

Template: Assessment report under the SPP module

VERSION 2.0 – November 2023





[Name of country]

Assessment of the Public Procurement system

[Date]

[Logos of main institutions]

# Intellectual property disclaimers

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# Acronyms

# Executive summary

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### Overview of compliance

The following table provides an overview of the findings of the assessment on the level of sub-indicators. Each sub-indicator is identified depending on the findings (full compliance / gaps identified / substantive gaps identified). This table also shows the red flags identified.

| **PILLAR I** | | **Full compliance** | **Gaps identified** | **Substantial gaps identified** | **Red flags** |
| --- | --- | --- | --- | --- | --- |
| **1. The public procurement legal framework covers sustainable public procurement principles** | 1(a) – Coverage of sustainability considerations |  |  |  |  |
| 1(b) – Procurement methods |  |  |  |  |
| 1(c) – Rules on participation |  |  |  |  |
| 1(d) – Procurement document and specifications |  |  |  |  |
| 1(e) – Evaluation and award criteria |  |  |  |  |
| 1(f) – Contract management |  |  |  |  |
| **2. Implementing regulations and tools support sustainable public procurement** | 2(a) – Implementing regulations to define sustainable public procurement procedures |  |  |  |  |
| 2(b) – Model procurement documents for sustainable public procurement and standard contract |  |  |  |  |
| 2(c) – Tool kit to support sustainable public procurement |  |  |  |  |
| 2(d) – Sustainable public procurement manual |  |  |  |  |
| **3. Policy and strategy provide an enabling framework for implementing sustainable public procurement** | 3(a) – Sustainable public procurement policy |  |  |  |  |
| 3(b) – Sustainable public procurement strategic action plan |  |  |  |  |

| **PILLAR II** | | **Full compliance** | **Gaps identified** | **Substantial gaps identified** | **Red flags** |
| --- | --- | --- | --- | --- | --- |
| **4. Sustainable public procurement is mainstreamed and well integrated into the public financial management system** | 4(a) – Budget laws and accounting procedures |  |  |  |  |
| **5. The country has institutions in charge of sustainable public procurement** | 5(a) – Responsibilities, funding and staffing of normative/regulatory function |  |  |  |  |
| 5(b) – Certification function |  |  |  |  |
| **6. Procuring entities’ policies and strategies embrace sustainable public procurement** | 6(a) – Procuring entities’ sustainable public procurement strategy |  |  |  |  |
| 6(b) – Centralised procurement body |  |  |  |  |
| **7. Sustainable public procurement is embedded in an effective information system.** | 7(a) – Publication of public procurement information on sustainable public procurement |  |  |  |  |
| 7(b) – Use of e-Procurement to support sustainability |  |  |  |  |
| **8. The public procurement system has a strong capacity to develop and accelerate the shift to more sustainable procurement** | 8(a) – Training, advice and assistance on SPP |  |  |  |  |
| 8(b) – Monitoring of sustainable public procurement |  |  |  |  |

| **PILLAR III** | | **Full compliance** | **Gaps identified** | **Substantial gaps identified** | **Red flags** |
| --- | --- | --- | --- | --- | --- |
| **9. Sustainable public procurement practices achieve stated objectives** | 9(a) – Sustainability considerations during the planning stage |  |  |  |  |
| 9(b) – Sustainability considerations during the selection and contracting stage |  |  |  |  |
| 9(c) – Sustainability considerations during the contract management stage |  |  |  |  |
| **10. The private sector contributes to a more sustainable public procurement market** | 10(a) – Dialogue and partnerships between public and private sector |  |  |  |  |
| 10(b) – Private sector’s organisation and access to the sustainable procurement market |  |  |  |  |
| 10(c) – Key sectors and sector strategies to improve sustainability |  |  |  |  |

| **PILLAR IV** | | **Full compliance** | **Gaps identified** | **Substantial gaps identified** | **Red flags** |
| --- | --- | --- | --- | --- | --- |
| **11. Transparency and civil society engagement foster sustainability in public procurement** | 11(a) – Civil society supports sustainability in procurement |  |  |  |  |
| **12. The country has effective control and audit systems that cover sustainability in procuremnt** | 12(a) – Audit framework for SPP |  |  |  |  |

# 1. Introduction

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# 2. Analysis of Country Context

## 2.1. Political, economic and geostrategic situation of the country

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## 2.2. The Public Procurement System and its links with the public finance management and public governance systems

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## 2.3. National policy objectives and sustainable development goals

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## 2.4. Public Procurement Reform

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# 3. Assessment

## 3.1. Pillar I - Legal, Regulatory and Policy Framework

The MAPS core methodology, Pillar I, assesses the existing legal, regulatory and policy framework for public procurement. It evaluates the adequacy of the structure of the legal framework, its clarity, and the precedence of the different instruments to minimize inconsistencies in application.

In a similar manner, Pillar I in the SPP module reviews (1) whether the existing legal framework includes adequate and clear provisions to effectively support the implementation of SPP, (2) the extent to which sustainability has been integrated in regulatory instruments and tools that supplement the law and help making sustainable procurement operational, and (3) whether the country’s SPP policy and strategy provide an enabling framework for transforming the national public procurement system into one that supports SPP. The legal framework is understood in MAPS SPP to refer to all laws and regulations impacting public procurement as well as sustainable development. This naturally includes public procurement legislation; however, it may also include environmental regulations, labour laws etc.

There are different ways to establish a legal foundation for SPP, depending on the legal system and tradition in a country. Some countries rely on strong laws, which does not mean that specific laws on SPP are needed. SPP related provisions should rather be incorporated in the general legal framework for public procurement to facilitate sustainable procurement practices.

By contrast, some countries have successfully introduced sustainable public procurement by relying on soft law instruments, such as guidelines. Regardless of the approach, the legal framework needs to be conducive to SPP and its interpretation should be straightforward.

### SPP Indicator 1. The public procurement legal framework covers sustainable public procurement principles

This indicator assesses whether the existing legal framework includes adequate and clear provisions to support the implementation of SPP effectively.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 1**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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### SPP Indicator 2. Implementing regulations and tools support sustainable public procurement

This indicator assesses the extent to which sustainability has been integrated in regulatory instruments and tools that supplement the law and help making sustainable public procurement operational.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 2**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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### SPP Indicator 3. Policy and strategy provide an enabling framework for implementing sustainable public procurement

This indicator provides an in-depth assessment of the country’s SPP policy and SPP strategic action plan.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 3**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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## 3.2. Pillar II - Institutional Framework and Management Capacity

The MAPS core methodology, Pillar II, assesses how the procurement system as defined by the legal and regulatory framework in a country is operating in practice through the institutions and management systems that are part of the overall public sector governance in the country. It comprises five indicators and a total of fourteen sub-indicators.

SPP is particularly dependent on inter-ministerial collaboration, cutting edge management techniques and pertaining competencies. Pillar II of this assessment focuses on linkages with the public financial management system, normative/regulatory functions, procuring entities and systems to manage and improve SPP.

### SPP Indicator 4. Sustainable public procurement is mainstreamed and well-integrated into the public financial management system

This indicator focuses on specific linkages between SPP and the public financial management system.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 4**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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### SPP Indicator 5. The country has institutions in charge of sustainable public procurement

This indicator assesses whether the legal and regulatory framework clearly and adequately specifies the institutions in charge of sustainable public procurement, and it reviews their responsibilities, funding arrangements and staffing.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 5**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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### SPP Indicator 6. Procuring entities policies and strategies embrace sustainable public procurement

This indicator focuses on procuring entities and their policies, and strategies on SPP.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 6**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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### SPP Indicator 7. Sustainable public procurement is embedded in an effective information system

The objective of this indicator is to assess the extent to which the country or entity has systems to publish procurement information as it relates to SPP, to efficiently support sustainability considerations through the different stages of the public procurement process through application of digital technologies, and to manage data that allows for analysis of trends and performance of the entire public procurement system.

The indicator reviews whether sustainability aspects are fully integrated in the existing information systems.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 7**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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### SPP Indicator 8. The public procurement system has a strong capacity to develop and accelerate the shift to more sustainable public procurement

This indicator focuses on the strategies and ability of the public procurement system to develop and accelerate the shift to sustainable public procurement.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 8**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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## 3.3. Pillar III - Public Procurement Operations and Market Practices

The MAPS core methodology, Pillar III, examines the operational efficiency, transparency, and effectiveness of the procurement system by selecting and reviewing a sample of actual procurement cases of several procuring entities. It also looks at the market as one means of judging the quality and effectiveness of the system when putting procurement procedures into practice.

In the SPP module, Pillar III looks at key sustainability aspects of public procurement practices through empirical analysis of procurement cases, as well as how the private sector enables SPP.

### SPP Indicator 9. Sustainable public procurement practices achieve stated objectives.

The objective of this indicator is to collect empirical evidence on how SPP principles, rules, and procedures formulated in the legal and policy framework are implemented in practice. In assessing the implementation of SPP, the assessors should pay attention to all dimensions of sustainability, i.e. environmental, social and economic aspects. To reflect this multidimensional approach, all sub-indicators include assessment criteria that not only reflect social and environmental aspects, but also assessment criteria reflective of the economic dimension. The assessor should assess whether the implementation of SPP balances different dimensions of sustainability adequately. For that reason, the following sub-indicators assess concepts like efficiency, integrity and transparency that contribute substantially to achieving an overall sustainable public procurement system.

The application of indicator 9 requires the selection and the review of a sample of actual procurement cases (files) that are considered to represent examples of SPP. Sampling methods and size should be carefully considered since they determine the representativeness and certainty of the assessment results.

In addition to reviewing files, this part of the assessment uses the information systems that are in operation, such as e-Procurement. Indicator 9 comprises three sub-indicators to be assessed individually (a-c), mirroring the different stages of the public procurement process.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 9**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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### SPP Indicator 10. The private sector contributes to a more sustainable public procurement market

The objective of this indicator is to assess the market response to SPP solicitations. While this response may be influenced by many factors related to the general economic climate and business environment, national policies to support the private sector, and the existence of strong financial institutions, the indicator focuses on collaboration and partnership between the public and private sector in achieving sustainability. There are three sub-indicators to be assessed (a-c).

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 10**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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## 3.4. Pillar IV - Accountability, Integrity and Transparency of the Public Procurement System

The MAPS core methodology, Pillar IV, assesses the integrity of the public procurement system. It reviews the appropriateness of controls and anti-corruption measures, and it covers means to enhance transparency.

This SPP assessment reviews whether the country’s integrity framework takes sustainability considerations into account.

### SPP Indicator 11. Transparency and civil society engagement foster sustainability in public procurement

Civil society, in acting as a safeguard against inefficient and ineffective use of public resources, can contribute to making SPP more competitive and fairer, improving contract performance and securing results*.*

This indicator assesses whether measures to effectively engage civil society in public procurement encompass sustainability in public procurement.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 11**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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### SPP Indicator 12. The country has effective control and audit systems that cover sustainability in public procurement

This indicator seeks to verify that the country’s internal and external control framework covers SPP and that auditors have the required capacities to appropriately address sustainability in internal and external audits.

* **Synthesis of the indicator**

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* **Findings**

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* **Gaps**

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* **Recommendations**

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**Summary of substantive gaps and recommendations of SPP Indicator 12**

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| **Substantive gap** | **Risk classification and red flags** | **Recommendations** |
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# 4. Consolidated Recommendations

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# 5. Strategic Planning

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| **Proposed action** | **Timeline** | **Responsible institutions** |
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# 6. Validation

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# Annexes/Appendices

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