

# SECTION I – USER’S GUIDE

## Introduction

### Objective of the User’s Guide

1. This User’s Guide aims to facilitate a consistent approach to the application of the Methodology for Assessing Procurement Systems (MAPS), focusing on how the findings can be most effectively translated into reforms.

### Purpose and use of the methodology

2. MAPS is intended to provide a harmonised tool for use in the assessment of public procurement systems. The methodology is designed to enable a country, with or without the support of external partners, to conduct an assessment of its procurement system in order to determine its strengths and weaknesses. The resulting information can serve as the basis for harmonised system development and reform initiatives<sup>2</sup> that can improve capacity and address any weaknesses. The assessment also provides the country with information it can use to monitor the performance of its system and evaluate the success of the reform initiatives in improving performance. By identifying weaknesses in a country’s current system, it also offers external partners information that can help them determine risks to the funds they provide to partner countries.
3. MAPS is a universal tool. It aims to lay the foundation for a well-governed public procurement system that helps meet policy objectives, increase public trust, enhance well-being and build more prosperous and inclusive societies. It is guided by the principles value for money, transparency, fairness and good governance. The 2017 version of MAPS embodies high aspirational standards and serves as a guide toward reform, rather than setting out minimum standards that countries are universally required to attain. Depending on the conditions in a given country, for example in the case of fragile states that are vulnerable to conflict, these aspirational standards may only be achievable over a longer period.
4. The MAPS assessment is neither an audit of a procurement system, nor intended as a substitute for a fiduciary assessment by the country, a donor or other external partners, if required. It aims to provide a common assessment tool for countries and for the international community, irrespective of geographical application.

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2 The terms “reform initiatives” and “system development” are used interchangeably in this methodology.

# Analytical Framework (Overview)

## Building blocks

5. The MAPS analytical framework consists of a core assessment methodology and a number of supplementary modules.
6. The MAPS core methodology described in this document provides a comprehensive approach for assessing procurement systems. It defines the structure for conducting a country context analysis, presents a refined indicator system for assessing the quality and performance of the system in terms of outcomes and results, and describes the key elements of the assessment process.
7. Supplementary modules are progressively being developed to complement the core assessment methodology. They focus on specific policy areas of public procurement and can be used by countries depending on their needs.

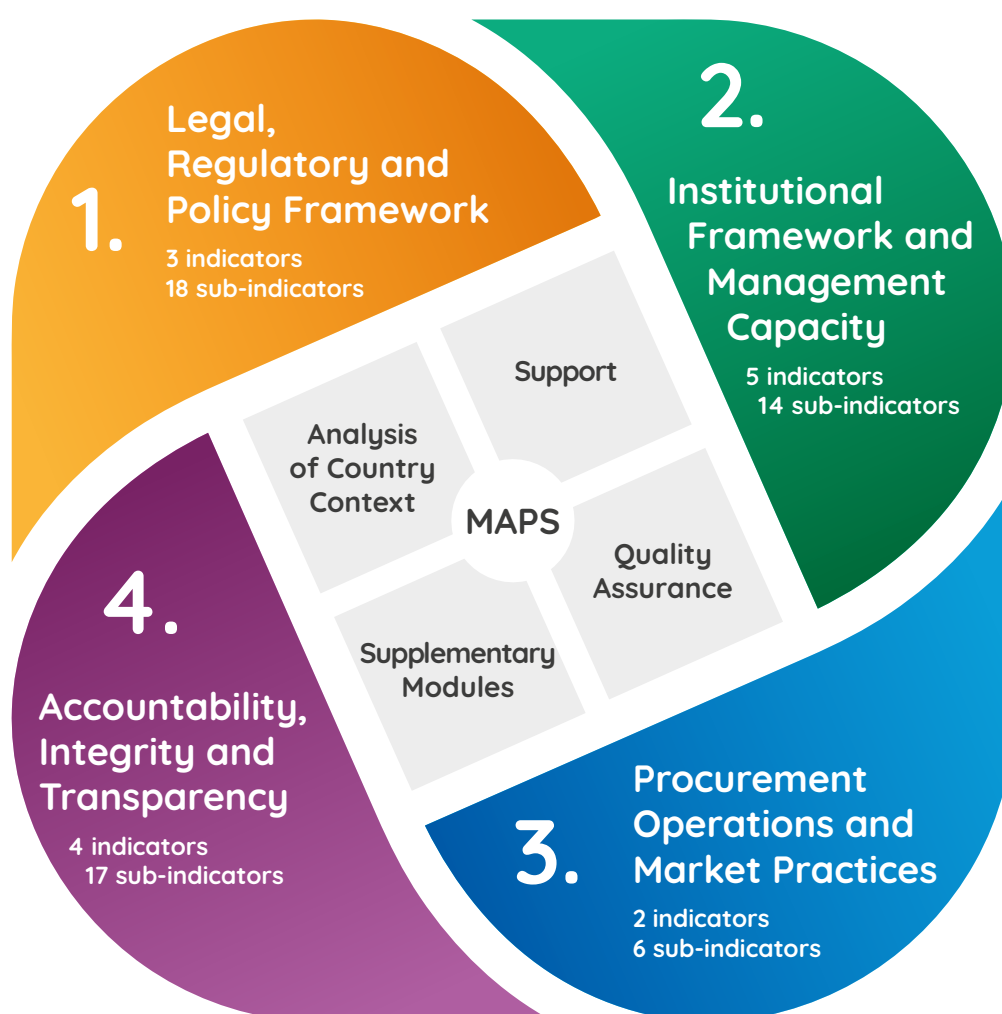
## Analysis of country context

8. Section II, “Analysis of country context”, presents a structured approach for analysing the local environment, to ensure that the assessment is anchored in a country’s specific needs and that the different elements of the MAPS analytical framework are applied appropriately.
9. The context analysis draws on easily accessible information and existing data, and focuses on a number of factors essential for procurement reform. These include the country’s economic situation, its national policy objectives, the public procurement reform environment, and the relationship between the public procurement system, the public finance management and the public governance systems. The context analysis also identifies key stakeholders formally and informally linked to public procurement structures.

## Indicator system

10. The MAPS indicator system is described in detail in Section III, “Assessment of public procurement systems”. It rests on four pillars: i) the existing legal and policy framework regulating procurement in the country; ii) the institutional framework and management capacity; iii) the operation of the system and competitiveness of the national market; and iv) the accountability, integrity and transparency of the procurement system.
11. Each pillar has a number of indicators and sub-indicators to assess. The indicator system has a total of 14 indicators and 55 sub-indicators, which, taken together, present the criteria for a snapshot comparison of the system against the stated principles. The indicators are expressed in qualitative and/or quantitative terms, as appropriate. Figure 1 (below) outlines the overall structure of MAPS.

Figure 1. Overview of MAPS



12. The indicators often refer to the procurement law and to the legal framework. The reference to the procurement law is to the supreme legal instrument governing public procurement in the country. The form or nature of the supreme law varies depending on a country's legal system (common law, civil law, etc.) and on tradition.<sup>3</sup> In general, this document assumes an over-arching supreme legal instrument, then proceeds to the regulations that provide further detailed legal interpretation and detailed procedures for administering them. In some instances, legal obligations related to public procurement may also derive from memberships in international and/or regional associations or treaties. Other national laws, including on budget, construction or competition, may also impose obligations that guide public procurement. The entire set of legal instruments relating to public procurement is designated as the "legal framework".

### Application of indicators

13. Each indicator and sub-indicator is preceded by a short text that outlines the elements that the sub-indicator attempts to assess and describes the nature and importance of the item in question. This aims to guide the assessor to the relevant aspects to be reviewed and to specified principles or standards. The criteria to be considered under each sub-indicator are then presented in a table titled "Assessment criteria". The assessment criteria establish the basis on which the system will be assessed (qualitative indicators). A set of quantitative indicators offers the opportunity to substantiate the assessment of several sub-indicators by taking performance-related data into account.

<sup>3</sup> Some countries have laws and others may have acts, decrees, circulars or regulations.

14. Each sub-indicator should be assessed using the following three-step approach:
- i) review of the system, applying assessment criteria expressed in qualitative terms;
  - ii) review of the system, applying a defined set of quantitative indicators;<sup>4</sup>
  - iii) identification of substantive or material gaps (gap analysis).

### **Step 1: Review of the system applying assessment criteria expressed in qualitative terms**

15. Step 1 of the assessment is based on a qualitative review of the existing regulatory and policy framework, as well as institutional and operational arrangements, to determine whether or not the prescribed standard has been attained. Certain indicators do not lend themselves to assessment through hard evidence (i.e. facts and figures) and may require surveys or interviews with stakeholders and participants in public procurement, such as professional associations, representatives of civil society, independent media or well-recognised and respected investigative journalists, and government officials, as indicated in this guide.
16. A narrative report should provide detailed information on this comparison (that is, on the actual situation in relation to the assessment criteria) and on changes that may be under way. This narrative will enable the assessors to analyse the strengths and weaknesses of the system.

### **Step 2: Review of the system applying a defined set of quantitative indicators**

17. Step 2 of the assessment focuses on the application of a (minimum) set of 15 quantitative indicators. These are closely related to the prevailing procurement practices in the country and are therefore often referred to as performance indicators. Quantitative indicators are useful for demonstrating results, for example by examining a sample of procurement transactions and other relevant information deemed representative of the performance of the system.
18. The narrative report should provide the detailed findings of this analysis. In countries where the necessary data is unavailable or unreliable, the particular circumstances should be explained in the narrative report.
19. Quantitative indicators are not benchmarked against set standards but can be used by the country to define baselines, set national targets and measure progress over time. Additional quantitative indicators are recommended for optional use as appropriate (refer to “Recommended quantitative indicators”).

### **Step 3: Analysis and determination of substantive or material gaps (gap analysis)**

20. The assessment findings are further analysed and interpreted (Step 3) to identify the areas that show material or substantial gaps and require action to improve the quality and performance of the system.
21. A substantive or material gap exists when any of the following situations arises:
- The system exhibits less than substantial achievement of the stated criteria.
  - Any of the essential elements of the indicator (e.g. independence, objectivity, timeliness) are missing.
  - There is enough evidence that a provision in the legal/regulatory framework is not working as intended (i.e. factual evidence or conclusive outcome from interviews or from the analysis of procurement practices).
22. To substantiate the gaps identified in Steps 1 and 2 of the assessment, an analysis in greater depth may be conducted. This can be achieved by a more comprehensive qualitative review of existing arrangements and/or through an expanded analysis of public procurement practices (e.g. by increasing the sample size of procurement cases analysed).
23. If substantiated, the sub-indicator should be clearly marked as exhibiting a “substantive gap”, to demonstrate the need to develop adequate actions to improve the quality and performance of the system. Any deeper analysis that is

<sup>4</sup> The workflows for steps 1 and 2 can be organised in parallel.

conducted should be fully explained in the detailed assessment report, to ensure consistency and comparability of assessments. Additional evidence and conclusions should be reflected in the report.

24. Should the assessor identify factors likely to prevent appropriate action to improve the public procurement system, “red flags” should be assigned. These are used to highlight any element that could significantly impede the main goals of public procurement and that cannot be mitigated directly or indirectly. Such factors could also lie outside the sphere of public procurement, for example:
- Assessors/government do not agree on the assessment results (e.g. substantive gaps).
  - Other national laws or regional/international agreements impose conflicting obligations.
  - Other factors prevent improvement of the public procurement system (e.g. political economy; jurisdiction; interdependence of problems/complexity, etc.).

### **Limits of indicator application**

25. The indicators alone cannot give a full picture of a procurement system, which is by nature complex. They should be seen as a vehicle for identifying the strengths and weaknesses of the system in broad terms. The indicators also serve as support for a more thorough analysis to be carried out by the assessor, as indicated above.
26. The application of indicators allows for professional judgements by the assessor. Subjectivity should be reduced to a minimum to ensure that assessments carried out by different assessors maintain reasonable consistency and comparability for analytical purposes. This is one of the main objectives of the methodology and of this guide. The assessor should also bear in mind that there is no single model for a procurement system and that different models have been developed world wide that may work well in one political, institutional or cultural setting, but not in another.
27. The decision on the scope of performance measurement and data collection should be made specific to the country and be based on the availability of data and the country’s objectives. The decision should consider cost effectiveness as well as the sustainability of data collection and analysis to ensure the long-term monitoring of procurement performance.
28. The application of Indicator 9 includes an analysis of selected procurement cases (“sample cases”). One of the most important steps in planning the assessment is to carefully consider the sample of cases that will be assessed. This selected review of actual procurement proceedings provides an additional means of evaluation, while recognising that a sample always represents a selected perception of reality and never the reality in its entirety. The sample should thus provide enough information to arrive at conclusions that can be regarded as valid at an aggregate level. Sampling strategies and sampling sizes need to be carefully considered, and how representative they are and their level of certainty should be clearly defined. Depending on the circumstances and the country’s strategic objectives, sampling could, for example, focus on top-spending procuring entities or, alternatively, cut across different levels of government, to cover a number of national and sub-national procuring entities. Details of the sampling approach should be disclosed in the assessment report.
29. All quantitative indicators have been aligned with procurement data required in Public Expenditure and Financial Accountability (PEFA) assessments (PEFA Performance Indicator PI-24)<sup>5</sup> for consistency in assessments and policy formulation.

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5 PEFA Performance Measurement Framework (2016): PI-24 ([www.pefa.org](http://www.pefa.org)).

# Assessment Process

## Planning and preparing the assessment

30. Advanced planning is needed to appropriately scope and time the assessment, define management arrangements, set up the assessment team, arrange for the collection of the information required and identify stakeholders to be interviewed or surveyed. Advance planning is especially important if the assessment will be jointly sponsored by the government and interested external partners. Planning will enable co-ordination of the work and the agreement to be reached on critical aspects of the assessment. Peer reviews, where representatives from other governments, agencies or relevant international organisations take part in the assessment exercise, can complement a MAPS exercise. Whether or not an assessment should be conducted as a peer review or whether it should involve other forms of third-party quality assurance (for example, by the MAPS secretariat) should also be decided in advance.
31. To ensure a demand-driven assessment process, the country should consider preparing a concept note covering the following questions:
- What is the primary objective(s) of conducting a MAPS assessment?
  - Are there specific issues to focus on?
  - Which parts of the government need to be covered?
  - Which parts of the MAPS methodology (core tool/supplementary modules) need to be applied to deliver the desired outcomes?
  - Who is leading the assessment and what are the different roles of the members of the assessment team?
  - Was there a MAPS assessment in the past, and what were its results?
  - Are other assessments related to public procurement available (e.g. PEFA assessment reports, political economy analyses)?
  - Which information sources are available to gather the required information?
  - Which quantitative indicators will be used for performance measurement?
  - Who are the key stakeholders who should be involved in the assessment?
  - To what extent should the assessment include the review of actual procurement cases (see Indicator 9)?
  - How will the sample be designed, and which agencies will be included?
  - How will the findings be validated and recommendations be discussed? Should the assessment involve peers/ external experts to review the assessment (refer to paragraph 39)?
  - How will the assessment results be communicated/published and used?
  - How much time, external support and budget will be needed?
32. The government can demonstrate high-level political commitment by establishing strong leadership arrangements for the assessment. To ensure cross-departmental co-operation and openness, the government should consider establishing a time-bound MAPS Assessment Steering Committee.
33. Identifying a qualified team of assessors is critical to the credibility and reliability of the exercise. Assessors should preferably be seasoned public procurement practitioners with ample knowledge of the legal, institutional and operational aspects of the subject and of internationally accepted procurement practice. They should be well-informed on the recommended use of the tool, to enhance shared understanding and to encourage consistency in its application. Assessors external to the government should work with a counterpart team from the government to facilitate access to information and logistical support. Assessors should be free of conflicts of interest that could arise from their current or previous roles.
34. Successful reforms depend on actively and appropriately engaging stakeholders throughout the process. In the early stages of the assessment, stakeholders should be engaged through appropriate communication (on the objectives, scope, process, timelines, lead entity, etc.) and targeted interviews. The “Analysis of country context” will help identify the key stakeholders that are formally and informally linked to the public procurement structures in the country.

35. It is recommended that the following categories of stakeholders be engaged: the authority in charge of the assessment (typically the regulatory authority, ministry, or centre of government), the procurement normative/regulatory body, the procurement appeals body, a selected number of procuring entities, representatives of the private sector (including the banking sector involved in financing public sector investment projects) and civil society, authorities responsible for budgeting/payment/internal controls, audit authorities, anti-corruption agencies, competition bodies, international partners engaged in the country, training institutions, the professional bodies, academia, research institutions and media.

## Conducting the assessment

36. The assessment should clarify its objectives, identify the current situation and engage key stakeholders.
37. The assessment should establish a clear timetable for the following steps: data collection; analysis of findings (determination of strengths and weaknesses); and, as applicable, developing recommendations for a prioritised reform strategy intended to address any weaknesses identified.

## Validation of findings

38. To ensure that the assessment process is valid and credible, it is recommended that a validation exercise involving key stakeholders be conducted. This provides an opportunity to agree on the findings of the assessment, on reform priorities and on a shared strategy for addressing key weaknesses in the system.
39. A more robust quality-assurance approach involves a review of compliance with the assessment process and assessment report with the MAPS methodology and the quality review of assessment results by the MAPS Secretariat and a designated MAPS Technical Advisory Group. This more comprehensive quality-assurance mechanism has been designed to allow for the external certification of MAPS assessments.<sup>6</sup>

## Assessment Report

40. One of the main goals of carrying out an assessment based on the methodology in this document is to provide a tool that countries can use to formulate reforms, improve their national procurement systems and align them with internationally accepted good practice. The assessment process also provides a unique opportunity to learn and increase capacity for governments and partners alike. A narrative analytical report is useful to the involved governments and their external partners interested in supporting and strengthening programs. A report of this kind gives context to the assessment, providing the assessor’s evaluation of the system as a whole and of progress on the individual items assessed.
41. The suggested outline of the report is as follows:
- an executive summary of the report, with an overview of the assessment results against the four pillars mentioned in paragraph 10. The executive summary should highlight the strengths and weaknesses of the system, their relative importance, the major risks identified and their likely consequences for the efficiency of the system.
  - an introductory section that presents the background of the assessment, its scope and nature, the limitations encountered in the assessment, and any other matters essential for understanding the context and circumstances under which the assessment was carried out.
  - a section that describes the country context (see Section II, “Analysis of country context”, for further details), including:
    - i) a brief review of the most relevant aspects of the country’s political, economic and geostrategic situation;

<sup>6</sup> For further details refer to the following website: [mapsinitiative.org](http://mapsinitiative.org).

- ii) the public procurement system and its relationship with the systems of public finance management and public governance;
  - iii) national policy objectives, with a focus on issues that influence public procurement;
  - iv) public procurement reform, including government ownership, reform priorities, key stakeholders, incentives and challenges that may influence the success of reforms.
- a section that discusses the findings of the assessment in relation to each of the pillars and indicators. This should also describe any existing government programmes or initiatives or those that are at an advanced stage of consideration. As appropriate, it should also consider how suitable they are for possible support by international partners. Finally, the section should describe any progress that has been made, or, alternatively, any deterioration in the system since the last assessment was carried out.
  - a section on the assessment of outstanding weaknesses in the procurement system, classifying them into categories by the risk they may pose to the system and offering suggestions as to how to keep these risks at an acceptably low level.<sup>7</sup> These suggestions may be used as the basis for a prioritised reform strategy to address any weaknesses identified.
  - the relevant sections and chapters that should be added to the report, if the report is to go beyond simply assessing the system and will propose an action plan or a reform strategy (see below, section on “Strategic planning and monitoring to prepare reforms”).
  - a section of the report providing an account of the steps taken to validate the assessment’s findings, and describing any other elements that could influence the quality of the assessment, such as references on assessors, the time frame available for the assessment, information sources, etc.
  - an annex including detailed assessment results and any evidence documenting the findings. Areas (i.e. sub-indicators) should be clearly highlighted if they exhibit less than full or less than substantial achievement of the described standard and require further action to improve the quality and performance of the system (substantive gaps).<sup>8</sup>

## Strategic Planning and Monitoring to Prepare Reforms

42. The findings of the assessment inform the strategic planning process for future public procurement reform or system development. After the assessment, strategic thinking to clarify the vision, goals and time frame for improving the public procurement system should be developed. The subsequent strategic plan should take this into account and outline a range of possible solutions and indicate how they can be carried out.
43. The strategy should be realistic, aligned with other reform initiatives, ensure a balance of perspectives, and include a good mix of “quick wins”, as well as medium and long-term initiatives. A strategic plan should help guide implementation. The strategic plan should assign roles and responsibilities, define the processes of change, specify allocation of resources, timelines, a results framework, monitoring and evaluation agreements, and the preparation and communication of the strategic planning document.
44. The set of indicators applied in the MAPS assessment could form a useful basis for constructing the results framework for public procurement reforms. A few high-level indicators relating to the strategic goals of the public procurement reform should be identified. In addition, indicators for any of the initiatives included as part of the strategic plan for reform should be identified on two or even three levels: outputs, outcomes and impact.
45. Each indicator needs a baseline and a target. The baseline data is used as the starting point for measuring pro-

<sup>7</sup> Different dimensions of risks should be considered, e.g. fiduciary risks, development risks and reputational risks. Risks can be classified into the following categories: high, medium or low, or alternatively: high, substantial, moderate or low, depending on the risk classification system the country uses. The classification should be based on the standard dimensions of occurrence (probability) and the severity of the consequences (impact).

<sup>8</sup> An electronic assessment tool is being prepared to facilitate data collection, analysis and documentation of detailed assessment results, including supporting documents. In the meantime, an Excel file is available and should be used to present the detailed assessment results and the evidence documenting the findings.



gress. The targets may be either short-term, medium-term or long-term, with interim milestones. Monitoring progress should allow for refinement of the initiatives and potentially the design of new initiatives to address evolving needs.

46. A full update of a MAPS assessment should be performed whenever major changes in legislation occur or other substantive elements of the system change and/or affect the performance of the system (whether positively or negatively).

## Further Information and Support

### **MAPS Secretariat**

47. The MAPS Secretariat offers support to all users of the MAPS methodology upon request, including:
  - advice to country teams for planning and management of a MAPS assessment, including quality review of Concept Notes and Terms of References for MAPS assessments;
  - advice to MAPS assessment teams on the MAPS methodology;
  - quality review of MAPS assessment reports (in collaboration with the MAPS Technical Advisory Group), to provide certification of assessments that meet the quality standards specified.
48. Further information, templates and guidance on applying the MAPS methodology and transforming public procurement systems are available on the following website: [mapsinitiative.org](http://mapsinitiative.org)