

PRACTICAL EXERCISE ON CREATING A PRIORITIZED STRATEGY BASED ON BENCHMARKING DATA



OECD-DAC JOINT VENTURE FOR PROCUREMENT

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Annex 3 is a summary of the application of the OECD/DAC Benchmarking Tool based on a recent assessment. Review the outcome of the assessment and try as a team to begin to formulate a strategy based on the information the benchmarking summary provides.

Each team should consider not only what needs to be addressed, but what areas should be addressed as a matter of priority. The team should also identify who should assume the responsibility and estimate the time required. Since the summary will only provide scoring based on the assessment of a country that is not your own, you may wish to make some assumptions that will help you develop an initial strategy and framework for implementation.

During the debriefing, each team will be asked to identify what their top 3 priorities were and why they were selected as the top priorities.

Annex 3: Public Procurement System at a Glance

BASIS of Rating: OECD/DAC–World Bank Indicators

	Indicator Score	Average Score	Pillar Average
Pillar I – Legislative and Regulatory Framework			2.2
Indicator 1. Public procurement legislative and regulatory framework achieves the agreed standards and complies with applicable obligations.		2.5	
Sub-indicator 1(a) - Scope of application and coverage of the legislative and regulatory framework.	3		
Sub-indicator 1(b)- Procurement Methods	2		
Sub-indicator 1(c) - Advertising rules and time limits	3		
Sub-indicator 1(d) - Rules on participation and qualitative selection	3		
Sub-indicator 1(e) - Tender documentation and technical specifications	2		
Sub-indicator 1(f) - Tender evaluation and award criteria	3		
Sub-indicator 1(g) - Submission, receipt and opening of tenders	3		
Sub-indicator 1(h) - Complaints	1		
Indicator 2. Existence of Implementing Regulations and Documentation.		1.8	
Sub-indicator 2(a) - Implementing regulation that provides defined processes and procedures not included in higher-level legislation	2		
Sub-indicator 2(b) - Model tender documents for goods, works, and services	2		
Sub-indicator 2(c) - Procedures for Prequalification	2		
Sub-indicator 2d) - Procedures suitable for contracting for services or other requirements in which technical capacity is a key criterion.	1		
Sub-indicator 2(e) - User's guide or manual for contracting entities	2		
Sub-indicator 2(f) - General Conditions of Contracts (GCC) for public sector contracts covering goods, works and services consistent with national requirements and, when applicable, international requirements	2		
Pillar II. Institutional Framework and Management Capacity			0.8
Indicator 3. The public procurement system is mainstreamed and well integrated into the public sector governance system.		1.3	
Sub-indicator 3(a) - Procurement planning and data on costing are part of the budget formulation process and contribute to multiyear planning	1		
Sub-indicator 3(b) - Budget law and financial procedures support timely procurement, contract execution, and payment.	1		

Sub-indicator 3(c) - No initiation of procurement actions without existing budget appropriations.	2	
Sub-indicator 3(f) - Systematic completion report are prepared for certification of budget execution and for reconciliation of delivery with budget programming.	1	
Indicator 4. The country has a functional normative/regulatory body.		1.0
Sub-indicator 4(a) - The status and basis for the normative/regulatory body is covered in the legislative and regulatory framework.	2	
Sub-indicator 4(b) - The body has a defined set of responsibilities that include but are not limited to the following:	1	
Sub-indicator 4(c) - The body's organization, funding, staffing, and level of independence and authority (formal power) to exercise its duties should be sufficient and consistent with the responsibilities.	1	
Sub-indicator 4(d) - The responsibilities should also provide for separation and clarity so as to avoid conflict of interest and direct involvement in the execution of procurement transactions. (Due to the nature of this sub-indicator, scoring is either a 3 or a 0).	0	
Indicator 5. Existence of institutional development capacity.		0.3
Sub indicator 5(a) - The country has a system for collecting and disseminating procurement information, including tender invitations, requests for proposals, and contract award information.	0	
Sub-indicator 5(b) - A sustainable strategy and training capacity exists to provide training, advice and assistance to develop the capacity of government and private sector participants to understand the rules and regulations and how they should be implemented.	1	
Sub-indicator 5(c) - The country has systems and procedures for collecting and monitoring national procurement statistics.	0	
Sub-indicator 5(d) - Quality control standards are disseminated and used to evaluate staff performance and address capacity development issues.	0	
Pillar III. Procurement Operations and Market Practices		1.2
Indicator 6. The country's procurement operations and practices are efficient.		1.3
Sub-indicator 6(a) - The level of procurement competence among government officials within the entity is consistent with their procurement responsibilities.	1	
Sub-indicator 6(b) - The procurement training and information programs for government officials and for private sector participants are consistent with demand.	1	
Sub-indicator 6(c-e) - Administrative system, code of conduct, oversight, signature control and record keeping	1	
Sub-indicator 6(f) - There are provisions for delegating authority to others who have the capacity to exercise responsibilities.	2	
Indicator 7. Functionality of the public procurement market.		0.8
Sub-indicator 7(a) - There are effective mechanisms for partnerships between the public and private sector.	0	
Sub-indicator 7(b) - Private sector institutions are well organized and able to facilitate access to the market.	0	

Sub-indicator 7(c) - There are no major systemic constraints (e.g. inadequate access to credit, contracting practices, etc.) inhibiting the private sector's capacity to access the procurement market.	1	
Sub-indicator 7 (e) - There are clear and transparent rules for determining whether to engage international or national markets, based on a sound development and business logic.	2	
Indicator 8. Existence of contract administration and dispute resolution provisions.		1.7
Sub-indicator 8a) - Procedures are clearly defined for undertaking contract administration responsibilities that include inspection and acceptance procedures, quality control procedures, and methods to review and issue contract amendments in a timely manner.	1	
Sub-indicator 8(b) - Contracts include dispute resolution procedures that provide for an efficient and fair process to resolve disputes arising during the performance of the contract.	2	
Sub-indicator 8(c) - Procedures exist to enforce the outcome of the dispute resolution process.	2	
Pillar IV. Integrity and Transparency of the Public Procurement System		0.9
Indicator 9. The country has effective control and audit systems		1.0
Sub-indicator 9a) - A legal framework, organization, policy, and procedures for internal and external control and audit of public procurement operations are in place to provide a functioning control framework.	1	
Sub-indicator 9b) - Enforcement and follow-up on findings and recommendations of the control framework provide an environment that fosters compliance.	1	
Sub-indicator 9(c) - The internal control system provides timely information on compliance to enable management action.	1	
Sub-indicator 9(d) - The internal control systems are sufficiently defined to allow performance audits to be conducted.	1	
Sub-indicator 9(e) - Auditors are sufficiently informed about procurement requirements and control systems to conduct quality audits that contribute to compliance.	1	
Indicator 10. Efficiency of appeals mechanism.		0.4
Sub-indicator 10b) - Decisions are deliberated on the basis of available information, and the final decision can be reviewed and ruled upon by a body (or authority) with enforcement capacity under the law.	1	
Sub-indicator 10(c) - The complaint review system has the capacity to handle complaints efficiently and a means to enforce the remedy imposed.	1	
Sub-indicator 10(d) - The system operates in a fair manner, with outcomes of decisions balanced and justified on the basis of available information.	0	
Sub-indicator 10(e) - Decisions are published and made available to all interested parties and to the public	0	
Sub-indicator 10(f) - The administrative review body or authority is independent from the regulatory body, executing agency, and audit/control agency	0	
Indicator 11. Degree of access to information.		1.0
Sub-indicator 11a) - Information is published and distributed through available media with support from	1	

information technology when feasible.		
Sub-indicator 11(d) - There is clear legal basis providing access to information for the public.	1	
Indicator 12. The country has ethics and anticorruption measures in place.		1.1
Sub-indicator 12(a) - The legal and regulatory framework for procurement, including tender and contract documents, includes provisions addressing corruption, fraud, conflict of interest, and unethical behavior and sets out (either directly or by reference to other laws) the actions that can be taken with regard to such behavior.	2	
Sub-indicator 12(b) - The legal system defines responsibilities, accountabilities, and penalties for individuals and firms found to have engaged in fraudulent or corrupt practices.	2	
Sub-indicator 12(c) - Evidence of enforcement of rulings and penalties exists.	1	
Sub-indicator 12(d) - Special measures exist to prevent and detect fraud and corruption in public procurement.	1	
Sub-indicator 12(e) - Stakeholders (private sector, civil society, and ultimate beneficiaries of procurement/end-users) support the creation of a procurement market known for its integrity and ethical behaviors.	0	
Sub-criteria 12(f) - The country should have in place a secure mechanism for reporting fraudulent, corrupt, or unethical behavior.	1	
Sub-criteria 12(g) - Existence of Codes of Conduct/Codes of Ethics for participant that are involved in aspects of the public financial management systems that also provide for disclosure for those in decision making positions.	1	