

OCP Advisory Board Public Minutes
June 7-8, 2018
Washington DC, USA

Attendance

- Attended from Advisory Board: Laura Bacon, Alan Detheridge, Mukelani Dimba, Felipe Estefan, Jeffrey Gutman, Max Nefyodov, Beth Noveck, Stephen Peel, Claire Schouten, Jeni Tennison
- Sent apologies: Chris Anderson, Mohamed Amin, Paca Zuleta,
- Attended from OCP Staff for Full Meeting: Kathrin Frauscher, Marie Goumballa , Gavin Hayman, Lindsey Marchessault

Objectives

- Update board members on follow-ups from and progress and challenges since last meeting;
- Approve the FY2018 budget refresh;
- Deep dive on OCP's model and how OCP should redesign its approaches for impact and scale, OCP's infrastructure program and OCP's private sector engagement and learning strategies;
- Discuss short list of new candidates for advisory board members; and
- Review and approve new safeguard policy and risk register update.

Decisions and Action Points from Meeting

- Budgets
 - *Decisions*: The Advisory Board approved the FY18 budget reforecast and reviewed the OCP's FY17 closing statement from Fund for the City of New York (FCNY) vs estimated final position projected expenditures presented previously. We discussed plans to catch-up on the current FY18 underspend. FY17 figures were all within 95-105% of estimated and the final total was almost exactly as estimated.
- Advisory Board Membership
 - *Decisions*:
 - New members: The Board agreed to invite Seember Nyager and Rudi Borrmann to join the Advisory Board. Seember used to be the ED of Public and Private Development Center (PPDC) in Nigeria where she led the Budeshi and many other innovative open contracting reforms. She recently joined Google where she leads public policy for West Africa

based in Abuja. Rudi is the current sub-secretary for Modernization and Open Data in Argentina and is a recognized advocate for open contracting, open data and open government across Latin America.

- **Current members:** The Board decided to extend the term of Stephen Peel for 2 years and the term for Laura Bacon for four years based on their proposal. Three Board members rotated off the Board. The Board thanked Angelita Gregorio-Medel, Jeff Gutman and Chris Anderson for all their amazing support over the last 3-4 years.
 - **Committees:** Mukelani agreed to join the OCDS Governance committee.
 - **Actions:** The Board asked OCP to scope out candidates for one to two more board members and report back with candidates at the latest at the next Board meeting in the Fall. The Board also asked OCP to review the end terms of existing Board members and suggest to the Chair how to continue to stagger terms and propose who might soon roll off the Board.
- **Policies**
 - **Decisions:**
 - **Paid Family Leave Policy:** The Board decided to improve OCP's current paid family leave policy which is based on Fund for the City of New York's policy. The ED will draft a policy and share it with the EC for review.
 - **Safeguard Policy:** The Board approved a new safeguard policy for OCP which is now posted on the website.
 - **Risk register:** No major updates were made to the risk register. The Board detected that two risks were coded incorrectly and those updates were reflected in the register.
 - **Actions:** OCP will review which policies FCNY currently has against harassments, bullying, etc, share that information with the Board and propose if further policies are required in this area to continue to make OCP a wonderful, supportive place to work.
 - **Strategy & Programs**
 - **Actions:**
 - **Strategy:** During the Board meeting, members and OCP staff explored how OCP could enhance both working at scale and reaching impact as the OCP begins the co-creation process for its next four year strategy from 2019 to 2022. The team will now send a more detailed timeline and process description. The Board gave OCP great substantive guidance in terms of priorities, approaches and organizational size for the new strategy. Please see more details in next section. OCP will share a draft plan with the Board with provisional sign-off in early 2019.

- Infrastructure Program: The Board asked OCP to outline the vision and ambition for its infrastructure program in greater detail. OCP published a blog to do so and will keep the Board involved in fleshing out the details for the program and share a strategy paper in the next couple of months.
 - Private Sector Program: The Board advised OCP to search for a new staff member who could lead OCP's private sector efforts. The Board also asked for a list of companies that are members of the B20.
- Other Action Items
 - The next virtual Advisory Board meeting to approve the FY19 budget and review progress on the new strategy will take place in mid October 2018.
 - The next in-person Advisory Board meeting to finalize the strategy and approve a budget refresh (if needed) will take place in February 2019 either in London or NYC.

Minutes

1. Updates on key developments from the OCP (for discussion)

The OCP completed all action items from the last Advisory Board meeting.

The OCP team provided a detailed update on progress and challenges since June. Progress against OCP's strategy targets can be found [here](#).

Highlights include:

- Advocacy & Communications: Advocacy continues to be an important avenue for OCP to promote normative change. OCP's big focus for this year is the G20 being led by Argentina and high level events such as the Open Government Partnership Summit in Georgia, the International Anti-Corruption Summit and the International Open Data Conference in Argentina. One of the most important advocacy engagements is with the European Commission. It is a big win for open contracting that they are proposing new e-forms and publicly available contract registers that would embed the OCDS. OCP needs to do much more to engage businesses. With over 250 media mentions during 2017, open contracting is a regular topic in the news in the countries where implemented. OCP launched a [new, improved brochure](#) and a revised [7-step implementation guidance](#) to the community. OCP wants to boost its communication and content production capacities and is trying to hire a new Communications Manager.
- OCDS: Several new government agencies publish to the Open Contracting Data Standard (OCDS), including agencies in Nepal, Uganda, Uruguay, and Mexico at federal and subnational levels (Jalisco). OCP is tilting the balance of technical capacity on the

OCDS back towards itself to maximize learning and integration with advocacy, field-building and project support. OCP will invest in automated ways to measure and feedback to publishers on their data quality. It will improve implementation guidance to local actors and invest in training e-procurement and support providers.

- Country Work: OCP met its 2017 impact target, documenting and sharing its Paraguay and Colombia impact cases. It aims to capture two more impact cases by the end of this calendar year. The front runners are Honduras and Nepal but it won't be easy as progress is slower and data quality poorer than expected. Many governments (in OECD and non-OECD countries) seem driven by outputs rather than outcomes and are not being motivated by clear public efficiency indicators. OCP is thus thoroughly rethinking its engagement and support models to be more impact and scale focus. It is considering coaching and peer-learning services, better political economy scoping, more capacity building for in-country CSOs.
- Field-building and Learning: OCP overshot most of its 2017 targets in this area and are on track to meet 2018 goals but recognizes that the field is still young and fragile. OCP's priority is to empower field partners so that they can do open contracting smarter and explore new coaching and mentoring models. OCP invested heavily in use case and performance goal guidance. It is planning an open contracting incubation challenge to incentivize and capacitate champions to implement open contracting projects that lead to measurable results.
- Private Sector: OCP has made solid progress but is far from a transformational win in this area. OCP is engaging with e-procurement vendors, the B20 and the Emerging Markets Investors' Alliance. It would like to build global SME coalition calling for open contracting. It is considering hiring a full-time staff member to coordinate these efforts.
- Infrastructure: This is an important priority area for OCP. OCP will work with CoST to ensure that OCDS can be used to concretize and implement their "Infrastructure Data Standard" (IDS). Together with COST, it will support existing CoST countries and major infrastructure projects in cities. OCP will aim to secure endorsement of open contracting principles at the global and regional levels, including the G20, OGP, IACC and others. OCP will develop a full plan for this new program and share it with the Board for input.
- Organizational: OCP is developing its next four year strategy. A major change is that OCP will have to exist longer to build the field and won't be able to phase out in 4 years. OCP hired two new team members, Head of Infrastructure and Senior Manager for LATAM, since the last board meeting. The Senior Learning Manager left and this position was filled internally. OCP is hiring a Communications Manager as well as a Manager for Data and Partners Support to provide a more consistent training and support experience to its partners, especially in-country.

Based on the update, the Advisory Board had thoughtful discussions and suggestions around the following points:

- “Open by default” vs “Open by design” or “As open as possible”. OCP’s advocacy ask is framed around open by default to incentives maximum transparency. To integrate a stronger goal orientation and more realisms, Board members discussed and suggested to consider a new framing around “open by design” or “as open as possible”.
- Data quality: The Board noted that quality of OCDS implementation varies greatly across countries and could pose a risk to OCP’s credibility. The Board therefore welcomed OCP’s focus on more data quality tools and guidance. The Board discussed what train the trainers and certification approaches could look like. The Board suggested that in addition to procurement agency staff OCP should target more sector ministries as they usually are more goal driven and have a longer term vision for procurement.
- Politics and vested interests: The Board discussed the implications of the many elections, especially in Latin America, on OCP’s work. It acknowledge that open contracting is hard and complex work with many vested interest to overcome. The Board made clear that OCP should consider providing more capacities and resources to local partners for longer time periods to deal with these difficult challenges. This might mean that OCP needs to increase its own team and exist longer. This was discussed further in the next section.

Action Items

- The Board asked OCP to re-engage with GIZ as they are very skilled at country level engagements and might be a good partner to operate at scale.
- The Board asked OCP to outline the vision and ambition for its infrastructure program in greater detail. OCP published a blog to do so and will keep the Board involved in fleshing out the details for the program.
- The Board advised OCP to search for a new staff member who could lead OCP’s private sector efforts. The Board also asked for a list of companies that are members of the B20.

2. Strategy & OCP’s Model for Impact and Scale

Three years into OCP’s work, open contracting has seen growing momentum and impact. As OCP’s first strategic plan sunsets at the end of this year, it is rethinking and rearticulating its core model to better achieve impact at scale and build a self-sustaining field. OCP presented to the Board how it is currently thinking of developing its new strategy and first emerging insights of how OCP could deliver more in-country results and better field building.

Highlights from the emerging strategy and its development process include:

- Insights and emerging changes to OCP approaches:
 - OCP has learned that the open contracting journey towards impact is harder and longer than expected. There is a glaring difference between implementation where the government itself is consuming the outputs and data of its open contracting efforts and where it is just putting it out there for someone else to pick up and use. OCP expected that many open contracting engagements would have led to more measurable results by now. To achieve more impact, OCP is thus considering enhancing its approach to political economy analysis, experimenting with more dedicated mentorship and peer learning support as well as incubation programs.
 - Many governments are struggling to publish complete, accurate and timely OCDS data. Publishing to the OCDS should not be a box to be ticked, but rather a process of continuous improvement and use. OCP is identifying how it can best improve implementation guidance and tools. The aim is to make the data better quality and more usable, and make it progressively easier to implement OCDS. OCP is also considering bringing more helpdesk functions in house and investing more in training technical experts and e-procurement vendors.
 - OCP is seeing a big difference in the outcomes when the data is consumed by government as a part of its procurement process and analysis as opposed to when it is published for others to use. The former gives a much more meaningful stake in its quality and its impact.
- Process:
 - OCP will be working with its Advisory Board, open contracting in-country and global partners, as well as allies throughout open government and related fields, to better understand their needs and gather ideas. OCP will engage in interviews, bringing together small groups of practitioners and experts for design workshops and work with the Board through a sub-committee to develop enhanced impact and scale approaches and the new strategy.

Based on the update, the Advisory Board had thoughtful discussions and suggestions around the following points:

- Sunset: The Board advised OCP to carefully consider if it needs a sunset clause. It was great for motivating and differentiating OCP from other transparency initiatives but is it still needed or appropriate. The Board suggested that OCP should think about how its mission, strategy and organizational form and size might change over the years depending on needs. The consensus was that OCP is doing complex and challenging work and that the field of practice is likely to need OCP to play a role for longer than originally expected. OCP was already considering a third strategy cycle but will now explore a longer time horizon.

- Size of organization: The Board made it clear that OCP should not constraint itself by its original ambitions to remain a small organization with less than 15 people. It gave OCP the mandate to build up as much as internal capacity as needed which might mean to expand to a staff of 20 or more over the coming two years.
- Relationship building: The Board advised OCP to put more emphasis and care in its relationship building with civil society actors, especially in Latin America. OCP should be able to define its offerings and value added more clearly to civil society and do more to help them develop needed capacities to hold governments accountable and use open contracting data. It proposed that OCP might want to expand its staff working in Latin America and create a new position that focuses on civil society engagement. The Board offered to be a sounding board for partner and hiring decisions, especially in Latin America, when needed.
- Programmatic approaches: The Board appreciated the learning and emerging insights that OCP shared. It especially thought that include a better scoping about political opportunities and constraints, as well as a heavy investment into capacity development approaches, such as coaching or peer-learning, would be especially needed. It also asked OCP to explore if OCP could play a role in building up organizational capacities of local organizations through providing grants and organizational coaching.

Action items:

- OCP will share a draft timeline and development plan for the new strategy with the Board.
- OCP will work closely with the Board in developing the strategy and probably set up up a sub-committee as a working group. The next two board meetings will focus on developing and finalizing the strategy with the Board.

3. Finances

FY17 Budget, Income & Expenditure Review:

The Board reviewed FCNY [FY17 audit](#) and OCP's FY17 closing statements, and expressed no concerns. The closing statements were in line with OCP's estimates that were approved by the Board in the last Board meeting. Income was down significantly (69% of planned, \$4.1m as opposed to \$6.03m) as two large grants from DFID and the BHP Billiton Foundation were slightly delayed and slipped into FY18. This didn't negatively affect FY17 spending per se as OCP had a large retained revenues going into the year from FY16. It instead had the positive effect of reducing its revenues retained to FY18 from \$2.5m to \$547K. Final spending was \$3.25m, 103% of its budget of \$3.16m. Most spending areas were with 95% and 105% of the budget reforecast.

FY18 Budget, Income and Expenditure Review

The Advisory Board reviewed and approved the refreshed FY18 budget. The Board advised OCP to invest more in staffing and increase its team size to improve capacity and accelerate spending.

Seven months into FY18, which spans from October 1st 2017 through September 30th 2018, OCP is underspending. OCP has only spent 38% of its planned budget (\$1.3m of \$3.4m). Meanwhile, total revenue has increased to \$5.81m from \$5.49m.

Consequently, OCP has delayed and declined some other funding as it doesn't want to further increase its income but focus on spending to deliver on promised activities and impacts. OCP plans to catch up and spend \$3.6m (instead of the original planned \$3.4m) and listed an extensive set of plans to this end. OCP also has significant additional personnel capacity coming online with several new hires which will translate into new activity and action. There is a host of big events coming up at the end of the FY, such as the Open Government Partnership Summit and the International Open Data Conference where OCP will host side events and bring open contracting champions together. OCP will step up investments in country projects and in OCDS development. OCP is planning some new programs, such as a US Cities program and an Incubation program.

OCP will book \$539K to its FY18 reserves in accordance with the Board's Reserves Policy. Retained revenues for FY19 will increase only slightly to \$1.65m from \$1.6m.