Collection and Use of Public Procurement Data
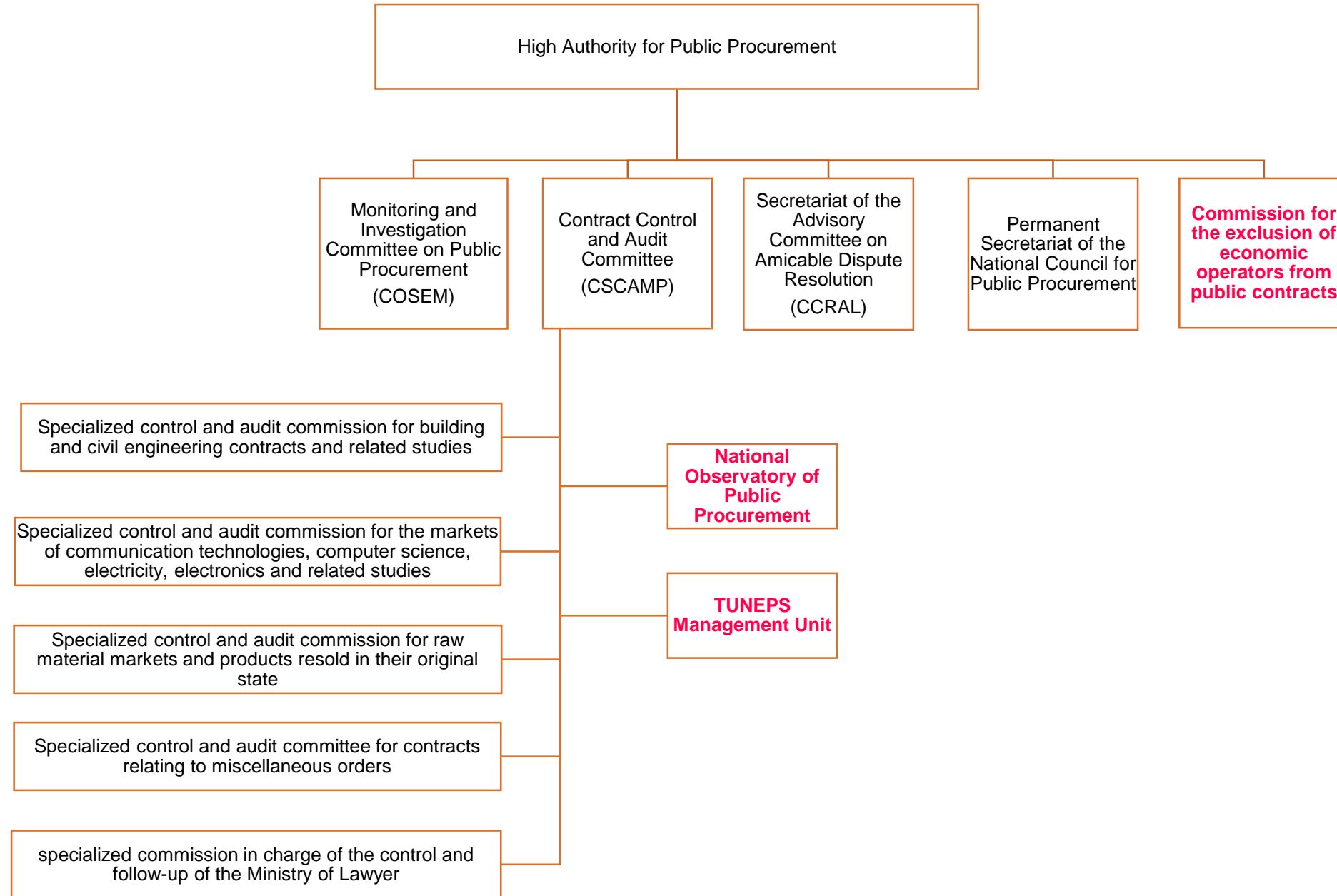
May 2022

I. Introduction

Regulatory Framework

- Decree n° **2014-1039** of March 13, 2014 on public procurement regulation

- Decree n°**2013-5096** of November 22, 2013 on the establishment of the High Authority for Public Procurement and fixing the specific status of the members of the controllers and revisers' body of public procurement under the Presidency of the Government.

Flowchart
(Following the promulgation of decree n°2014-1039)

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High Authority for Public Procurement

- **Monitoring and Investigation Committee on Public Procurement (COSEM)**
- **Contract Control and Audit Committee (CSCAMP)**
- **Secretariat of the Advisory Committee on Amicable Dispute Resolution (CCRAL)**
- **Permanent Secretariat of the National Council for Public Procurement**
- **Commission for the exclusion of economic operators from public contracts**

Under CSCAMP:

- Specialized control and audit commission for building and civil engineering contracts and related studies
- Specialized control and audit commission for the markets of communication technologies, computer science, electricity, electronics and related studies
- Specialized control and audit commission for raw material markets and products resold in their original state
- Specialized control and audit committee for contracts relating to miscellaneous orders
- specialized commission in charge of the control and follow-up of the Ministry of Lawyer

- **National Observatory of Public Procurement**
- **TUNEPS Management Unit**

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II. Institutional Framework and Attribution

1. Observatoire National des Marchés Publics : background and missions

Date of Inception :

Decree 2002-3158 of December 27, 2002 on public procurement regulation.

Missions :

i- Keep an information register on public procurement owners based on the monitoring form created after the performance of a public contract;

ii- Ensure the dissemination on the national public procurement website, of all the information or document useful to serve the principle of good governance and capacity building in public procurement;

iii- Establish a national training program in public procurement and assistance to public buyers (specific training, seminar and session programs in public procurement), which guarantees the supervision, the coordination of works according to needs transmitted annually to ONMP

4- Put in place an information system in order to collect, process and analyze data relating to public procurement and public order in general and enable the compilation of statistics pertaining to the number of contracts awarded according to the subject, the geographic location, the public buyer, the procurement mode and any other criteria.
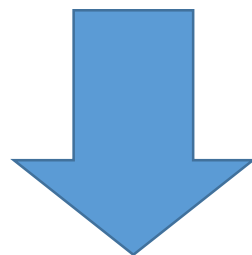
5- Take every year **a general census of public procurement and partial census** concerning a group of public buyers or a given category in public procurement.

2. Role of ONMP in the Collection and the Processing of Data relating to Public Procurement

i - Keep an information register on public procurement owners based on the monitoring form created after the performance of a public contract; :

➢Preparation of summary sheets for each contract holder on the basis of updated and accurate data integrated into the information register from the data recorded in the **monitoring sheets**: **111 in 2021 and termination sheets**.

➢ONMP communicates to public purchasers at their request, the **summary sheets** relating to the participants concerned: **49 sheets in 2021**

Order of the Head of Government of January 28, 2015, concerning the modalities related to the information register, the follow-up sheet and the list and models of the data requested within the framework of the census of public contracts as well as the modalities and deadlines of their collection

Database on

| Scheduled markets (namely SME ones) | Awarded markets | Completed markets | Terminated markets |

Data Transfer Flow

Public Buyers

- **Data on every awarded market**
- **Data on every terminated market**
- **Schedule for the liquidation of final settlement files**
- **Data on examined and awarded markets by the contracting commissions**
- **Data on the performance of public procurement**

ONMP
prepares a summary sheet relating to every public contract holder

Communicates to public buyers, following their request, the summary sheets pertaining to the participants concerned

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ii- Ensure the dissemination on the national public procurement website of any information or documentation useful to serve the principle of good governance and capacity building in public procurement

www.marchespublics.gov.tn

Objective : Realization of the communicating administration and

diffusion of the digital culture in the public markets

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iii- Put in place an information system **in order to collect, process and analyze data relating to public procurement and public order** in general and enable the compilation of statistics pertaining to the number of contracts awarded according to the subject, the geographic location, the public buyer, the procurement mode and any other criteria.

iv- Enable interconnection to other systems in the field of public finance management in the country, to ensure traceability of operations and efficiency of public procurement management as part of public finance:
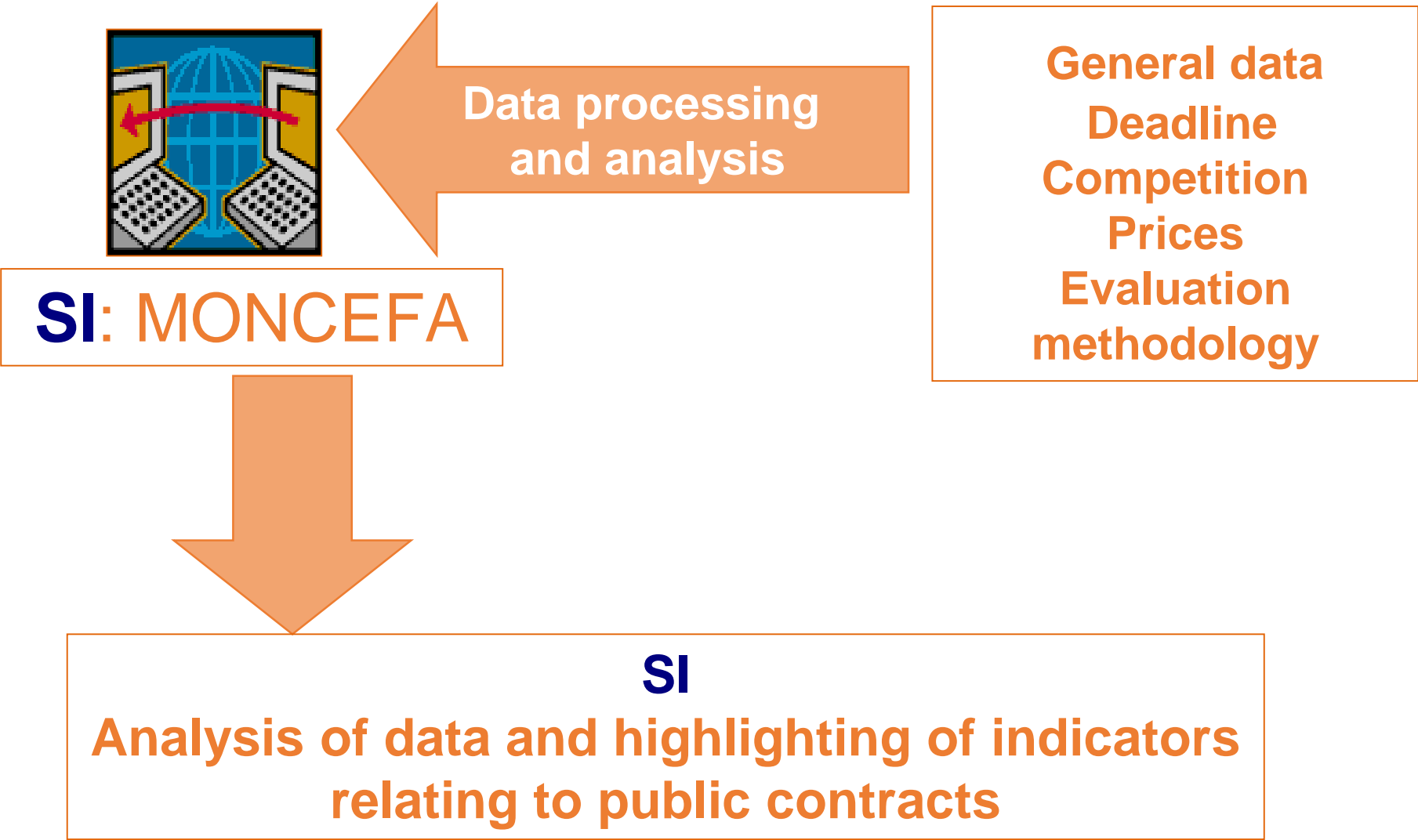
- ADEB system
- TUNEPS system

III. A Public Procurement Information System

Why?

➤ Decision-making tool

➤ Improving the performance of public procurement

➤ Responding to a need for information or insight into a specific procurement issue

➤ Having the tools necessary to quickly and more reliably and efficiently assess the quality of the use of public funds (e.g., performance alerts such as slippage in the procurement process, frequency of contract awards, use of direct contracting, etc.)

1. Database:

Data processing and analysis

SI: MONCEFA

**General data
Deadline
Competition
Prices
Evaluation
methodology**

**SI
Analysis of data and highlighting of indicators
relating to public contracts**

2. The National Public Procurement WEB

Features:

Provide all stakeholders in the public procurement process with a reliable information, communication and assistance system:
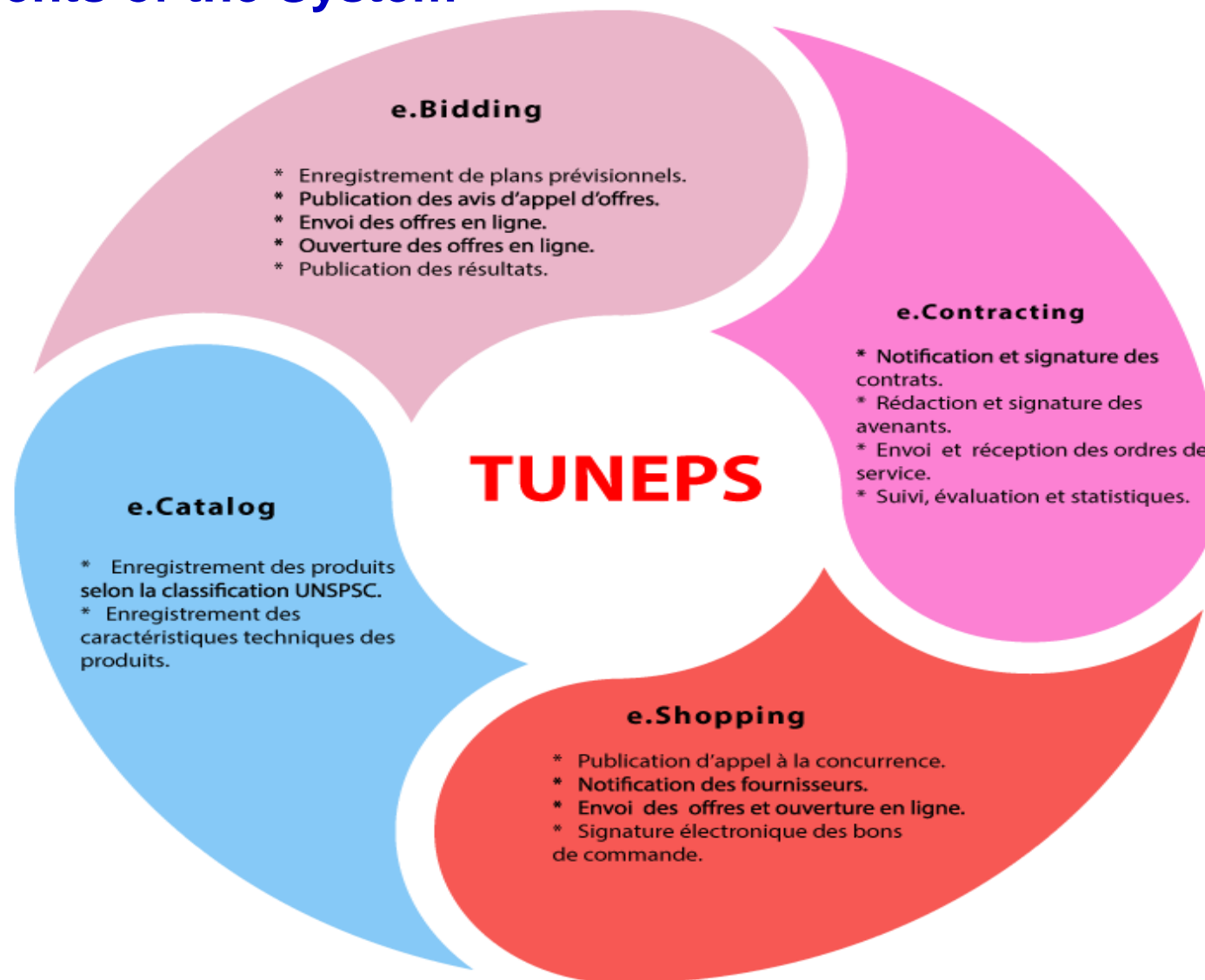
➢ Publication of annual public contract awarding programs
➢ Compulsory publication of tender notice
➢ Possibility of referral to COSEM
➢ Publication of tender results
➢ Publication of COSEM notices
➢ Exclusion list of economic operators

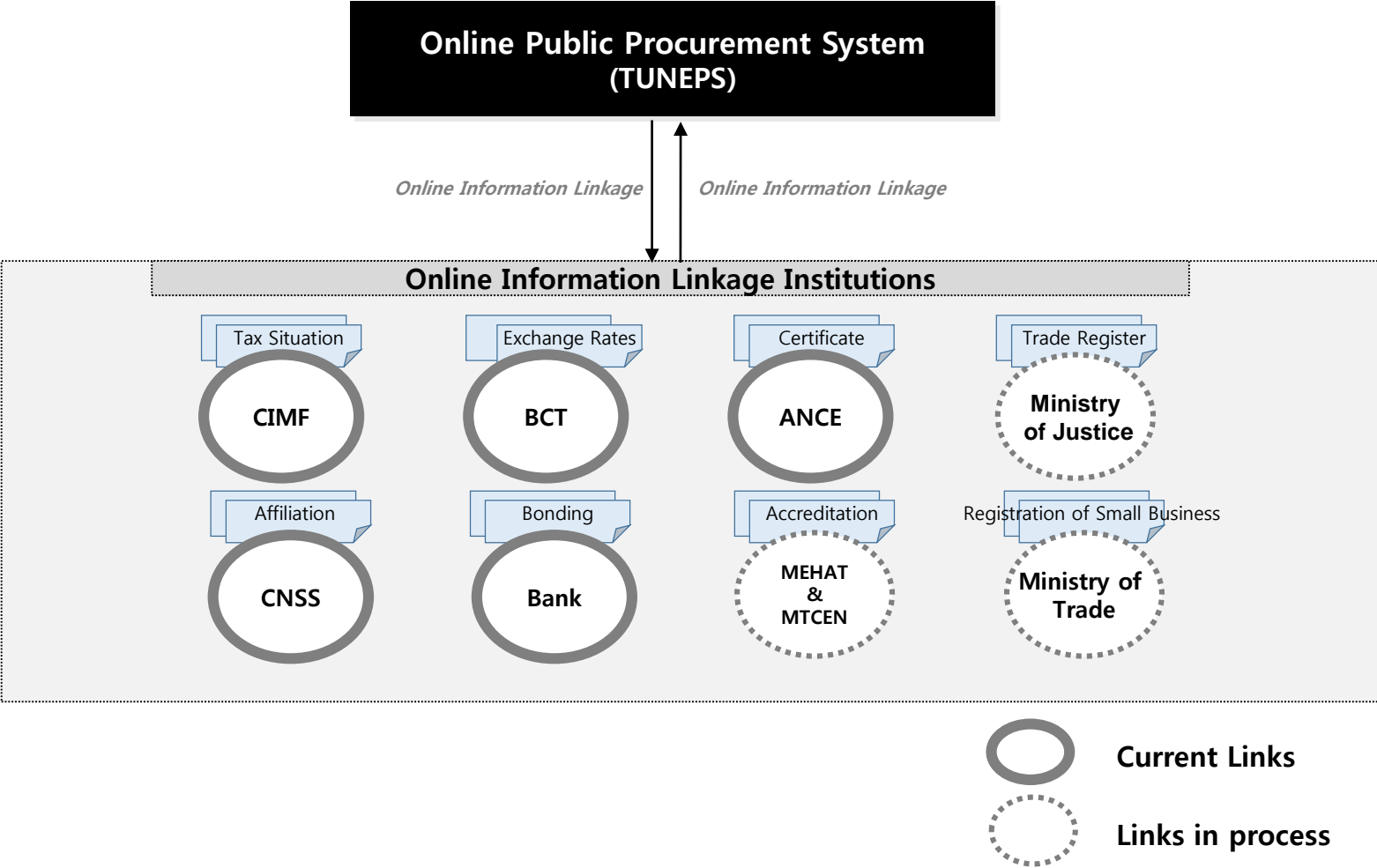# Statistics Data relating to the Public Procurement Website

Indicator	Quantity (2021)
Registered public buyers	1,111
Registered public users	4,568
Tenders	6,317
Annual Programs	544
Results of the Tenders	1,640
Visitors	343,525
Pages views	1,867,479

i- The components of the System

ii- The Components of the System

TUNEPS in Figures, Year 2021

Number of Providers	13, 500 (including 1,131 foreigners)
Number of buyers	1, 400
Number of tender notices	7, 300
Number of consultations	23, 000

Planning:

➢ The Scheduled Programs: tentative dates (publication, preparation of procurement contracts, final results).

➢ Procurement procedures

➢ Publication of the results of tender opening.

➢ Publication of the assessment and awarding results.

Statistics:

➢ Indicators of performance

➢ General status of the system operation

➢ Indicators related to the different e-bidding sub-systems : number of tenders, consultations, file processing status.

➢ Project monitoring sheets

4. Data Management of the Exclusion of Economic Operators from Participation in Public Contracts

Government decree n° 2016-498 of April 8, 2016 on the conditions and procedures of exclusion from public procurement participation

(Article30) L'observatoire national des marchés publics handles an information system helping namely to:

- Register economic operators on the list of operators forbidden to participate in public procurement and remove them;

- Publish the list of economic operators forbidden to participate in public procurement;

- Update the list of economic operators forbidden to participate in public procurement.

(Article 31) The information system provides at least the following information:

- The name, the address or the company name and the head office of the excluded economic operator,
- The first name, last name, identity card number and address of the manager,
- The tax number,
- The commercial register number,
- The nature of the exclusion, whether it is temporary or permanent,
- The reason for the exclusion,
- The duration of the exclusion,
- The start and end dates of the exclusion.

(Article 32) l'observatoire national des marchés publics manages the information system and operates namely the tasks as follows:

- The insertion of the data mentioned in the previous article at the latest on the date the exclusion comes into effect,
- Updating the exclusion data within a maximum of three (3) days from the date of notification of the change.

IV. Future Projects

1- **Implementation of an Information System for the Management of Dossiers of the Exclusion Committee:**

Implementation of an information system for the management of the files of the exclusion committee of the economic operators from the participation of the public markets as well as the management of the list of the economic operators excluded from the participation in public markets

- ➢ Integration of the database : website, TUNEPS

Expected Results:

➢ Performance and efficiency of the system management;

➢ Facilitate the follow-up of files and the respect of deadlines;

➢ Facilitate the exchange of data between the various stakeholders;

➢ Alerting the president of the commission on the end of the exclusion period of the operators on the list ;

➢ Allow the storage and processing of data and provide access to the history of each economic operator if necessary.

➢ Establish an interconnection with the TUNEPS system in order to automatically eliminate excluded operators.

➢ Secure the data processed by the commission and the list published on the internet..

2- Projects in process:

➢ Cooperation with the National Statistical Council
➢ Data integration (website, TUNEPS)
- Redesign of the national public procurement website
- Redesign of TUNEPS
➢ Open-contracting project:
    • Data standardization (OCDS standard)
    • Setting up of a dedicated website
➢ Big Data Project
➢ E-payment application:
- Interoperability between existing systems
- Online execution process

Thanks for Your Attention

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