iv) Utilize effectively the budgetary allocations of capital
14 projects;
- 15 (v) Ensure transparency in projects execution and implementation;
- 16 (vi) Aid the completion of capital projects;
- 17 (vii) Eradicate fraud and corrupt practices in capital projects
18 implementation and evaluation and

Application
and Scope

1 (viii) Endure mutual trust between the legislature and the Executive in
2 capital projects budgetary allocations.

3 PART 3 - APPLICATION AND SCOPE

4 3. This Act shall be applicable to:

5 (1) All Federal Government Ministries, Agencies, Parastatals,
6 Departments, Institutions, Establishments etc.

7 (2) All Area Councils within the Federal Capital Territory of Abuja.

8 PART 4 - COMPLIANCE AND IMPLEMENTATION OF THIS ACT

9 4. As from the commencement of this Act:

10 (1) The Government of the Federation or any Federal Government
11 Ministry, Agency, Department etc or any Area Council within the Federal
12 Capital Territory, shall ensure full compliance and implementation of the
13 schedules to this Act and the provisions under this Act.

14 (2) Contractors awarded Capital Projects by the Federal Government
15 or any of its Ministries, Agencies, Departments or any of the Area Councils in
16 the Federal Capital Territory shall fully comply with the schedules to this Act
17 and the provisions under this Act.

18 PART 5 - MONITORING, SUPERVISION AND EVALUATION

19 5.-(1) The Government of the Federation shall monitor, supervise and
20 evaluate periodically all awarded, on-going and completed capital projects of
21 the Federal Government.

22 (2) The Ministers and heads of Federal Government Agencies,
23 Departments and Parastatals shall monitor, supervise and evaluate periodically
24 all awarded, on-going and completed capital projects of its ministry,
25 departments, agencies, parastatals etc.

26 (4) The Chairmen and Supervisory Councillors of the Area Councils
27 in the Federal Capital Territory shall monitor, supervise and evaluate
28 periodically all awarded, on-going and completed capital projects in their
29 respective Area Councils.

30 (5) The National Assembly in exercise of its legislative functions as

1 provided in the constitution of the Federal Republic of Nigeria, shall always
2 conduct an oversight supervisory function, monitoring and evaluation of all
3 awarded, on-going and completed capital and recurrent expenditure
4 projects of the Federal Government and the Area Councils in the Federal
5 Capital Territory, based on budgetary allocations.

6 PART 6 - OFFENCES AND PENALTIES

7 6.-(1) It shall be an offence for Ministers or Heads of Agency,
8 Department, Parastatal etc or Area Council Chairmen/Supervisory
9 Councillors or any Federal Government official in-charge of capital and
10 recurrent expenditure projects to violate the provisions of this Act.

Offences and
Penalties

11 (2) It shall be an offence for a contractor of capital and recurrent
12 expenditure projects of the Federal Government or the Area Council of the
13 Federal Capital Territory to violate the provisions of this Act.

14 (3) Refusal by Ministers or Heads of Agency, Department,
15 Parastatal etc or Area Council Chairmen/Supervisory Councillors or any
16 Federal Government official in-charge of capital and recurrent expenditure
17 projects or any contractor of capital and recurrent expenditure projects of the
18 Federal Government or of the Area Council of the Federal Capital Territory
19 to provide information lawfully demanded under the provision of this Act is
20 an offence.

21 7. Any Minister or Head of Agency, Department, Parastatal etc or
22 Area Council Chairmen/Supervisory Councillor or any Federal
23 Government official in-charge of capital and recurrent expenditure projects
24 or any contractor of capital and recurrent expenditure projects of the Federal
25 Government or of the Area Council of the Federal Capital Territory or any
26 other person found to have committed an offence under this Act shall be
27 penalised.

28 PART 7 - INTERPRETATION

29 8. In this Act:

Interpretation

30 "Area Council" means Area Council as interpreted in sections 303 and 318,

1 and Part 2 of the First Schedule to the 1999 Constitution (as amended);
2 "Minister" means a Minister in-charge of a Federal Government Ministry of
3 the Federal Republic of Nigeria;
4 "Penalties" includes query, official reprimand, forfeiture of Salary, demotion,
5 removal from office, suspension, surcharge, payment of fines, refund of money
6 and contractual sum, revocation of contract, revocation of license, blacklisting
7 of contractor(s) etc or any other sanction that is deemed appropriate in the
8 circumstance;
9 "Projects" means newly awarded, on-going and completed Capital Projects by
10 the Federal Government.

Short Title

11 9. This Bill may be cited as the Projects Monitoring and Evaluation
12 Template Bill, 2017.

FIRST SCHEDULE
FORM A TEMPLATE

PROJECT ANTECEDENTS / HISTORY		
MINISTRY.....		
DEPARTMENT.....		
AGENCY.....		
S/NO	ITEMS	DETAILS
1	NAME OF POLICY FROM WHICH THE PROGRAMME IS DERIVED	
2	NAME OF PROGRAMME FROM WHICH THE PROJECT IS DERIVED	
3	NAME OF PROJECT / DESCRIPTION	
4	PROJECT OBJECTIVE(S)	
5	PROJECT EXPECTED OUTCOME(S)	
6	INDICATORS OF SUCCESSFUL IMPLEMENTATION OF THE PROJECT	
7	EXPECTED IMPACTS OF PROJECT ON THE PEOPLE / ECONOMY	
8	PROJECT LOCATION	
9	DATE OF AWARD OF CONTRACT	
10	COMMENCEMENT DATE OF IMPLEMENTATION	
11	EXPECTED DURATION / DATE OF COMPLETION	
12	APPROVED PROJECT COST	
13	SOURCE(S) OF FUNDING AND AMOUNT	
14	NAME & ADDRESS OF CONTRACTOR NAME OF TEAM LEADER AND DESIGNATION (IF PROJECT IS BY DIRECT LABOUR)	

SECOND SCHEDULE
FORM B (1) TEMPLATE
PROJECT EVALUATION

S/NO	ITEMS	DETAILS
1.	YEAR OF ASSESSMENT / IMPLEMENTATION	
FORM B (2) FINANCING STATUS		
1.	TOTAL AMOUNT ALLOCATED DURING THE FISCAL YEAR	
2.	TOTAL AMOUNT RELEASED DURING THE FISCAL YEAR, DATE, AND AS PERCENTAGE OF TOTAL AMOUNT ALLOCATED	
3.	TOTAL AMOUNT OUTSTANDING TO BE RELEASED, AND AS PERCENTAGE OF TOTAL AMOUNT ALLOCATED	
4.	TOTAL AMOUNT SPENT DURING THE FISCAL YEAR, AND AS PERCENTAGE OF TOTAL AMOUNT RELEASED	
5.	TOTAL AMOUNT OUTSTANDING AS UNSPENT, AND AS PERCENTAGE OF TOTAL AMOUNT RELEASED	
6.	VARIATION: AMOUNT, PERCENTAGE AND DATE	

THIRD SCHEDULE
FORM C TEMPLATE
PROJECT EVALUATION

S/NO	ITEMS	DETAILS
1.	TOTAL AMOUNT SPENT FROM INCEPTION TO DATE, AND AS PERCENTAGE OF AMOUNT ALLOCATED TO THE PROJECT	
2.	TOTAL AMOUNT SPENT FROM INCEPTION TO DATE AS PERCENTAGE OF AMOUNT RELEASED	
3.	TOTAL AMOUNT SPENT FROM INCEPTION TO DATE AS PERCENTAGE OF AMOUNT CASH BACKED	
4.	REMARKS ON THE FINANCING STATUS	

FOURTH SCHEDULE
FORM D TEMPLATE
PHYSICAL STATUS

S/NO	ITEMS	DETAILS
1.	EXPECTED MILESTONES (BY THIS STAGE)	
2.	DELIVERED MILESTONES, PERCENTAGE AND DATE	
3.	DEVIATION (+ / -), PERCENTAGE	
4.	REASONS FOR DEVIATIONS	
5.	REMARKS ON THE PHYSICAL STATUS OF PROJECT	

FIFTH SCHEDULE
FORM E TEMPLATE
PROJECT FUTURE EXPECTATIONS 1

S/NO	ITEMS	DETAILS
1.	WHETHER CERTIFIED THROUGH DUE PROCESS / PUBLIC PROCUREMENT GUIDELINES	
2.	WORTHY OF CONTINUATION: IF NOT WHY?	
3.	OUTSTANDING COMPONENTS AS AT TIME OF REPORT	
4.	IMMEDIATE NEED TO COMPLETE THE PROJECT, AND JUSTIFICATION	
5.	REVISED COST (IF ANY), AND JUSTIFICATION	

FORM E (2)		
PROJECT FUTURE EXPECTATIONS 2		
S/NO	ITEMS	DETAILS
1.	REVISED COST AS PERCENTAGE OF INITIAL APPROVED COST	
2.	NEW ESTIMATED DATE OF COMPLETION	
3.	IMPLEMENTATION PROBLEMS	
4.	SUGGESTED SOLUTIONS	
5.	OBSERVATIONS, COMMENTS AND RECOMMENDATIONS OF THE MONITORING AND EVALUATION TEAM, DATE	

EXPLANATORY MEMORANDUM

This Bill is designed primarily to address the challenges being faced in monitoring and supervising federal government capital and recurrent expenditure projects across the country.

On the other hand, it will greatly assist in the legislative oversight function of the National Assembly and ensure full and effective implementation of budgetary allocations with a view to aid the completion of projects in Nigeria.

