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WEBINAR

THE ROLE OF THE LEBANESE PUBLIC

PROCUREMENT AUTHORITY

ORGANISING CENTRAL PUBLIC

PROCUREMENT FUNCTIONS

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Introduction: central procurement institutions

- **Organization of the procurement system:** policy making, strategy, design and implementation of rules and tools, provision of practical support to contracting authorities and economic operators and control/monitoring of public procurement operations – role of PPAs.
- **Review of procurement:** the legal review of complaints submitted by economic operators – role of specialist review bodies, tribunals or courts.
- **Conduct of centralised procurement** – role of central purchasing bodies, which may either have a general remit or be specialist procurers in particular sectors.
- **Other functions:** inspection, protection of competition, fight with corruption – role of state audit institutions, financial inspectors, anti-corruption bodies and anti-monopoly bodies.





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Role of PPAs as policy makers and designers of the system

- to ensure that the system functions properly with sufficient level of integrity.
- to initiate, design, implement and monitor public procurement policy and to be responsible for all aspects of the policy and be able to respond to changing priorities and needs.
- to ensure that procurement delivers sustainable, socially responsible and innovative solutions.





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Status of central public procurement bodies

- In the majority of countries in Europe, a central public procurement authority (PPA) is positioned within the government as separate office or agency subordinated to the prime minister or a minister (economy or finance) or as a unit within a ministry (with clearly defined roles).
- One exception is Hungary, where the public procurement body reports to the Parliament. However, even in this case, the crucial role in regulating the public procurement system is in fact played by the Office of Prime Minister.





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Key functions of PPAs

- designing national **public procurement policy** and strategy;
- supporting **strategic use of public procurement** to deliver sustainable, socially responsible and innovative solutions;
- preparation of legislation, both primary (law) and secondary (implementing regulations);
- preparation of standard procurement documents and other operational tools (tertiary legislation);

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Key public procurement functions (2)

- **providing support** to contracting authorities, economic operators and other stakeholders, by offering legal information, opinions and guidance;
- organising/maintaining/supporting the national procurement **training system** to increase professionalisation;
- facilitating the introduction, operation and development of **electronic procurement systems**;
- collecting and publishing **statistical data**;
- **control and monitoring** of the application of procurement rules by contracting authorities;
- **international co-operation** in the field of public procurement.

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Regulatory function – types of activities

- creating national public procurement policy and strategy;
- preparation of legislation, both primary and secondary (implementing regulations);
- preparation of standard procurement documents which can be mandatory or optional in use;
- approval (ex ante) of selection of certain types of procurement procedures: single source procurement and other types of non – competitive procedures or more complex procedures (e.g. two – stage tendering)





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Providing support – types of activities

- **providing consolidated texts** of Public Procurement Laws (PPLs) and implementing regulations, and supporting commentaries;
- **notes, commentaries and interpretative communications** on various aspects of public procurement;
- **answers** to frequently asked questions;
- **legal interpretations;**
- **help desks**, whether face to face, by telephone or online, providing legal and professional support to public purchasers on a day-to-day basis;
- **guidance, methodologies**
- **support** provided specifically to economic operators
- **others**





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Professionalisation of public procurement – types of activities

- Trainings organised and delivered by the central procurement institutions
- Trainings offered in co-operation with central procurement institutions
- Training of Trainers (ToT)
- Outsourced training
- Training provided by central purchasing authorities
- On line resources: repository of knowledge





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Monitoring/control of public procurement

- **Monitoring:** observing, keeping track of and gathering data about performance; understood as a broad concept can also include more general systematic observation of the public procurement system, intended to evaluate the development and functioning of the system.
- **Control:** exercising power over, guiding and supervising the behaviour, tasks and activities of organisations or persons concerned.





Monitoring/control – types of activities

1. ***ex ante*** assessment of existence of grounds for application of specific procedure (usually non – competitive one);
2. ***ex ante*** [compliance] control of procurement before their publication/dissemination, or control of the finalised procurement procedure before the conclusion of the contract;
3. ***ex post*** [compliance] control of procurement processes initiated on the basis of requests from interested parties or on the ***ad hoc*** initiatives of central procurement institutions;





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Types of monitoring/control (2)

4. ***ex post*** control conducted on the initiative of central procurement institutions in accordance with plans of control (planned monitoring);
5. **monitoring of implementation** (execution) of contracts.





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Thank you for attention!