

**Monitoring of the Implementation of the Tripartite  
Agreement**

**EXECUTIVE SUMMARY  
FIRST QUATER REPORT**

**June, 2021**

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## EXECUTIVE SUMMARY

In early 2020, the Federal Republic of Nigeria (FRN), the United States of America and the Bailiwick of Jersey (collectively referred to as the “Parties”) signed a Trilateral Asset Agreement to enable a transparent and efficient repatriation of \$311 million for the benefit of the people of Nigeria. The Parties agreed that the forfeited assets shall be used exclusively for the purpose of financing the projects set out in Article 6 of the Asset Agreement and further described in Schedule 1 (the Projects), the payment of fees of the Monitoring Civil Society Organization (“Monitoring CSO”) and the independent designated auditor. The Projects are defined as: (a) the Lagos to Ibadan Expressway; (b) the Abuja to Kano Road; and (c) the Second Niger Bridge. The implementing agency for the Asset Agreement for the FRN is the Nigeria Sovereign Investment Authority (NSIA). On 10 February 2021, the Federal Government of Nigeria through the Federal Ministry of Justice (“Ministry of Justice”, or the “Client”) awarded CLEEN Foundation (“CLEEN”) a contract to act as the Monitoring CSO. CLEEN’s engagement is intended to cover a review of:

- 1) The Projects’ compliance with anti-corruption, anti-human trafficking, and other relevant compliance laws;
- 2) The Projects’ plans vs. work in progress as well as quality control, health and safety and value engineering and cost control models used by the Contractors;
- 3) Spend categories and flow of funds to ensure they are in line with the agreed Disbursement Plan; and
- 4) Procurement practices and internal controls over disbursement.

The two Contractors responsible for the Projects are Reynolds Construction Company Ltd (“RCC”) and Julius Berger Nigeria Ltd (“JBL”), collectively referred to as (the “EPC Contractors”). According to the updated Program of Works submitted by the EPC Contractors commencing from June 2021, the Projects span **Nine (9) states namely Lagos, Oyo, Ogun, Delta, Anambra, FCT (Abuja), Kaduna, Niger and Kano.** The total value of the three Projects amounts to ₦673.3 billion of which funding of ₦126 billion from the recovered assets will be disbursed cumulatively across the three project locations from June 2021 to March 2022. While both RCC and JBL were contracted to work on both sections of the Lagos to Ibadan Expressway, JBL was contracted to work on the Abuja to Kano Road and Second Niger Bridge. From the recovered funds of ₦126 billion:

- ₦42 billion will be channelled to construction works at the Lagos-Ibadan Expressway;

- ₦42 billion for the Second Niger Bridge; and
- ₦42 billion for the Abuja-Kano Road.

CLEEN had, on the 6th of April 2021, submitted an Inception Report mainly derived from a review of background documents and reports gathered from the kick-off meeting with the client and competent authorities, technical advisers and forecasted Program of works from the EPC Contractors. CLEEN utilised the information to develop high-level assessments of risks associated with construction projects. In addition, CLEEN also submitted an Interim Report to the Client on July 9, 2021.

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## SUMMARY OF INITIAL IMPRESSIONS

The Monitoring Team’s initial impression, based on the introductory field visit, is that work is progressing at each of the three project locations. Workers were onsite, construction activities are ongoing, and each of the project offices appeared to be staffed and operational. The quality of work observed appears to be consistent with acceptable standards. Further monitoring is required to make definitive assessments in this regard.

The introductory field visit identified no notable obstruction of works such as protest action, labour unrest, lack of necessary tools or materials or *force majeure*. There are no apparent indications of developments that may constitute schedule delays. Further monitoring is required to make definitive assessments in this regard.

The Monitoring Team was met timeously and without incident by the EPC Contractors who were suitably prepared for the Monitoring Team and offered appropriately comprehensive updates on the nature and progress of works at each of the site locations. The EPC Contractors at all sites were, by and large, cooperative and obliging.

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## REPORT STRUCTURE

This report contains a review of the Monitoring Team’s activities to date, and contains the following sections:

Section	Description
<b>Section 1:</b> The Site Visits	Contains a description of the introductory field visits to the Projects’ sites that occurred between 15 June 2021 and 23 June 2021.
<b>Section 2:</b> Observations	Contains observations and feedback from the Monitoring Team with respect to the introductory site visits conducted between 15 June 2021 and 23 June 2021.

**Section 3:**  
Conclusion and  
Next Steps

Contains concluding remarks and any necessary next steps.



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