

**MINUTES OF MEETING OF THE EITI/ NSWG HELD IN ABUJA ON  
THE 3<sup>RD</sup> OF JUNE 2004**

A meeting of the EITI / NSWG was held in Abuja on the 3<sup>rd</sup> of June 2004

In attendance were:

<b>S/N</b>	<b>NAME</b>	<b>ORGANISATION.</b>
1	U.J ITSUELI	DUBRI OIL
2	J.O.MADUKA (MRS)	EMKOL OIL SERVICES LTD
3	OGBEI FUN L.B.	PENGASSAN
4	SHEHU DURBI	GMHA
5	PHILIP O. CHUKWU	NAPIMS, NNPC
6	ADEGBITE ADENIJI	ADEGBITE ADENIJI & CO
7	TREVOR AKINDELE	SAK RESOURCES LTD
8	OLUSEGUN ADENIYI	THIS DAY
9	IFUEKO OMOIGUI	FIRS
10	E.C UKAHA	MSMD
11	BRIGHT OKOGU	MINISTRY OF FINANCE
12	C.R. AMAECHI	RIVERS STATE HOUSE OF ASSEMBLY
13	J.N ONWUAMA	NNPC
14	OBY EZEKWESILI	SSA-P COORDINATOR EITI
15	SEN. L. MAEBA	NASS
16	O. UGOCHUKWU	NDDC
17	CAIRO OJOUGBOH	NASS

The meeting began with a review of the Minutes of the last meeting held on the 20<sup>th</sup> of May 2004. The matters arising from the last meeting centred on the work of the Technical Sub-Committee on Bid Criteria for the EOI advert. Hon. Rotimi Amaechi adopted the Minutes, seconded by Mrs J. Maduka.

Mrs. J. Maduka, Chairman of the Technical Sub- Committee presented her report to the Group. See attached *Criteria for EOI Evaluation*.

Upon consensus that the scope of the work that the Sub-Committee did was acceptable, the Group commended the work of the Technical Sub-Committee and adopted it as the standing Technical Sub-Committee for Procurement of Expertise.

The NSWG dwelt on the challenge of potential Consultant conflict of interest as reflected in the fact that two out of the three interested

consortia have conflict of interest issues and the third has a weak Audit capacity. The Group restated the necessity for finding a credible and acceptable Consortium that meets the standard. To this end the Group mandated the Secretariat re-advertise the EOI for a longer period and to a wider local and international audience. It was equally agreed that the three Consultants, who have already expressed an interest, should participate in the new exercise without further payment of the Tender Fee.

Following from this decision, the Group discussed and revised the timeline for its activities. See attached: *timeline for EITI Nigeria 2004 to 1<sup>st</sup> half 2005*

The NSWG went on to discuss the EITI Budget for 2004. The Group modified the Budget to include Advertising/ Publication Costs and requested Worksheets for the Monthly Overheads (1.4), NSWG expenses (1.5) and Civil Society Interactive Sessions (1.6).

The NSWG expressed concern over the adequacy and comprehensiveness of the range of the Technical Assistance (TA) Program Budget. The Group discussed the Malaysian Model that does training annually for a larger group, over longer periods, creating a sizeable pool of core professionals able to engage Multi National Oil Companies in JV negotiations and enforcement of compliance rules and legislation.

The Group mandated the Focal Team on the TA program to identify the capacity needs of the relevant government agencies toward an effective design and implementation of a range of capacity building solutions. The Group mandated Gbite Adeniji to join the TA Focal team and a date for the inaugural meeting was fixed for the 6<sup>th</sup> of July 2004 at 10 am.

The NSWG went on to discuss the issue of representation at NSWG meetings. The Group noted the continued absence of Multi National Oil Company Stakeholders, particularly Shell, Chevron and Nigeria LNG at its meetings and reiterated the objective of the President in selecting them to represent all the Multi National JV/ PSC stakeholders. The Group averred that their absence was not only denying their firms the opportunity to participate but also denying others in their constituency the chance to contribute.

After a protracted debate, the NSWG resolved to disallow representation at its meetings. The Group agreed that members who cannot attend the meetings should send apologies. The Group asked the secretariat to send out letters to this effect. The Members acknowledged requests from TotalFinaElf and Mobil to join the NSWG but resolved to keep these in view.

The Group directed the Secretariat to contact the Speaker of Gombe State House of Assembly to convey its decision and remind the Honourable speaker that his constituency, Speakers from the Northern States, were being denied representation because of his absence at the group meetings.

As a result of the decision to bar non-members from attending NSWG meetings, Hon. Shehu Durbi, Member of Gombe State House of Assembly and long standing representative of the Gombe Speaker (from inauguration to date) at the NSWG meetings, gave a farewell speech to applause from the group.

Following the Report of the proceedings at a hearing of the Senate Public Accounts Committee, the NSWG affirmed that the Secretariat should make a recommendation to President Olusegun Obasanjo GCFR to appoint the Auditor-General of the Federation (AGF) as a member of the National Stakeholders Working Group (NSWG).

In addition, the Group constituted a Legislative Task Force made up of Oby Ezekwesili, Chair, Senator Lee Maeba, Hon. Dr. Cairo Ojougboh and Hon. Rotimi Amaechi to fine-tune the Legislative Processes.

The meeting ended with prayers.

## TIMELINE FOR EITI NIGERIA 2004 ACTIVITIES

<b>29/July/2004</b>	<b>LOCATION</b>	<b>DELIVERABLE</b>
Meeting of Sub-Committee On Bid Evaluation	NAPI MS Lagos	Bid Evaluation Report
<b>10/August/2004 3 .00pm</b>		
NSWG meeting	Nicon Abuja	Shortlist Consultants
<b>23/Sept/2004</b>		
Receipt of Bid documents for Consultant	State House	
<b>28th/September/2004</b>		
Meeting of NSWG	Nicon Abuja	Selection of Consultant
<b>21/October /2004</b>		
Draft TOR for Auditor.	Abuja	Draft TOR for Auditor
<b>26/October/2004 3pm</b>		
NSWG meeting	Abuja	Adopt TOR and Bid Criteria for Auditor
<b>31/October/2004</b>		
Publication	National & International Media	EOI for Auditor goes to Press
<b>14/November/2004</b>		
Deadline	Abuja	Receipt of EOI for Auditors
<b>16/November/2004</b>		

NSWG Meeting	Abuja	Review EOI and bid criteria
<b>29/November/2004</b>		
Publication	National & International Media	Bids for Auditors goes to Press
<b>11/January /2005</b>		
NSWG meeting	Abuja	Appointment of Auditor.
<b>16/February/2004</b>		
Anniversary of NSWG		On-going Audit Process

## CRITERIA FOR EOI EVALUATION

### 1. **Evaluation of the EOI:**

The EOI's were evaluated using the standard evaluation criteria for the selection of consultants. The major consideration and allotted points in the evaluation criteria were:

	<b>Points</b>
(a) Background Data -	10
(b) Experience in the Design, Design Reviews & Supervision of Project	30
(c) Response and Adequacy of Proposal to EOI	20
(d) Key Personnel Qualifications & Experience -	40

Minimum score to proceed to Commercial Evaluation is 70 points.

**EOI EVALUATION TABLE**

S/N		PTS	ACTR.	GIS	ADK
<b>1.0</b>	<b>BACKGROUND DATA</b>	<b>10</b>			
1.1	Proof of Company Registration (y/n) Details of Organization:				
1.2	Registered Office Information				
1.3	Audited Accounts for the Last three years	3	3	1	3
1.4	Tax Clearance and VAT certificate	2	2	2	2
1.5	Organisation Profile/ Arrangement	3	2	2	2
1.6	General Nature of business	2	2	1	1
1.7	Conflict of interest issues - locally and internationally y/n	Y/N	Y	N	*
	Sector Total	10	9	6	8
<b>2.0</b>	<b>EXPERIENCE in design, design reviews or supervision of:</b>	<b>30</b>			
2.1	TOR for Auditor	4	2	0	4
2.2	Selection Process of Auditor	4	2	0	4
2.3	Formulating Post Audit Plan	4	1	0	4
2.4	MIS Diagnostic	3	3	0	0
2.5	Communication Strategy	3	3	1	0
2.6	Transparency and Change Management	4	2	2	0
2.7	Legal	3	3	2	3
2.8	Local Content	3	3	3	1
2.9	Experience in the EI Locally and Internationally	2	2	2	0
	Sector Total	30	21	10	16
<b>3.0</b>	<b>Response and adequacy of Proposal to EOI</b>	<b>20</b>			
3.1	Understanding of the Nigerian Extractive Industry (EI)	5	5	5	2
3.2	Understanding of the key required services	5	5	4	5
3.3	Project Management and Staffing Plan	10	7	4	4
	Sector Total	20	17	13	11
<b>4.0</b>	<b>KEY PERSONNEL QUALIFICATION AND EXPERIENCE</b>	<b>40</b>			
4.1	Project Manager	10	8	8	6
4.2	Team leaders	10	10	4	4
4.3	Local Knowledge	4	4	2	2
4.4	Knowledge of EI Locally and Internationally	8	8	6	2
4.5	Qualifications	5	5	3	2
4.6	Professional Experience	5	4	3	2
	Sector Total	40	39	25	18
	Grand Total	<b>100</b>	<b>86</b>	<b>54</b>	<b>53</b>
5.0	Schedule in Months		4	12	3

# NOTES

## ACCENTURE CONSORTIUM

- 1 Conflict of Interest- (a) Accenture has current projects in the oil industry both internationally and locally  
  
(b) Capital Alliance has current projects in the local oil industry  
  
(c) Mr. Hayatu-Deen, Member of NSWG and Director Capital Alliance
- 2 Deficiency in Audit experience

## GOLDWYN INTERNATIONAL STRATEGIES LLC

- 1 Deficiency in Audit experience
- 2 Limited local knowledge
- 3 Weak in communications strategy

## ADEKANOLA & CO

- 1 \* Mr. Gbite Adeniji: Declaration of Potential Conflict of Interest
- 2 Essentially a local audit and accounting company with a legal partner
- 3 Poor understanding of EI locally & internationally
- 4 Weak knowledge of MIS diagnostic and communications strategy