

Indicator Matrix – Sector Level Assessment module

March 2023 (draft version)



Table of Contents

[Pillar I. Legal, Regulatory, and Policy Framework 1](#_Toc129943919)

[Indicator 1. The public procurement legal framework achieves the agreed principles and complies with applicable obligations 1](#_Toc129943920)

[Indicator 2. Implementing regulations and tools support the legal framework at the sector level 6](#_Toc129943921)

[Indicator 3. The legal framework applicable to the sector reflects the country’s horizontal policy objectives and international, including regional and sub-regional obligations 10](#_Toc129943922)

[Pillar II. Institutional Framework and Management Capacity 15](#_Toc129943923)

[Indicator 4. The public procurement system is mainstreamed and well-integrated with the public financial management system at the sector level 15](#_Toc129943924)

[Indicator 5. The sector has an institution in charge of technical normative functions 17](#_Toc129943925)

[Indicator 6. Definition, responsibilities, and formal powers of procuring entities in the sector 18](#_Toc129943926)

[Indicator 7. Publication of public procurement information in the sector supported by information technology 20](#_Toc129943927)

[Indicator 8. The sector public procurement system has a strong capacity to develop and improve 26](#_Toc129943928)

[Pillar III. Public Procurement Operations and Market Practices 30](#_Toc129943929)

[Indicator 9. Public procurement practices achieve stated objectives in the sector 30](#_Toc129943930)

[Indicator 10. The public procurement market is fully functional and competitive at the sector level 38](#_Toc129943931)

# Pillar I. Legal, Regulatory, and Policy Framework

## Indicator 1. The public procurement legal framework achieves the agreed principles and complies with applicable obligations

|  |
| --- |
| **Sub-indicator 1(a) Coverage of the sector**The legal and regulatory body of norms applicable to the sector complies with the following conditions: |
| **Assessment criterion 1(a)(a):**Is adequately recorded and organized hierarchically (laws, decrees, regulations, procedures) and precedence is clearly established. |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis**  |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 1(a)(b):**It covers goods, works and services, including consulting services for all sector procurement using public funds |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 1(a)(c):**It is applicable to all public bodies and sub-national governments and entities, in the sector, that use public funds |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 1(a)(d):**Sector related PPPs, including concessions, are regulated |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 1(a)(e):**Current laws, regulations, and policies are published and easily accessible to the public at no cost |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| Sub-indicator 1(b) Rules on participation deriving from sustainability (social, economic, and environmental) goals The legal framework applicable to the sector meets the following conditions: |
| Assessment criterion 1(b)(a):Establishes that participation of interested parties is fair and based on qualification and in accordance with rules on eligibility and exclusions. In this context, the term “supplier” encompasses all service providers including contractors, consulting firms, etc |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 1(b)(b):Ensures that there are no barriers to participation in the public procurement market |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 1(b)(c):Where environmental, social and economic policies apply in the sector, ensure that these policies are clearly defined in the legal and regulatory framework and are motivated by the environmental, social and economic aspirations of the country |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 1(b)(d):Details the eligibility requirements and provides for exclusions for breach of environmental, social laws, criminal or corrupt activities, administrative debarment under the law subject to due process or prohibition of commercial relations |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 1(b)(e):Establishes rules for the participation of state-owned enterprises that promote fair competition |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 1(b)(f):Details the procedures that can be used to determine a bidder’s eligibility and ability to perform a specific contract |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Sub-indicator 1(c) Electronic Procurement (e-Procurement) in the sector The legal framework applicable to the sector meets the following conditions: |
| Assessment criterion 1(c)(a):The legal framework allows or mandates e-Procurement solutions, in the sector, covering the public procurement cycle, whether entirely or partially |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 1(c)(b):The legal framework ensures the use of tools and standards, in the sector, that provide unrestricted and full access to the system, taking into consideration privacy, security of data and authentication |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis  |
| Gap analysis  |
| Recommendation  |
| Assessment criterion 1(c)(c):The legal framework requires that interested parties be informed which parts of the processes will be managed electronically, in the sector |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Sub-indicator 1(d) Public procurement principles in specialised legislation governing public entities in the sector The legal and regulatory body of norms covering the sector complies with the following conditions: |
| Assessment criterion 1(d)(a):Public procurement principles and/or the legal framework apply across specialised legislation governing the procurement by entities operating in the sector as appropriate |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 1(d)(b):Public procurement principles and/or laws apply to the selection and contracting of public private partnerships (PPP) in the sector including concessions, as appropriate |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 1(d)(c):Responsibilities for developing policies and supporting the implementation of PPPs in the sector including concessions are clearly assigned |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |

## Indicator 2. Implementing regulations and tools support the legal framework at the sector level

|  |
| --- |
| **Sub-indicator 2(a)** **Implementing Regulations to define processes and procedures in the sector** |
| **Assessment criterion 2(a)(a):**There are regulations applicable to the sector that supplement and detail the provision of the procurement law, and do not contradict the law |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 2(a)(b):**The regulations are clear, comprehensive and consolidated as a set of regulations readily available in a single accessible place |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 2(a)(c):**Responsibility for maintenance of the regulations is clearly established, and the regulations are updated regularly |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| Sub-indicator 2(b) Model procurement documents for goods, works and services for the sector |
| Assessment criterion 2(b)(a):There are model procurement documents provided for use for a wide range of goods, works and services including consulting services procured by public entities in the sector |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 2(b)(b):At a minimum, there is a standard and mandatory set of clauses or templates, for the sector, that reflect the legal framework. These clauses can be used in documents prepared for competitive tendering/bidding |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 2(b)(c):The documents are kept up to date, with responsibility for preparation and updating clearly assigned |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Sub-indicator 2(c) Standard contract conditions used in the sector |
| Assessment criterion 2(c)(a):There are standard contract conditions for the most common types of contracts and their use is mandatory in the sector |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 2 (c)(b):The content of the standard contract conditions used in the sector is generally consistent with internationally accepted practice |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 2(c)(c):Standard contract conditions are an integral part of the procurement documents and made available to participants in procurement proceedings |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Sub-indicator 2(d) User’s guide or manual for procuring entities in the sector |
| Assessment criterion 2(d)(a):There is a comprehensive procurement manual detailing all procedures for the correct implementation of procurement regulations and laws in the sector |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 2(d)(b):Responsibility for maintenance of the manual is clearly established, for the sector, and the manual is updated regularly |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 2(d)(c):A sector specific user’s guide or manual, if any, is consistent with the user’s guide or manuals provided within the procurement framework of the country |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |

## Indicator 3. The legal framework applicable to the sector reflects the country’s horizontal policy objectives and international, including regional and sub-regional obligations

|  |
| --- |
| **Sub-indicator 3(a)** **Existence of sectorial policies and strategies that are clear and well-articulated to facilitate the determination of sector procurement needs** |
| **Assessment criterion 3(a)(a):**The sector has a clear and well-articulated sectorial development strategy accompanied by the related operational documents, for the medium and long term |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 3(a)(b):**The principal types of public procurement as well as their technical requirements or characteristics, are identified in the sectorial strategy or in the applicable sector operational documents |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| Sub-indicator 3(b) Sustainable Public Procurement (SPP) in the sector |
| Assessment criterion 3(b)(a):The country has a policy/strategy in place to implement SPP in support of broader national policy |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 3(b)(b):The SPP implementation plan is based on an in-depth assessment of appropriate tools and systems that are in place to operationalize, facilitate and monitor the application of SPP |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 3(b)(c):The legal and regulatory framework allows for sustainability (i.e. economic, environmental, and social criteria) to be incorporated at all stages of the procurement cycle |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 3(b)(d):The legal provisions require a well-balanced application of sustainability criteria to ensure value for money |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Sub-indicator 3(c) Environmental and Socio-economic development aspirations |
| Assessment criterion 3(c)(a):The country has a policy/strategy in place to implement its socio-economic development aspirations, as defined herein, in support of broader national policy objectives |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 3(c)(b):The implementation plan for the socio-economic initiatives is based on an in-depth assessment and appropriate tools and systems, clearly defined, are in place to operationalize, facilitate and monitor their application |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 3(c)(c):The legal and regulatory framework permits the consideration of sustainability criteria in public procurement |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 3(c)(d):The legal provisions are consistent with primary objectives of public procurement and ensure value for money |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Sub-indicator 3(d) Obligations deriving from international, regional/sub-regional agreements applicable in the sectorPublic procurement-related obligations deriving from binding international, regional and sub regional agreements relating to the sector are: |
| Assessment criterion 3(d)(a):Clearly established  |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |
| Assessment criterion 3(d)(b):Consistently adopted in laws and regulations and reflected in procurement policies |
| Conclusion: Choose an item. |
| Red flag: Choose an item. |
| Qualitative analysis |
| Gap analysis |
| Recommendation |

# Pillar II. Institutional Framework and Management Capacity

## Indicator 4. The public procurement system is mainstreamed and well-integrated with the public financial management system at the sector level

|  |
| --- |
| **Sub-indicator 4(a)** **Procurement planning and the budget cycle in the sector** The legal and regulatory framework, financial procedures, and systems for the sector, provide for the following: |
| **Assessment criterion 4(a)(a):**Annual or multi-annual procurement plans are prepared for the sector, to facilitate the budget planning and formulation process and to contribute to multi-year planning |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 4(a)(b):**Budget funds for the sector are committed or appropriated in a timely manner and cover the full amount of the contract (or at least the amount necessary to cover the portion of the contract performed within the budget period) |
| **Conclusion**:  |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 4(a)(c):**A feedback mechanism reporting on budget execution is in place, especially regarding the completion of major contracts in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 4(b)****Financial procedures and the procurement cycle in the sector**The legal and regulatory framework, financial procedures, and systems applicable to the sector ensure that: |
| **Assessment criterion 4(b)(a):**No solicitation of tenders/proposals takes place in the sector without certification of the availability of funds |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 4(b)(b):**The national regulations/procedures for processing of invoices and authorisation of payments are followed in the sector, are publicly available and clear to potential bidders |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Quantitative indicator to substantiate assessment of sub-indicator 4(b) Assessment criterion (b):** **•** Invoices for procurement of goods, works and services paid on time (in % if total number of invoices). Source: PFM systems |
| **Gap analysis** |
| **Recommendation** |

## Indicator 5. The sector has an institution in charge of technical normative functions

|  |
| --- |
| **Sub-indicator 5(a)** **Status and legal basis for the normative functions entrusted to the sector agencies** |
| **Assessment criterion 5(a)(a):**The legal and regulatory framework specifies the normative function of development and validation of technical standards in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 5(a)(b):**The technical norms respond to the needs of the country |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 5(a)(c):**The use of the technical norms does not affect competitiveness and transparency |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |

## Indicator 6. Definition, responsibilities, and formal powers of procuring entities in the sector

|  |
| --- |
| **Sub-indicator 6(a)** **Definition, responsibilities, and formal powers of procuring entities in the sector**The legal framework applicable to the sector provides for the following: |
| **Assessment criterion 6(a)(a):**Procuring entities are clearly defined |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 6(a)(b):**Responsibilities and competencies of procuring entities are clearly defined |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 6(a)(c):**Procuring entities are required to establish a designated, specialised procurement function with the necessary management structure, capacity, and capability |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Quantitative indicator to substantiate assessment of sub-indicator 6(a) Assessment criterion (c):****•** Procuring entities, in the sector, with a designated, specialised procurement function (in % of total number of procuring entities in the sector). Source: Normative/regulatory function/statute of sector agencies. |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 6(a)(d):**Decision making authority is delegated to the lowest competent levels consistent with the risks associated and the monetary sums involved |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 6(b)** **Centralized procurement body** |
| **Assessment criterion 6(b)(a):**The country/sector has considered the benefits of establishing a centralised procurement function in charge of consolidated procurement, framework agreements, or specialized procurement for the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 6(b)(b):**In case a centralised procurement body exists, the legal and regulatory framework provides for the following:• Legal status, funding, responsibilities, and decision-making powers are clearly defined.• Accountability for decisions is precisely defined.• The body and the head of the body have a high level and authoritative standing in government |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 6(b)(c):**The centralised procurement body’s internal organization and staffing are sufficient and consistent with its responsibilities |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |

## Indicator 7. Publication of public procurement information in the sector supported by information technology

|  |
| --- |
| **Sub-indicator 7(a)****Definition, responsibilities, and formal powers of procuring entities in the sector**The sector uses an information system that meets the following requirements: |
| **Assessment criterion 7(a)(a):**Information on procurement, in the sector, is easily accessible in media of wide circulation and availability. Information is relevant, timely and complete and helpful to interested parties to understand the procurement processes and requirements and to monitor outcomes, results and performance |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(a)(b):**The country’s (or sector’s) information system is fully utilized by sector entities, provides up-to-date information and is easily accessible to all interested parties at no cost |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(a)(c):**There is an integrated information system (centralised online portal) that provides up-to-date information and is easily accessible to all interested parties at no cost |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Quantitative indicators to substantiate assessment of sub-indicator 7(a) Assessment criterion (c):****•** Sector procurement plans published (in % of total number of required procurement plans) • Key procurement information published along the procurement cycle (in % of total number of contracts) :o Invitation to bid/Request for proposal (in % of total number of contracts);o Contract awards (purpose, supplier, value, variations/amendments);o Details related to contract implementation (milestones, completion, and payment);o Annual procurement statistics.• Appeals decisions related to the sector posted within the timeframes specified in the law (in %).Source: Centralized online portal. |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(a)(d):**The information system provides for the publication of:• Procurement plans;• Information related to specific procurements, as a minimum: Advertisements or notices of procurement opportunities, contract awards including procurement method and amendments, information on contract implementation including payments, appeals decisions;• Linkages to rules and regulations and other information that is relevant to promote competition and transparency |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(a)(e):**In support of the concept of open contracting, in the sector, more comprehensive information is published on the centralized online portal, in each phase of the procurement process including the full set of procurement documents, evaluation reports, full contract documents including technical specification and implementation details (in accordance with legal and regulatory framework) |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicator to substantiate assessment of sub-indicator 7(a) Assessment criterion (e):** • Share of procurement information and data published in open data formats (in %). Source: Centralized online portal. |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(a)(f):**Information, from the sector, is published in an open and structured machine-readable format, using identifiers and classifications (open data format). |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(a)(g):**Responsibility for the management and operation of the sector information system is clearly defined |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 7(b)** **Use of e-Procurement in the sector** |
| **Assessment criterion 7(b)(a):**E-procurement is widely used or progressively implemented in the sector at all levels of government |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Quantitative indicators to substantiate assessment of sub-indicator 7(b) Assessment criterion (a):** Uptake of e-Procurement in the sector:• Number of e-Procurement procedures in % of total number of procedures in the sector;• Value of e-Procurement procedures in % of total value of procedures in the sector.Source: e-Procurement system. |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(b)(b):**Sector officials have the capacity to plan, develop and manage e-Procurement systems, as required (e.g., by a national road map or general framework) |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(b)(c):**Procurement staff in the sector is adequately skilled and equipped to reliably and efficiently use e-Procurement systems |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(b)(d):**Suppliers in the sector (including micro, small and medium-sized enterprises) participate in a public procurement market increasingly dominated by digital technology |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicators to substantiate assessment of sub-indicator 7(b) Assessment criterion (d):****•** Bids submitted online in the sector (in %);• Bids submitted online by micro, small and medium-sized enterprises in the sector (in %).Source: e-Procurement system. |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(b)(e):**If e-Procurement has not yet been introduced, the sector has adopted an e-Procurement roadmap based on an e-Procurement readiness assessment |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 7(c)** **Strategies to manage procurement data in the sector** |
| **Assessment criterion 7(c)(a):**A system is in operation in the sector for collecting data on the procurement of goods, works and services including consulting services supported by e-Procurement or other information technology. |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(c)(b):**The system manages data for the entire procurement process, in the sector, and allows for analysis of trends, levels of participation, efficiency and economy of procurement and compliance with requirements |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(c)(c):**The reliability of the information is high (verified by audits) |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 7(c)(d):**Analysis of information is routinely carried out, in the sector, published and fed back into the system |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Quantitative indicators to substantiate assessment of sub-indicator 7(c): - Assessment criterion (d):****•** Total number and value of contracts ;• Public procurement as a share of government expenditure and as share of GDP;• Total value of contracts awarded through competitive methods in most recent fiscal year .Source: Normative/regulatory function/E-Procurement system. |
| **Gap analysis** |
| **Recommendation** |

## Indicator 8. The sector public procurement system has a strong capacity to develop and improve

|  |
| --- |
| **Sub-indicator 8(a)****Training, advice and assistance in the sector**There are systems in place, in the sector, that provide for: |
| **Assessment criterion 8(a)(a):**Substantive permanent training programmes of suitable quality and content for the needs of the procurement staff in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 8(a)(b):**Routine evaluation and periodic adjustment of training programmes based on feedback and need |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 8(a)(c):**Advisory service or help desk function to resolve questions by procuring entities, suppliers, and the public |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 8(a)(d):**A capacity development strategy that is well integrated with other measures aimed at developing the capacities of key actors involved in public procurement, in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 8(a)(e):**The environment surrounding individuals and organizations that supports the sound practices and behaviours learned |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 8(b)** **Monitoring performance to improve sector outputs and outcomes** |
| **Assessment criterion 8(b)(a):**The sector has established and consistently applies a performance measurement system that focuses on both quantitative and qualitative aspects |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 8(b)(b):**The information is used to support strategic policy making on procurement in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 8(b)(c):**Strategic plans, including results framework, are in place and used to improve sector system performance |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 8(b)(d):**Responsibilities for performance measurement in the sector are clearly defined |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |

# Pillar III. Public Procurement Operations and Market Practices

## Indicator 9. Public procurement practices achieve stated objectives in the sector

|  |
| --- |
| **Sub-indicator 9(a)****Planning in the sector** |
| **Assessment criterion 9(a)(a):**Needs analysis and market research guide a proactive identification of optimal procurement strategies in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(a)(b):**The requirements and desired outcomes of contracts, in the sector, are clearly defined |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(a)(c):**Sustainability criteria, if any, are used in a balanced manner, in the sector, and in accordance with national priorities, to ensure value for money |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 9(b)** **Selection and contracting in the sector**Analysis of a sample of contracts in the sector shows that: |
| **Assessment criterion 9(b)(a):**Multi-stage procedures are used in complex procurements to ensure that only qualified and eligible participants are included in the competitive process |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(b):**Clear and integrated procurement documents, standardised where possible and proportionate to the need, are used to encourage broad participation from potential competitors |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(c):**Procurement methods are chosen, documented, and justified in accordance with the purpose and in compliance with the legal framework |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(d):**Procedures for bid submission, receipt and opening are clearly described in the procurement documents and complied with. This means, for instance, allowing bidders or their representatives to attend bid openings, and allowing civil society to monitor bid submission, receipt and opening, as prescribed |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(e):**Throughout the bid evaluation and award process, confidentiality is ensured |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(f):**Appropriate techniques are applied, to determine best value for money based on the criteria stated in the procurement documents and to award the contract |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(g):**Contract awards are announced as prescribed |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(h):**Contract clauses include sustainability considerations, where appropriate |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(i):**Contract clauses provide incentives for exceeding defined performance levels and disincentives for poor performance wherever appropriate |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(b)(j):**The selection and award process is carried out effectively, efficiently and in a transparent way |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicators to substantiate assessment of sub-indicator 9(b) Assessment criterion (j):****•** Average time to procure goods, works, and services; • Number of days between advertisement/solicitation and contract signature (for each procurement method used);• Average number (and %) of bids that are responsive (for each procurement method used);• Share of processes that have been conducted in full compliance with publication requirements (in %);• Number (and %) of successful processes; (successfully awarded; failed; cancelled; awarded within defined timeframes)Source for all: Sample of procurement cases. |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 9(c)** **Contract management practice in the sector** Examination of contract management practices based on a sample of contracts in the sector shows that: |
| **Assessment criterion 9(c)(a):**Contracts are implemented in a timely manner |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(c)(b):**Inspection, quality control, supervision of work and final acceptance of products is carried out |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(c)(c):**Invoices are examined, and payments are processed as stipulated in the contract |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(c)(d):**Contract amendments are reviewed, issued and published in a timely manner |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(c)(e):**Procurement statistics are available, and a system is in place to measure and improve procurement practices |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(c)(f):**Opportunities for direct involvement of relevant external stakeholders in public procurement are utilised |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(c)(g):**The records are complete and accurate, and easily accessible in a single file |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Quantitative indicators to substantiate assessment of sub-indicator 9(c) Assessment criterion (g):** **•** Share of contracts with complete and accurate records and databases (in %). Source: Sample of procurement cases. |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 9(d)** **Efficiency of application of tools that support achievement of socio-economic development aspirations relative to the sector** |
| **Assessment criterion 9(d)(a):**Efficiency of application of the tools for attaining socio-economic development objectives |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicators to substantiate assessment of sub-indicator 8(b) assessment criterion (a):****•** Number of contracts awarded, applying the tools meant to achieve socio-economic objectives such as the margin of preference, as a proportion of the total number of contracts (in %).• Number of contract awarded, applying the tools meant to achieve socio-economic objectives such as the margin of preference that were the object of complaints by bidders in relation to the application of this margin of preference (in %,) as a proportion of the total number of contracts**.** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(d)(b):**The fiduciary risks associated with application of socio-economic development tools are identified and mitigated by measures that ensure the principles of transparency, competition and value for money |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicators to substantiate assessment of sub-indicator 8(b) assessment criterion (b):****•** Number of mitigation measures which are applied with success, in proportion to the total number of identified risks.Source: Electronic procurement system / data base of national regulatory and control institutions |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 9(e)** **Protection of the environment in the sector** |
| **Assessment criterion 9(e)(a):**Level of efforts in the sector for protection of the environment |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** Recommended quantitative indicators to substantiate assessment of sub-indicator 8(c) assessment criterion (a):• Number of contracts awarded, containing measures for protection of the environment as a proportion of the total number of contracts (in %) |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 9(e)(b):**The fiduciary risks associated with execution of measures for protection of the environment are identified and mitigated in a way that ensures transparency, competition and value for money (VfM) |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicators to substantiate assessment of sub-indicator 8(c) assessment criterion (b):****•** Number of risks that are mitigated with success, in proportion to the total number of identified risks.Source: Electronic procurement system / data base of national regulatory and control institutions |
| **Gap analysis** |
| **Recommendation** |

## Indicator 10. The public procurement market is fully functional and competitive at the sector level

|  |
| --- |
| **Sub-indicator 10(a)** **Dialogue and partnership between public and private sector** |
| **Assessment criterion 10(a)(a):**The sector encourages open dialogue with the private sector. Several established and formal mechanisms are available for open dialogue through associations or other means, including a transparent and consultative process when formulating changes to the sector procurement system. The dialogue follows the applicable ethics and integrity rules of the government |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicator to substantiate assessment of sub-indicator 10(a) Assessment criterion (a):****•** Perception of openness and effectiveness in engaging with the private sector (in % of responses).Source: Survey. |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(a)(b):**The sector has programmes to help build capacity among private companies, including for small businesses and training to help new entries into the public procurement marketplace |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 10(b)** **Private sector’s organization and access to the public procurement market** |
| **Assessment criterion 10(b)(a):**The private sector is competitive, well organized, willing and able to participate in the competition for public procurement contracts in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicator to substantiate assessment of sub-indicator 10(b) Assessment criterion (a):****•** Number of registered suppliers as share of total number of suppliers in the country (in %)• Share of registered suppliers that are participants and awarded contracts (in % of total number of registered suppliers)• Total number and value of contracts awarded to domestic/foreign firms (and in % of total)Source: E-Procurement system/Supplier Database. |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(b)(b):**There are no major systemic constraints inhibiting private sector access to the sector procurement market |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Quantitative analysis** **Recommended quantitative indicator to substantiate assessment of sub-indicator 10(b) Assessment criterion (b):** **•** Perception of firms on the appropriateness of conditions in the public procurement market (in % of responses). Source: Survey |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 10(c)** **Functionality and the level of competition in works contracts awarded in the sector** |
| **Assessment criterion 10(c)(a):**Existing data allows determination, and categorization if applicable, of the principal contractors in the sector, in a manner that is sufficiently precise |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(c)(b):**National and international contractors qualify, in sufficient numbers, in terms of turnover, equipment and personnel, to ensure effective competition and the best value for money to meet the needs of procurement of works in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(c)(c):**Horizontal SPP objectives are converted into bid evaluation criteria that facilitate equity in the treatment of bidders and that ensure predictability and transparency in the bidding process |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(c)(d):**Unit prices in the bids for construction works conform to the official reference prices published by the appropriate competent national agencies and are in line with the objectives defined in horizontal procurement policies |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(c)(e):**Major systemic obstacles limiting access of the national private sector to construction works contracts are identified and appropriate measures are defined to remove them |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(c)(f):**Major systemic obstacles limiting access of international private sector to construction works contracts are identified and appropriate measures are defined to remove them |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
|  **Sub-indicator 10(d)** **Functionality and the level of competition in goods contracts awarded in the sector** |
| **Assessment criterion 10(d)(a):**Existing data allows determination of the principal national suppliers operating in the sector, in a manner that is sufficiently precise |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(d)(b):**National and international contractors qualify, in sufficient numbers, in terms of turnover, equipment and personnel, to ensure effective competition and the best value for money to meet the needs of procurement of works in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(d)(c):**Horizontal SPP objectives are converted into bid evaluation criteria that facilitate equity in the treatment of bidders and that ensure predictability and transparency in the bidding process |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(d)(d):**Bid prices for goods conform to the official reference prices published by the appropriate competent national agencies and are in line with the objectives defined in secondary procurement policies |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(d)(e):**Major systemic obstacles limiting access of the national and international private sector to the goods supply market are identified and appropriate measures are defined to stop them |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Sub-indicator 10(e)** **Functionality and level of competition in the consulting services contracts awarded in the sector** |
| **Assessment criterion 10(e)(a):**Existing data allows determination of the national consultants operating in the sector, in a manner that is sufficiently precise |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(e)(b):**National and International consultants with the requisite qualifications (personnel with experience and expertise), are in sufficient numbers, to guarantee effective competition and the best (VfM) to meet the needs for consulting services in the sector |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(e)(c):**Horizontal SPP objectives are converted into evaluation criteria for offers that facilitate equity in the treatment of candidates and that ensure predictability and transparency in the consultants’ recruitment process |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(e)(d):**Consultants’ recruitment rates conform to cost estimates and are in line with the objectives defined in horizontal procurement policies |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |
| **Assessment criterion 10(e)(e):**Major systemic obstacles limiting access of the national and international private sector to the consulting services market are identified and appropriate measures have been defined to stop them |
| **Conclusion**: Choose an item. |
| **Red flag**: Choose an item. |
| **Qualitative analysis** |
| **Gap analysis** |
| **Recommendation** |