

Capacity Gap and Training Needs Assessment in Public Procurement in Lebanon 2025



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Prepared by



In partnership with



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List of Acronyms

CGTNA	Capacity Gap and Training Needs Assessment	MoF	Ministry of Finance
CDR	Council for Development and Reconstruction	MoSA	Ministry of Social Affairs
CoA	Court of Accounts	MoEW	Ministry of Energy and Water
CRI	Consultation and Research Institute	NPPRS	National Public Procurement Reform Strategy
EDL	Electricité du Liban	PPA	Public Procurement Authority
IoF	Institut des Finances Basil Fuleihan	PPL	Public Procurement Law
ISF	Internal Security Forces	PPP	Public Procurement Platform
MoE	Ministry of Education	RHUH	Rafic Hariri University Hospital
MEHE	Ministry of Education and Higher Education	SOPs	Standard Operating Procedures
		WB	World Bank

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Background & Objectives

The new Public Procurement (PPL) Law no. 244/2021 was ratified by the Lebanese Parliament in July 2021 and entered into effect in August 2022. The National Public Procurement Reform Strategy (NPPRS) and its action plan (2022-2024) was approved by the Council of Ministers on May 20, 2022. The NPPRS was also complemented by a capacity building strategy and an e-procurement strategy developed with the support of the World Bank in 2021.

The Institut des Finances Basil Fuleihan is tasked with mandatory training for public procurement officers as outlined in PPL 244/2021. Indeed, Article 72, Paragraph 1 of the law states that ‘Public procurement officers shall be subjected to mandatory continuous and specialized training run by the Ministry of Finance - Institut des Finances Basil Fuleihan’. Within this context, the Institut has developed and offered training courses focusing on legal skills pertaining to PPL regulations, as well as technical transversal skills intended for all individuals involved in the procurement cycle and other stakeholders in the procurement process, across the Lebanese public and private sectors.

The present project, implemented by the Institut des Finances Basil Fuleihan, with the support of Expertise France and financed by the European Union, aims to complement previous capacity building initiatives in public procurement, to achieve the following results:

- The capacities of public buyers across public sector in Lebanon are enhanced and their performance in applying PPL 244/2021 is improved to ensure efficiency, transparency, and accountability in procurement operations.
- Decision makers across procuring entities are familiar with the principles and provisions of PPL 244/2021 to reduce resistance, ensure coherence at entity levels and facilitate change management.
- Expert trainers are equipped with good international practices related to public procurement.

As part of this process, the Institut will undertake two capacity gaps and training needs assessment in public procurement, one in 2025 and another in 2027, to inform the capacity building process and identify priorities at the national level. This analytical report, prepared by the Consultation and Research Institute (CRI) commissioned by the Institut des Finances Basil Fuleihan, forms a cornerstone for the development of a comprehensive and demand-driven training plan in public procurement for the years 2026 and 2027.

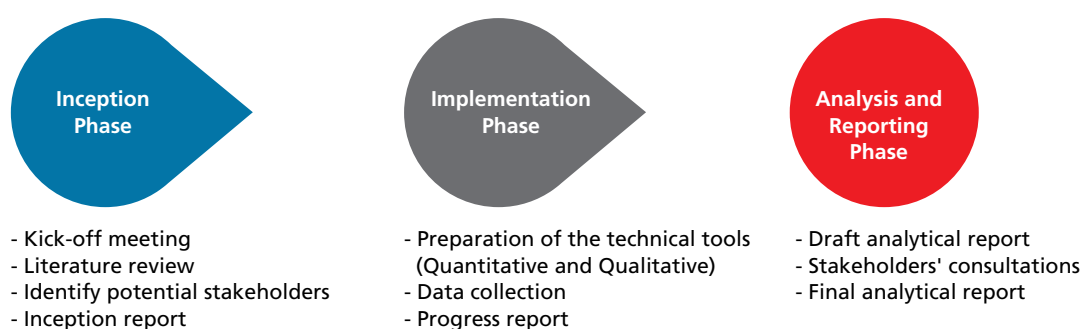
Methodology

The Capacity Gap and Training Needs Assessment (CGTNA) aims to:

- Identify shortages in the skills, knowledge, attitudes of procurement professionals across public sector, and systems, or resources at the level of procuring entities and other concerned stakeholders, in the objective of implementing the Public Procurement Law properly and efficiently; and
- Determine the training or capacity-building interventions required by the Institut des Finances Basil Fuleihan as the main training provider of continuous and specialized training in public procurement, in line with Law 244/2021 (Art. 72).

The design of this study in terms of respondent selection and development of tools was systematically guided by the above two objectives.

CRI followed a work plan that consists of three main stages, namely: Inception Phase, Implementation Phase and Reporting and Analysis Phase.



Inception Phase

The inception phase consists of all the steps leading to the preparation of the field work.

Kick-off with the IoF

A kick-off meeting was held including members of the IoF and CRI team to discuss issues regarding the methodology and timeline. Clarifications were helpful in the finalization of the methodology and the preparation of the tools.

Literature Review

CRI launched a literature covering documents that were deemed relevant to this assignment, namely: Public Procurement Law 244, the training needs assessment conducted by CRI in 2011, the Status of Implementation of Lebanon's Public Procurement Law 244/2021 and Assessment of skills' gaps and training needs conducted by the Institut des Finances Basil Fuleihan in 2023-24, and the recent PPL Implementation Assessment conducted by the World Bank in 2023.

The outcome of the literature review was used to inform the following:

- Identification of the stakeholders/entities/institutions to be interviewed
- Elaboration of the instruments (qualitative and quantitative questionnaires)
- Development of the final report

Inception Report

An Inception report was prepared comprising the methodological framework as well as the schedule of tasks.

Implementation Phase

The implementation phase began once the inception phase was finalized and approved by the IoF. It includes both a quantitative survey to uncover the state of implementation of the law and the training needs from the perspective of procuring entity employees who previously received training from the IoF and a set of qualitative in-depth interviews to gather insights regarding obstacles to implementation and urgent needs from major stakeholders (procuring entities, oversight agencies, as well as the IoF and the PPA).

Qualitative Interviews

Six different qualitative instruments were submitted to the IoF which provided comments and validated all the instruments.

A list of stakeholders who are subject to qualitative in-depth interviews was proposed by CRI in the inception report and approved by the IoF with some amendments. The interviews were all conducted by either the Procurement Expert, Judge Elie Maalouf or the Training Expert, Dr. Pierre Filfili.

Following is a list of participants in the qualitative interviews:

	Institution	Interviewee
1	Institut des Finances Basil Fuleihan	Concerned members of the training and procurement teams
2	Public Procurement Authority	Dr. Jean Ellieh
3	Court of Audit	Institutional completion
4	Lebanese State Council	Institutional completion
5	Council for Development and Reconstruction (CDR)	Ms. May Deghaili
6	Lebanese Armed/Security Forces	Maj. Sylva Salameh (ISF)
7	Ministry of Finance	Ms. Mariana Muawwad
8	IoF trainers	Ms. Lina Diab (IoF), Mr. Fida Labaki (EDL), Ms. Diana Bou Ghanem (TRA), Maj. Sylva Salameh (ISF), Ms. Rana Rizkallah (IoF), Mr. Wassim Mounzer (GS), Mr. Ziad El Cheikh (MoF)
9	Electricite du Liban (EDL)	Mr. Fida Labaki
10	Ministry of Education-World Bank	Ms. Amal el Jurdi
11	Ministry of Education-Supply Department	Ms. Rana Farhat
12	Saida municipality	Ms. Zahra Darazi

Quantitative Survey

This survey targets employees with functions related to procurement in ministries, public entities, and municipalities. The survey instrument was drafted based on a list of prioritized competencies prepared by the IoF team and CRI's procurement expert and structured along the stages of the procurement cycle.

As for the sample of respondents, following an in-depth discussion with the IoF during the kick-off meeting, it was agreed to aim for maximizing the response rate while ensuring a sufficient diversity in respondents in terms of type of procuring entities (e.g. ministries, public institutions, municipalities, etc.). As such, an invitation to participate in the survey was dispatched by the IoF via WhatsApp (including the link) to the list of all contacts involved in financial and procurement functions. Two weeks following the initial invitation to participate, another message was sent providing a final week for respondents to participate in the survey. In the end, the initial objective of 100 respondents from a diversity of profiles in terms of institutions and ranks was reached.

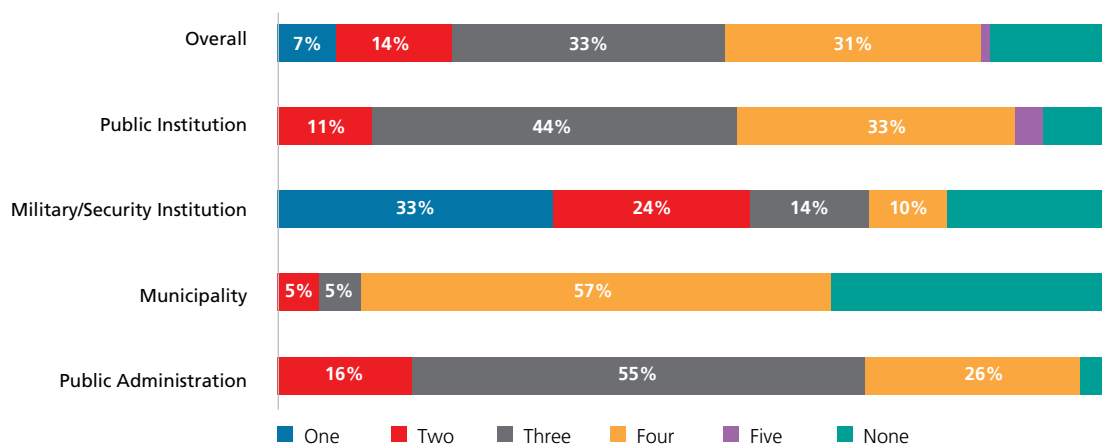
Description of the Sample

Before beginning with the sample description, it is important to draw attention to the fact that this is not a representative sample, meaning that the profile of respondents does not reflect the general profile of public servants across Lebanon. However, despite a small selection bias due to the voluntary nature of the participation in this survey, this sample should be adequately representative of the population of IoF trainees and therefore of public procurement officials in Lebanon.

The sample consists of 100 respondents belonging to four types of procuring entities, namely: public administrations (31), public institutions (27), military/security institutions (21), and municipalities (21). Although many institutions are represented by one respondent, there is some duplication in all four types of procuring entities, with the Lebanese armed forces standing out with 19 respondents. It needs to be mentioned that these respondents represent several departments within the LAF (e.g. general administration, logistics, supplies, health services, etc.).

In terms of **rank**, security and armed forces feature the highest ranks with more than half of their respondents in the highest two public servant categories, followed by public administrations in which 55% are category 3 and 16% in category 2, then public institutions, and finally municipalities where 57% of respondents belong to category 4.

Figure 1 **Distribution of respondents by type of procuring entity and category (rank)**



The level of **education** of the respondents is relatively high and similar across all procuring entity types. Indeed, more than half have a university bachelor's degree, while another 36% hold a master's degree, and 6% hold doctorates. In terms of specialties, engineering of various types and business/administrative degrees are the two most common fields, followed by law, accounting, and IT.

Figure 2 **Distribution of respondents by educational achievement**

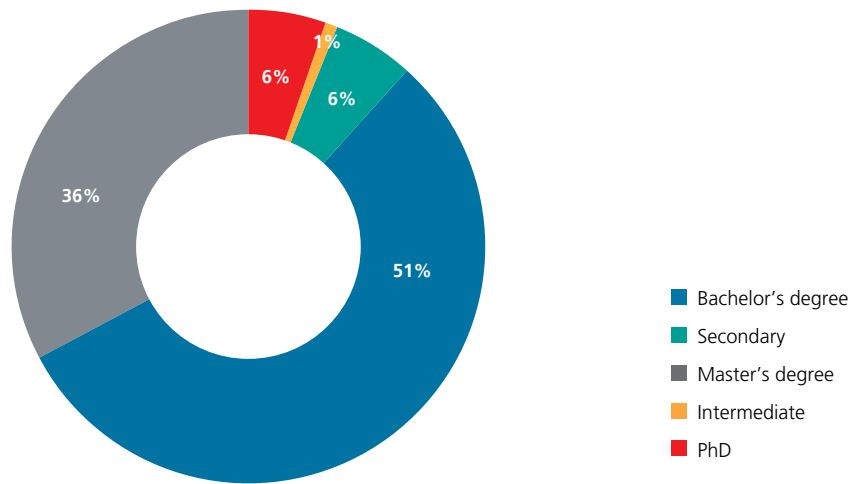
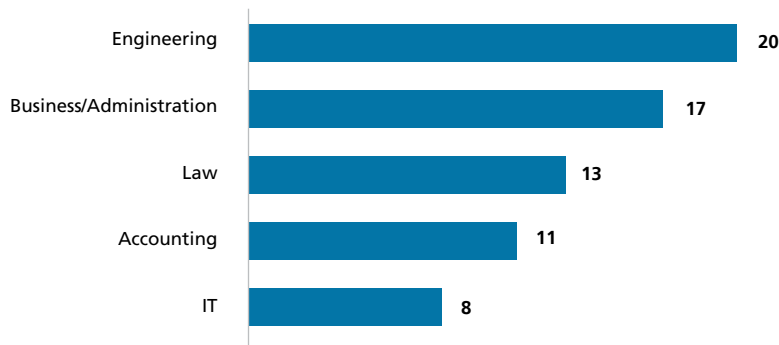


Figure 3 **Distribution of respondents by major university specialties**



The vast majority (78%) hold their positions in a **substantive** capacity while 22% hold their positions in an **acting** capacity. The highest share of acting capacity respondents is in public administrations (39%), followed by public institutions (30%). There were no acting capacity respondents in the armed/security forces, reflecting the higher effectiveness in appointments in that sector.

Municipalities stand out with the lowest number of **years of experience** both in the public sector in general (14 years) and in public procurement specifically (4 years), while all three other types of institutions have the exact same amount of general (19 years) and public procurement experience (7 years). This may be due to the higher turnover in municipalities where many respondents are elected members and not appointed public servants.

Respondents were asked to rank their **proficiency** in MS Word, MS Excel, and the Public Procurement Platform from 1 (significant difficulties) to 5 (full proficiency). The average proficiency was relatively high in MS Word (4.55) and MS Excel (4.36), which is not surprising given the level of education of the respondents. Proficiency in the Public Procurement Platform was significantly lower (3.74), showing that there is room for improvement in that regard. There were no significant differences across types of procurement entities.

The Status of Public Procurement Skills & Capacity Gaps

Based on the interview with the Public Procurement Authority (PPA), most procuring entities are implementing the law, with the exception of a few municipalities and specific semi-public entities such as Casino du Liban, which obtained a derogation from the Court of Accounts (decision no. 32/2023, dated 3/10/2023).

On another note, the full implementation of PP Law 244 is not yet ensured, as several key institutions stipulated by the law have not yet been established and therefore remain absent from the system, notably the Complaints Authority. Among the provisions that remain unimplemented is the establishment of this Authority, which is intended to examine complaints, allow for corrective measures, and operate the review system prior to contract signature, thereby helping to prevent costly disputes. In addition, although explicitly provided for under Law 244, new approaches to public procurement remain largely unimplemented, including the application of E-procurement and sustainable procurement.

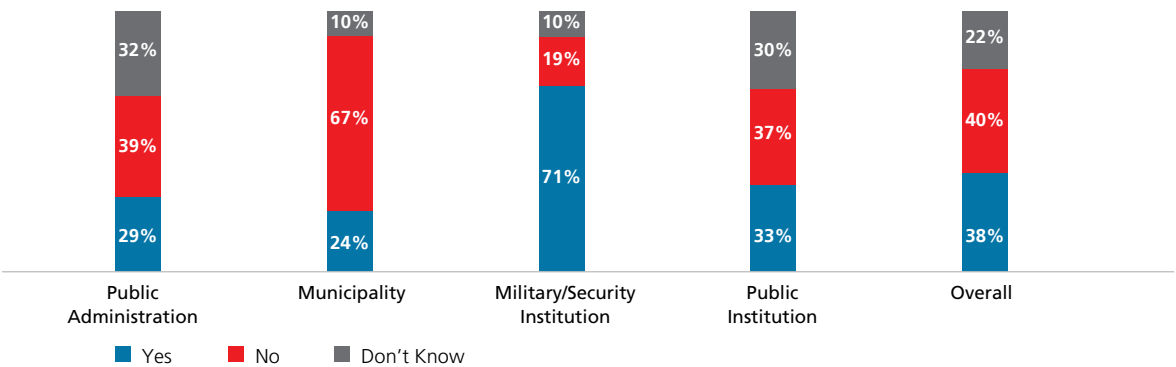
In order to get a more detailed perception of the status of public procurement skills among civil servants, the results of this assessment relying on a quantitative survey and several in-depth interviews are hereby consolidated along the stages of the procurement cycle.

Planning Phase

Needs Identification and Preparation of Procurement Plans

Overall, only 38% of the respondents stated that their entities prepare **annual procurement plans**. The share of those who could not answer the question is significantly high and indicative in itself, in view of the fact that all respondents are involved in public procurement. The main conclusion to draw is that the preparation of annual plans is more prevalent in the armed forces, relatively less prevalent in public administrations and institutions, and rare in municipalities. Among those who declared that annual plans were prepared, 58% reported that they were submitted to the Public Procurement Authority (PPA) on time, noting that the majority of the remaining respondents did not know whether or not the plans were submitted.

Figure 4 **Distribution of respondents by type of procuring entity and issuance of an annual procurement plan**



The qualitative interviews align with the above trends, as the Ministry of Finance (MoF) and the Ministry of Education (MEHE) interviewees confirmed that their institutions do not prepare procurement plans, while in EDL, some units do and others do not. The CDR was preparing to issue its first public procurement plan at the end of February 2026. Notably, the municipality of Saida prepares annual procurement plans and submits them according to the law.

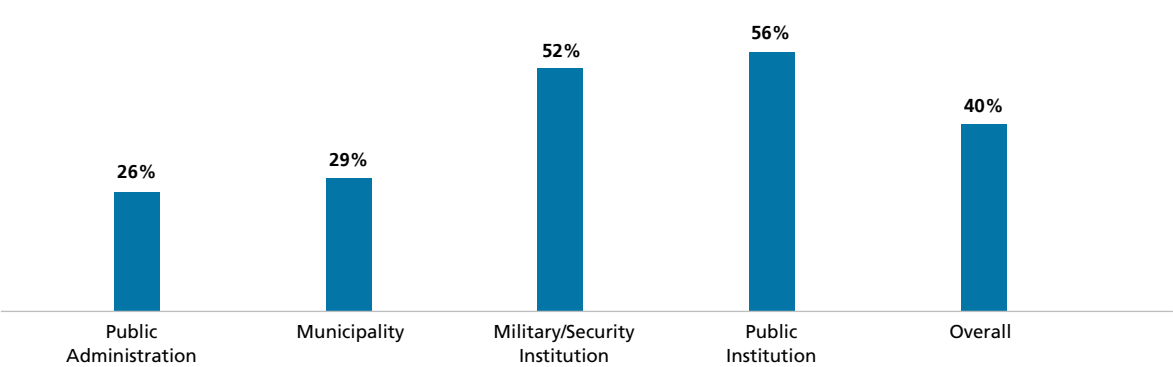
When asked whether **justifications** were given for specific needs, the majority of public administration and military entities said ‘yes’ (58% and 62% respectively), compared to only 33% of municipalities. Some small municipalities justified this by the fact that their needs are urgent and basic and therefore do not require written justification. It is noteworthy that the Ministry of Social Affairs (MoSA) and Rafic Hariri University Hospital (RHUH) respondents were among those who reported that no written justifications were given. Respondents mentioned leadership resistance as one of the reasons. There may be an opportunity for the PPA to effect some change in the context of the new cabinet.

Incorporation of Market Information

In terms of **market studies**, while 74% of respondents reported that their organizations resort to the market to ensure the availability of the needed goods and services and 70% did so to update their price databases, less than half of the respondents (49%) reported that their organizations resorted to the market to ensure the availability of goods and services that satisfy sustainability criteria. There were no significant differences across procuring entity types, revealing that sustainability is a lesser priority across all procuring entities.

In contrast, significant differences are noted in regards to the presence of a **price database** in procuring entities. Thus, while 56% and 52% of respondents in public and military/security institutions revealed having such a database, the share falls to 29% in municipalities and 26% in public administrations. While this may be understandable for smaller municipalities with limited needs and purchases, the situation becomes significantly more serious in the case of large ministries such as MEHE, the Ministry of Energy and Water (MoEW), or MoSA to name a few. When asked what they do to estimate the value of procurement, most replied that they conducted quick market studies and contacted several suppliers.

Figure 5 **Distribution of respondents by type of procuring entity and availability of a price database**



The share of respondents who reported facing **difficulties in assessing their needs**, preparing procurement plans, and linking those plans to their budgets is around one quarter across all procuring entity types. This indicates that the lack of procurement plans involves institutional obstacles in addition to knowledge or skill gaps. The share of those reporting difficulties in estimating the value of procurement is relatively higher (37%). Indeed, the estimation of the procurement value is a highly technical task that becomes increasingly challenging in the case of complex and less readily available goods and services.

Figure 6 **Share of respondents facing challenges in various procurement planning tasks (multiple responses)**

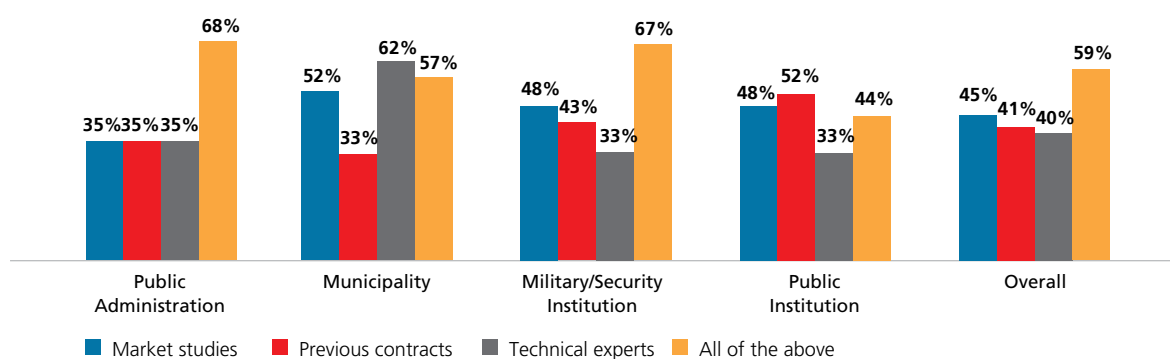


Tendering Phase

Preparation of Tender Documents

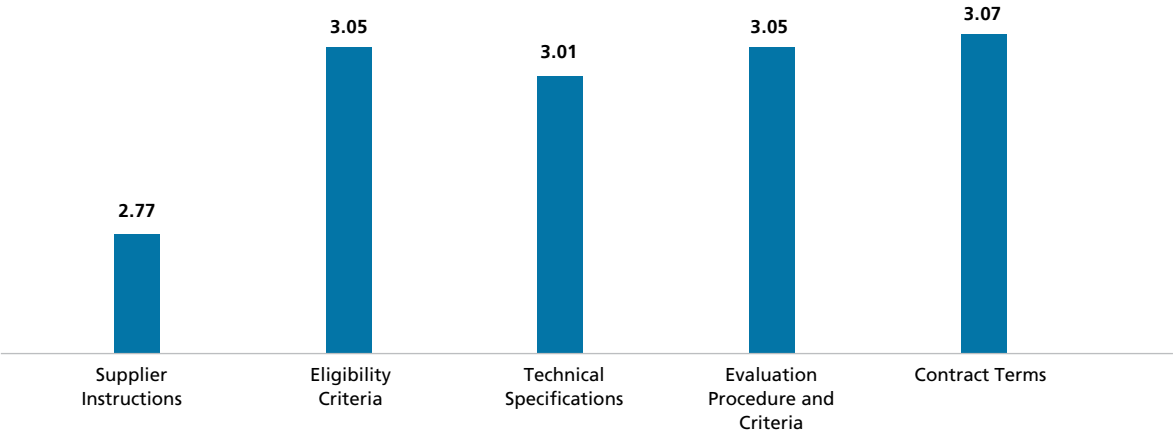
During the **preparation** of tender documents, the majority of respondents (60%) declared that their organizations relied on market studies, previous contracts, and technical experts to gather price information and develop technical specifications. Municipal respondents were more likely to resort to technical experts while public institutions were more likely to refer to previous contracts. Moreover, 70% of respondents stated that they assess risks related to price fluctuations or lack of suppliers during tender preparation, with no significant differences across procuring entity types.

Figure 7 **Distribution of respondents by type of procuring entity and tender preparation sources (multiple responses)**



When asked to assess the level of **difficulty** they encountered while preparing various sections of the tender documents, respondents gave a similar medium difficulty rating to all five proposed sections, with instructions to bidders section being perceived as relatively easier than the rest. This is somewhat surprising, as one would expect setting technical specifications to be more challenging than other tender documents sections. It may however be explained by the repetitive nature of procurement, as difficult technical specifications become familiar to most entities (e.g. RHUH). Moreover, the interviews revealed that some procuring entities like EDL have a dedicated technical specifications department, while other entities assign the preparation of highly technical specifications to the relevant departments (e.g. IT), or to outside experts and consultants. Indeed, the CDR consults experts for technical specifications as well as eligibility criteria.

Figure 8 **Average rating of difficulty preparing various ToR sections (1=very easy to 5=very hard)**

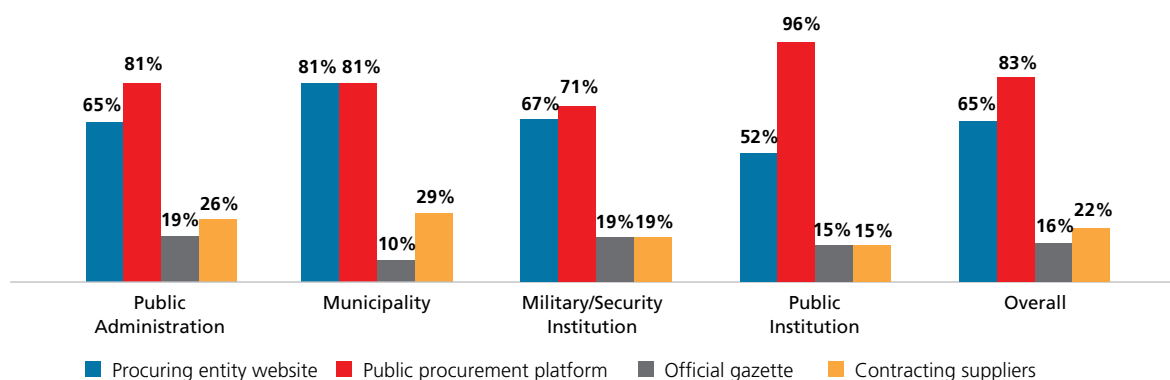


Finally, the interviewed procuring entities (e.g. CDR, MoF, ISF) stated that **fair competition** is ensured by issuing general, unified and transparent eligibility criteria that apply to the largest number of potential bidders. Interestingly, some respondents expressed a need for PPA technical review of tender documents wording that may be used to prevent collusion and legal violations. Currently, the PPA tends to give vague answers when consulted, knowing that the PPA made it clear on its platform that systematic review of tender documents is not its role.

Issuance of Procurement/Bidding Notices

The public procurement platform (PPP) is where the vast majority of procuring entities post their **bid announcements** (83% of respondents), with the share increasing to 96% among public institutions. The second most frequently mentioned means of dissemination is the website of the procuring entity (65%), with municipalities rating it on par with the PPP. A small share of procuring entities directly contacts suppliers (22%) or publishes announcements in the official gazette (16%).

Figure 9 **Distribution of respondents by type of procuring entity and bid announcement methods (multiple responses)**



Based on the qualitative interviews, different procuring entities rely on different combinations of **procurement methods**. Thus, while the MEHE-WB program relies mostly on requests for quotations and invoice purchases, the much smaller supply department of MEHE relies almost strictly on invoice purchasing due to the limited size of its procurement operations.

In EDL, the most common procurement methods are public bids and invoice purchases, although framework agreements were used once to purchase customs clearance services. The MoF and the CDR rely mainly on public bids. Both MoF and EDL stated that other systems are adopted in cases of international financing and these contracts are not subject to the oversight of the court of accounts. The most common procurement methods in the Internal Security Forces (ISF) are public bids, direct contracting, and invoice purchases. The municipality of Saida relies most frequently on public tenders and invoice purchasing.

The CDR, the ISF, and Saida municipality all stated that they are hesitant to resort to framework agreements. The ISF talked about its complexity and the lack of standardized forms and guidelines. The CDR mentioned the difficulty of estimating quantities and prices in the long term especially since these agreements are usually used for stationary and maintenance supplies. Moreover, suppliers object to the lengthy procedures and the long-term commitment. Having said that, the CDR stated that they may rely on framework agreements for the reconstruction effort.

Finally, based on the interviewed entities, legal **deadlines** for bid submission depend on the size and complexity of the tender (CDR, EDL). They range from three weeks to one month for regular tenders to six months for highly complex tenders (EDL).

Submission and Evaluation of Tenders

As expected, more than three quarters of municipalities have one permanent **tender committee**, while the majority of public administrations assign separate tender committees for different procurement operations. Military/security institutions and public institutions are more balanced between the two systems. Very few respondents declared that their organizations had no tender committees.

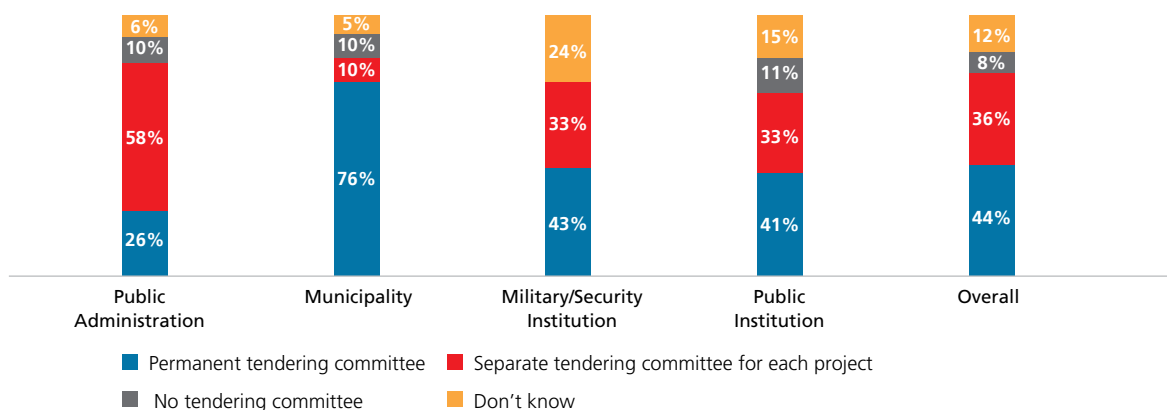
Interestingly, the interviews revealed that the World Bank-funded MEHE-WB program, which accounts for the majority of MEHE purchases, does not have tender or acceptance committees, nor is it subject to the supervision of the ministry's Director General. In contrast, the CDR, which also receives a significant amount of foreign funding, reported that tender and acceptance committees are always formed and they resort to consultants and experts in view of the significant HR vacancies in the CDR. Indeed, the CDR attempts to follow the PPL 244/2021 to the extent possible in foreign-funded projects, knowing that these projects remain subject to the ex-post oversight of the Court of Accounts. In the municipality of Saida, members of the municipal council are forbidden from taking part in tender and acceptance committees as per the law.

When asked whether they ever accepted a bid submission beyond the announced **deadline**, 73% said no while the remaining 27% did not know the answer. The frequency of 'Don't Know' answers is higher in large institutions like the army and municipalities where decision making may be less transparent.

Moreover, only one respondent (Ministry of Public Works) reported that they previously had to relax the **criteria for accepting bids** after bid submission in order allow the participation of bidders who submitted less expensive offers. The case was described as one where the amount of the bid was very high. No further details were provided. Moreover, 60% of respondents stated that their organizations asked for written justification before accepting a bid that is considered abnormally low, noting that 30% of respondents could not give an answer to this question.

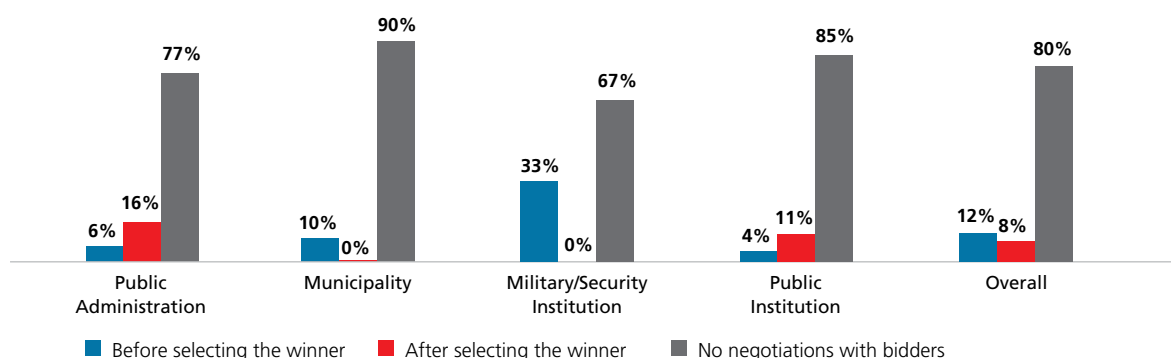
Most of the interviewees agreed that bids are opened in one **public session** followed by signature of minutes. One or several sessions are then held for bid evaluation. In the CDR bids are opened in one or two sessions (technical then financial proposals) based on the specific tender documents.

Figure 10 **Distribution of respondents by type of procuring entity and presence of tendering committee**



As for negotiations with bidders, which are prohibited by law, 12% of procuring entities declared engaging in them before a winning bid is selected and 8% after a winner is selected. Interestingly, 33% of military/security institution respondents declared that negotiations were taking place before the bid award decision. The share of negotiations after the selection of a winning bid increases to 16% in public administrations compared to an 8% overall average.

Figure 11 Distribution of respondents by type of procuring entity and negotiation practices



In terms of giving **preference** to local goods and services, 60% of the respondents declared that no preference was given, while 30% stated that they prioritized bids including Lebanese goods and services, and 10% reported giving preference to suppliers with whom they had previously collaborated successfully. The latter practice is more common among municipalities (19% compared to a 10% overall average).

The majority of respondents reported that all bidders were informed of the bid **award decision** in writing. Indeed, only 5% declared that they did not do so (33% share of 'Don't Know'). Finally, 27% stated that they informed unsuccessful bidders of the reasons they did not succeed, while 30% declared doing so only upon request, noting that the share of 'Don't Know' was also high for this question (30%). There were no significant differences across procuring entity types and the information was confirmed by the qualitative interviews.

Finally, bid evaluation challenges according to the MoF include: 1) classifying required administrative documents as essential or non-essential with the ability to ask the bidder to complete the missing documents; 2) the difficulty some suppliers have of securing the required documents within the deadline; 3) evaluation of the financial proposal in comparison with the estimated value of procurement set by the procuring entity and the difficulty of deciding whether the financial proposal is acceptable or not; and 4) lack of understanding of the tender documents by some bidders who fail to ask for clarifications before bid submission.

According to the CDR, bid evaluation challenges include: 1) ascertaining whether document requirements and eligibility criteria are satisfied; 2) dealing with inconsistent proposals that include complicated technical or financial discrepancies; 3) the need for additional time for technical and financial evaluation especially in large and highly specialized projects; and 4) coordination among tender committee members to unify criteria and avoid disagreements.

The ISF declared having concerns when setting the amount of bid guarantee, as this could eventually indirectly disclose the estimated value of the procurement. This is due to the fact that the PP Law stipulates setting the bid guarantee amount as a lump sum calculated between 1 and 3% of the estimated value of procurement.

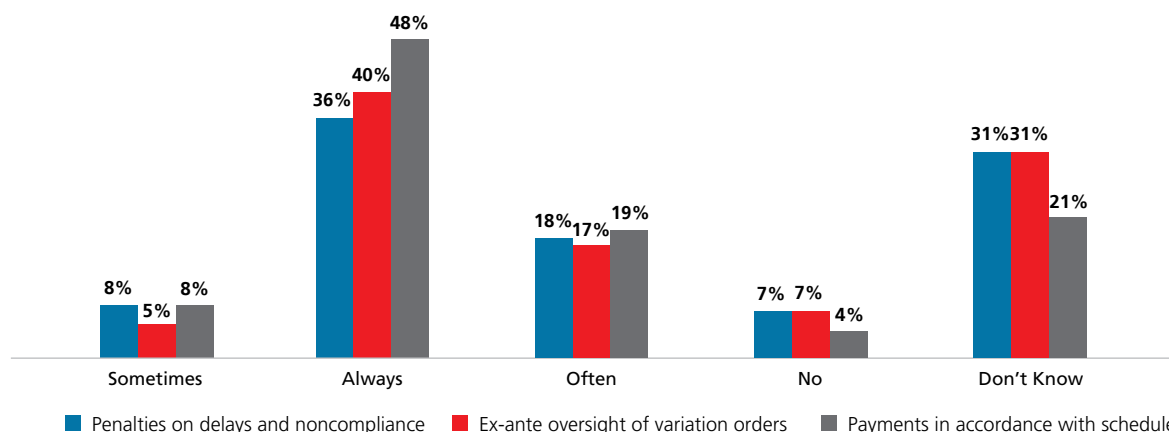
Contract Management

Almost all institutions draft **acceptance reports**. Indeed, only four respondents answered negatively, two of whom are from small municipalities and two who seem to be misinformed as other respondents from their institutions stated that such reports were indeed prepared (LAF and MoF).

When asked whether they imposed **penalties** on late or noncompliant deliverables, 36% reported that they did so always, while 18% did so most of the time, and 8% did so sometimes. Only 7% declared never applying penalties (RHUH, MoSA, Tripoli municipality). The same trend applies to obtaining ex-ante approval of oversight bodies in cases where variation orders are issued. There are no significant differences among types of entities but the share of non-response is significant (31%).

Payment according to contract schedule is systematically enforced according to around half of the respondents (48%). Meanwhile, more than one quarter of the respondents said that payments were 'often' on time (19%) or only sometimes on time (8%). Once again, no significant differences are noted across entity types.

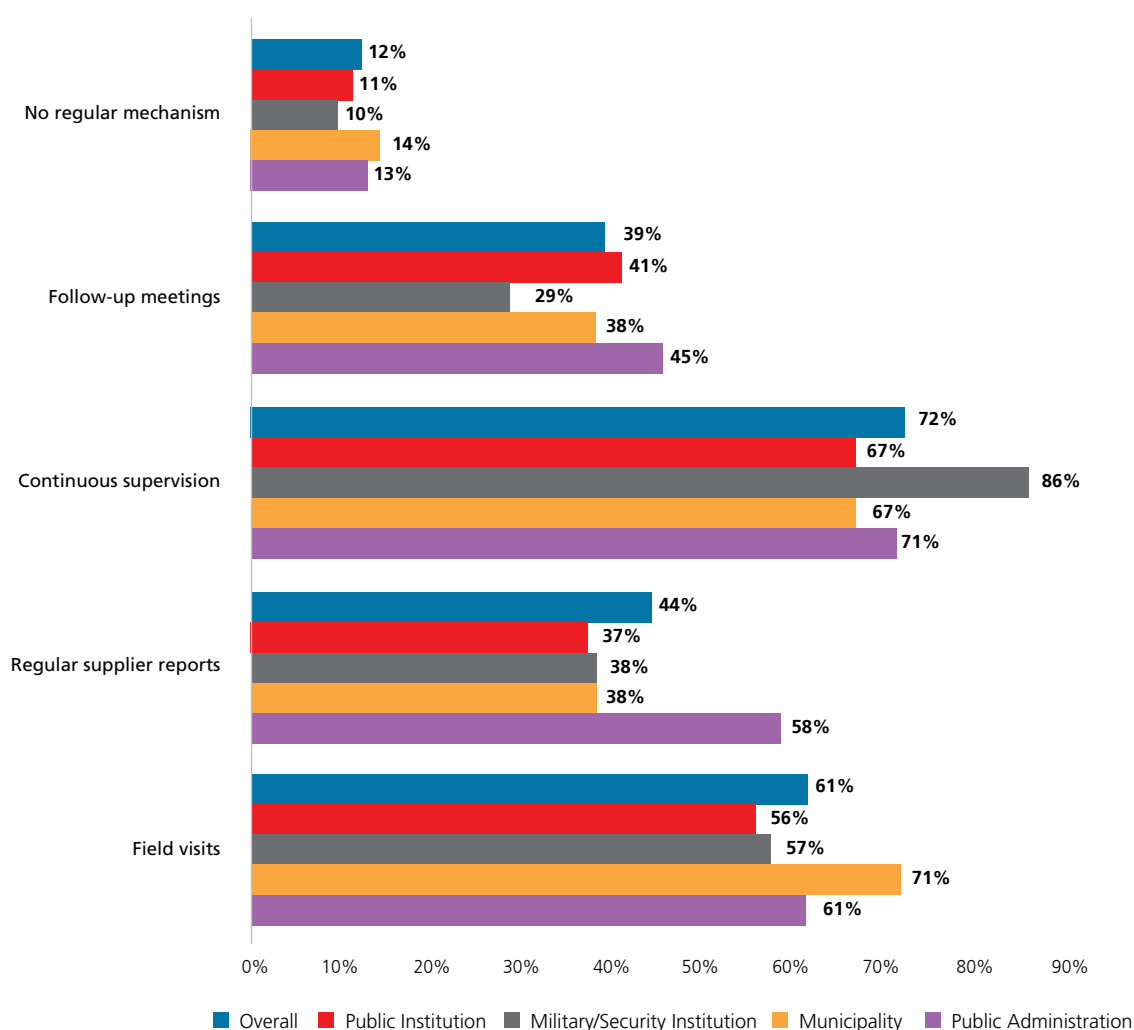
Figure 12 Distribution of respondents by frequency of enforcing various types of contract terms



Field visits and general continuous **supervision** were the two most frequently cited mechanisms for contract implementation follow-up. The highest share of respondents that cited continuous follow-up was among military/security respondents (86%), while the highest frequency of field visits was given by municipal respondents (71%). Slightly more than 10% reported not having any established supplier follow-up mechanisms.

Finally, the qualitative interviews revealed that procuring entities do not conduct **supplier evaluations** after the contract ends, with the exception of the municipality of Saida which reported conducting such evaluations. However, the CDR reported that there were instances when the supplier was deemed to be in breach of contract. The penalties specified in the contract were applied in these cases and the contract was terminated.

Figure 13 **Distribution of respondents by type of procuring entity and supplier follow-up mechanisms (multiple responses)**



Relationship with the Private Sector

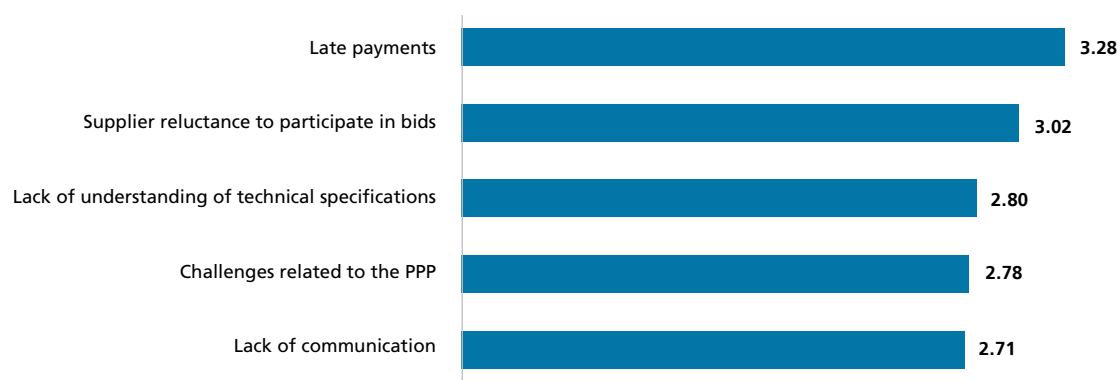
Most respondents (62%) stated that **supplier registers** were kept and regularly updated, while 12% reported that registers were kept but only rarely updated. Only 11% had no such register. The shares are statistically similar across entity types. Moreover, the majority of the respondents reported keeping formal records of supplier complaints and objections, noting that a very high share of respondents answered 'Don't Know' (38%). EDL reported that the PPA has previously intervened to resolve bidder objections.

Taking into account the high share of 'Don't Know' (around 30%), the share of respondents who declared **difficulties in attracting suppliers** is especially high in public administrations (48%), followed by public institutions (33%). In contrast, the majority of military/security and municipal respondents did not report any difficulties. The reasons given for these difficulties include: payment delays, payments through bank transfers instead of cash, and complicated bidding requirements. This trend was confirmed by the qualitative interviews, as EDL stated that private sector participation was weak because of lack of trust in the public sector and in the Lebanese banking system. The MoF

confirmed that private sector participation was weak, with almost one third of the bids receiving zero offers and most of the rest receiving only one offer or two. Finally, while bid participation was reportedly high in MEHE-WB contracts which pay in USD, few suppliers are willing to work with the MEHE supply department due to banking problems. The CDR also confirmed that private sector participation varies by tender.

Respondents were asked to rate several supplier relation **challenges** from 1 (not a challenge) to 5 (serious challenge). All the challenges ranked in the middle range (around 3) with no significant differences among procuring entity types. In terms of ranking, late payments were given the highest rating (3.28), followed by supplier reluctance to participate in public bids (3.02), and lack of understanding of technical specifications (2.8), noting that the latter obstacle was mentioned by the MoF during the interview.

Figure 14 **Average rating of various supplier relation challenges (1=not a challenge to 5=serious challenge)**



Attitudes & Behaviors in Public Procurement

The share of respondents that declared the presence in their entities of explicit rules against conflict of interest for employees tasked with procurement tasks and contract management is 40% (52% in military/security institutions). The remaining 60% is split between 26% who said no such policies exist in their institutions and 34% who could not give an answer, in which case we can safely assume that no such policies exist.

As for the presence of any **family ties** between procurement staff and suppliers, more than half of the respondents (54%) declared that there were no such ties, while 5% reported the presence of such family ties (19% among municipal respondents), and 41% could not give an answer. The high share of non-response is understandable in large institutions where employees may not be able to confidently assert whether that is the case.

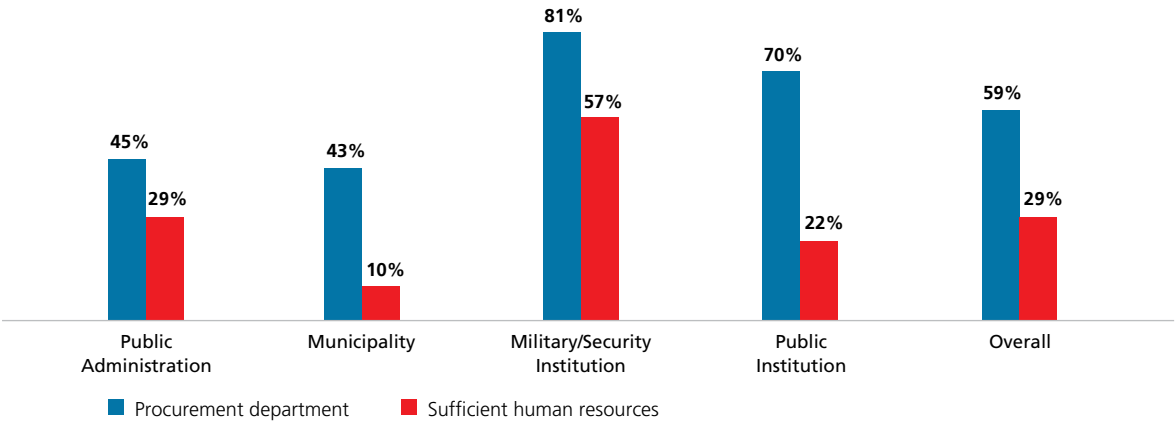
Less than 20% of the respondents reported that they previously received **objections** to a procurement decision by oversight entities such as the Court of Accounts. This share increases to 29% among public administration respondents (e.g. Ministry of Public Works). The lowest share of reported objections is among military/security institutions (10%). This is likely related to a good level of training and strict legal abidance in these institutions on one hand, and on the concern among suppliers to preserve a positive relationship with them on the other.

Finally, only nine respondents declared that they faced **external pressure** or interference in public procurement decisions and the law ended up being followed in seven of these cases, while one municipal respondent only stated that he reported his concerns and one public institution respondent declared that the illegal decision was taken despite her objections.

Human Resources

Around 60% of the respondents stated that their organizations had procurement units, with the share rising to 81% among military/security respondents and dropping to 43% and 45% among municipalities and public administrations respectively. Even when these units exist, there is a high degree of fragmentation as revealed by the interviews. Thus, MEHE includes two procurement units: a Supply Department falling under the public budget and in charge of purchases for the minister's office and the joint administrative directorate (small sums) and a department comanaged by the World Bank which funds larger education projects. While the latter is subject to the oversight of the CoA and falls under the PPL, its purchases are not supervised by the ministry's Director General. In EDL, there is a Supply and Procurement Department and a Tender Documents Unit both of which should be merged into one General Procurement Department. In the MoF, public procurement is undertaken by the Administrative Directorate which includes the Supply, HR, and Accounting departments. The CDR currently places the responsibility of implementing the new PPL with the Bidding Office until a procurement department is established as per the law. Finally, the municipality of Saida is currently in the process of separating its administrative unit into a Public Procurement Department and a Human Resources Department.

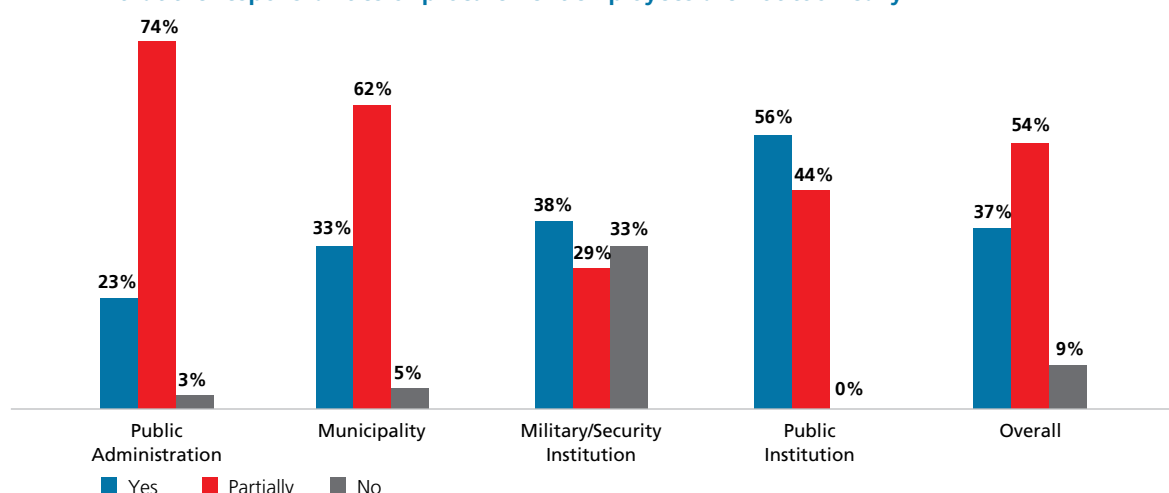
Figure 15 **Distribution of respondents by type of procuring entity and institutionalization of the procurement function**



Only 29% of the respondents reported that their procurement units had a sufficient **number of employees**, with the share dropping to 10% in municipalities and rising to 57% in military/security institutions. An acceptable staff size is one of the most important factors in a procuring unit's ability to properly implement the law. The interviews confirm these staff shortages. Thus, in MEHE, the WB procurement unit consists of two people, a number that would need to at least double according to Ms. Jurdi. The MEHE supply department only has one procurement officer (the head of the unit) assisted by warehouse attendants and an executive assistant. EDL also stated that the nine employees they have are insufficient. In contrast, the MoF stated that they had a sufficient number of employees for their procurement functions. Finally, the ISF stated that although they had staff shortages, this does not prevent them from properly applying the PPL.

When asked whether they felt that their **roles and responsibilities** were clearly defined, the respondents were split almost equally (55% said yes), with military/security respondents more likely to agree (67%) and municipalities being more likely to disagree (62%). Moreover, 33% of military/security respondents felt that the responsibilities carried out by procurement employees were too heavy and did not allow for the proper implementation of the law (only 9% overall).

Figure 16 **Distribution of respondents by type of procuring entity and agreement with the statement that the responsibilities of procurement employees are not too heavy**



Around one quarter of the respondents (23%) declared that there was an internal mechanism for **exchange of information** and experiences among procurement employees, while more than half (51%) stated that there was no such exchange, and 26% said that this exchange only happened sometimes.

As for the most important human resource-related **obstacles** to the proper implementation of the PPL, survey respondents mentioned the following:

- Staff shortages and workload imbalances with employees carrying out multiple roles (more frequently mentioned by public administrations and municipalities);
- Insufficient training in terms of procurement-specific competencies and knowledge of the law (more frequently mentioned by public institutions);
- Administrative complexity with procedural bottlenecks and slow internal processes.

It is noteworthy that security/military institutions were more likely to have no complaints regarding human resources.

In addition, the qualitative interviews revealed the following obstacles:

- **Demotivated public servants.** As is the case for the public service in general, public procurement employees lack the financial and professional incentives to feel enthusiastic about their jobs. Moreover, they are reluctant to participate in procurement committees as there is a high potential for negative consequences (punitive disciplinary measures), with some going as far as avoiding training to avoid being appointed onto these committees.
- **Absence of a public procurement profession.** This step was included in the public procurement strategy and was supposed to have been implemented before 2024. The responsibility lies with the Civil Service Board which is currently being provided with assistance by Expertise France. There is also a need for developing a national certification system and competency framework and of finalizing the draft public procurement code of conduct (issued by the PPA).
- **Lack of data on public procurement employees.** There is currently no data covering all employees in charge of procurement functions, and therefore no accurate way of determining the share of public servants that has been trained or remains to be trained.
- **Weak enforcement of mandatory training.** Although the law states that all public servants with procurement functions need to be trained by the IoF, the enforcement of this clause does not explicitly lie with any specific party. Although it is theoretically part of the mandate of the PPA, the language is not explicit. However, the PPA can change its guidelines to make training a mandatory condition for participation in tender and acceptance committees. A more comprehensive solution may also lie in the creation of a credentialing/certification system that is enforced in coordination with the Civil Service Board.

Institutional Capacity

Institutional capacity is reviewed on several levels: 1) Public Procurement Authority; 2) Institut des Finances Basil Fuleihan; 3) Procuring entities; and 4) oversight agencies.

Public Procurement Authority

Based on its internal regulations (decree number 28 issued on January 28 2025), the PPA consists of 4 offices: Administrative and Financial, IT, Legal, and Research and Policies. According to the PPA interview, the office is currently staffed by the employees of the previous Tender Board. It does not currently have the bare minimum administrative and accounting staff to spend its own budget. The PPA has a total of 8 staff members, equivalent to a vacancy rate of 90%.

The PPA stated that most entities apply the guidelines issued by the PPA, although some lack understanding of the new law and fail to read the clarification documents issued by the PPA. This is indeed confirmed by the survey results, as 40% of the respondents reported relying on **standard procurement forms** and instructions, presumably those issued by the PPA, while 28% do not, and 32% could not answer the question. It is surprising that employees who are involved in procurement would not be able to answer this question. The interviewed procuring entities all declared using the standard documents issued by the PPA. In the CDR, PPA standard forms are adopted for locally funded projects while for foreign-funded projects, the tender documents of the funding agencies are adopted with some amendments to align them with the requirements of the public procurement law wherever possible.

Moreover, 59% reported that they **contact the Public Procurement Authority** whenever they need clarifications, knowing that 21% could not answer this question. It is noteworthy that 15% did not know who to contact at the PPA, 6 of whom are respondents from small municipalities.

Most of the interviewed procurement officials stated that they relied on the **public procurement platform** for guidelines, instructions, and standard procurement forms, as well as for procurement-related announcements. The CoA also declared that it relies on the PPP as an important source of information. The majority of respondents stated that they did not face any issues in using the public procurement platform (PPP). Indeed, only 12 respondents were facing some issues, 8 of whom referred to internet difficulties, while 2 mentioned lack of training, and 1 complained of discrepancies between the platform and the way procurement actually takes place. It is noteworthy that respondents talked about the responsiveness of the PPA in assisting them with their technical difficulties. In the CDR in-depth interview, they raised a technical issue they had of uploading their colored contract to the PPP. They also proposed linking the websites of procuring entities to the PPP so that they do not have to enter the same information twice. Saida municipality reported experiencing difficulties in publishing procurement notices due to insufficient training.

The PPA reported that it tracks **violations** of the law through reviewing the documents uploaded to the PPP, reports on the media, and complaints sent to the PPA. The PPA either tries to address these violations with the procuring entity in question or refers them to the oversight agencies. According to the PPA, oversight agencies may sometimes not be sufficiently responsive in pursuing violations. Although both entities (PPA and CoA) stated that there are coordination meetings and memos that go back and forth, both agree that there is room for improvement in the collaboration between them, potentially through establishing coordination protocols (a CoA suggestion).

In terms of **obstacles** that stand in the way of the PPA's ability to fulfill its role, the most significant is the limited administrative capacity of the PPA itself, knowing that it has a 90% vacancy rate in its staff, according to the PPA interview. The IoF interview confirmed that the PPA needs a full appointed board and at least 4 more employees to be able to fulfill its role. The PPA also needs financial resources, technical support in managing the Public Procurement Platform and procurement files, as well as specialized and continuous training.

Finally, future plans and aspirations of the PPA include: hiring the necessary staff, developing all the regulations and templates and enforcing their use, implementing e-procurement, issuing procurement statistics and analytical reports. The PPA would also like to collaborate with universities for the development of an academic degree in public procurement.

Institut des Finances Basil Fuleihan

Following the issuance of the Public Procurement Law which entrusts the IoF with the responsibility of training all public servants, a memorandum of understanding (MoU) was signed in 2022 by the IoF and the PPA to establish an intention of close collaboration between the two entities. In line with its mission and prerogatives as per PPL 244, the IoF is in charge of establishing short and long-term training plans, developing curricula, proposing reforms in public procurement, providing assistance in drafting policies, and giving opinions on new laws and policies. The PPA is in charge of overseeing the proper implementation of the PPL and of setting the overall training policy for Public Procurement. The two entities coordinated regularly on training-related issues.

Although the law took effect against a backdrop of financial collapse, the IoF was able to extend basic and specialized training across the Lebanese civil service. However, the interview with the IoF and its trainers revealed several obstacles that need to be addressed for the institute to be able to fulfill its mission up to the level of its potential and aspirations.

Lack of financing. Financing is needed to upgrade facilities (e.g. climate control), allow more sessions to be held without compromising on the optimal class size (i.e. limiting the number of participants per training program), widen the team of subspecialized trainers and homogenize the level of expertise between old and new trainer cohorts.

Fragmentation of training entities. While the law is clear in vesting the responsibility of training public servants in the IoF, the lack of an official credentialing or certification system tied to the employee's carrier path creates a situation where multiple other entities (universities and NGOs) provide their own public procurement training without any prior coordination with the IoF to ensure consistency and quality control, and to take advantage of potential synergies.

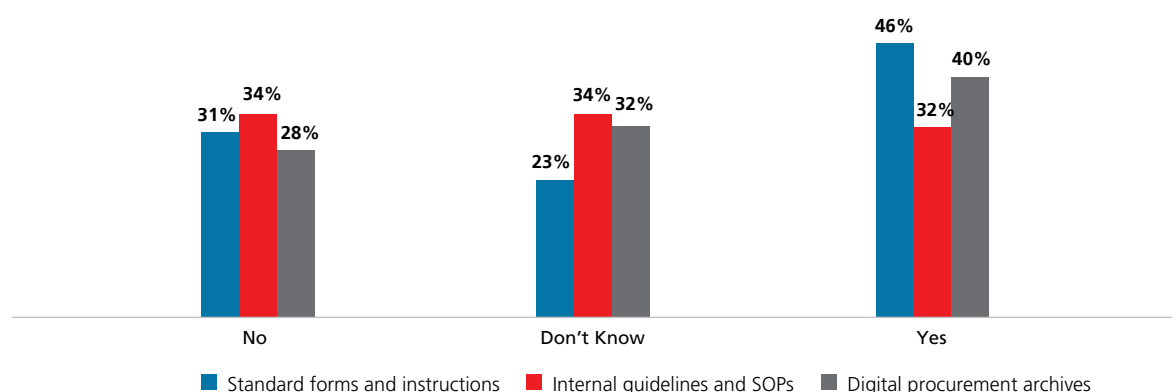
Although training is open to all profiles of public procurement civil servants, some profiles remain outside the training umbrella for two main reasons: 1) believing erroneously that the law does not apply to them; and 2) the lack of collaboration by some public entities. Important gaps include Beirut municipality and oversight judges, knowing that Beirut municipality has been showing some interest and the Court of Accounts expressed the need to extend training to judges in its interview.

Procuring Entities

Public procurement employees were asked a set of questions on various elements related to the procurement system in their institutions. Less than one third (32%) of the survey respondents declared having **internal guidelines and SOPs**, while another third said they did not and the remainder could not give an answer. The qualitative interviews revealed that MEHE-WB, EDL, Saida municipality, and the CDR have procurement SOPs.

The vast majority of respondents stated that their organizations kept full **archives** of all documents and correspondence related to the contract. Indeed, only 5 respondents answered negatively, two of whom were contradicted by colleagues, two of whom are from small municipalities, and one from MoSA. As for digital archiving, 46% of the respondents stated that their organizations kept digital archives, while 31% answered negatively, and 23% could not give an answer, which is surprising. The same trend was revealed by the interviews, as all respondents confirmed that full documentation was kept, with some units (e.g. EDL, MoF, MEHE-WB) stating that files were also archived electronically, while others only keep paper documentation (MEHE supply department, Saida municipality). Finally, while the CDR currently implements electronic archiving for main procurement documents (e.g. contracts), the staff shortages make it impossible to compile all the correspondence related to a tender from the various CDR units and scan them into the digital archives.

Figure 17 **Distribution of respondents by the presence of various institutional mechanisms**



When asked whether their institution had **legal or technical support** to resolve conflicts with suppliers, 36% answered 'yes', with the share rising to 62% among military/security respondents, whereas 27% answered negatively, with the share rising to 43% among municipal respondents.

Finally, when they were asked to name the main institutional **obstacles** to the implementation of the law, more than half of the respondents (53%) reported no institutional obstacles, and the rest focused on the following:

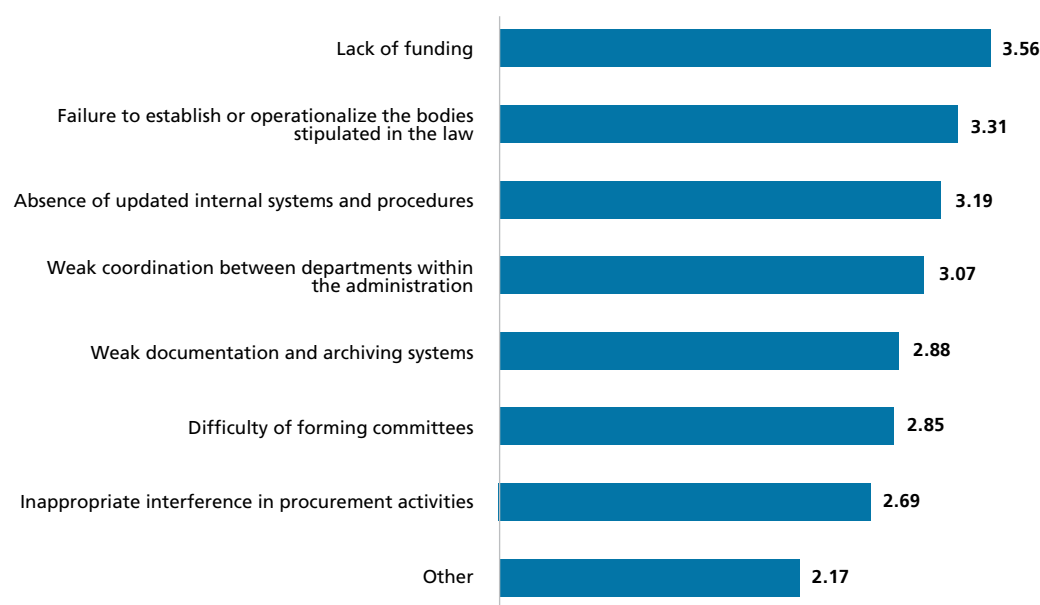
- Weak or absent IT systems
- Human resource shortages
- Unclear procedures or coordination issues

However, when they were given a list of obstacles to rate from 1 (weak obstacle) to 5 (critical obstacle), the results were different, as lack of funding emerged as the top rated obstacle (almost 4), followed by failure to establish or operationalize critical bodies (3.31), and absence of updated internal systems and procedures (3.19).

In addition to confirming the previously mentioned obstacles (staff shortages, insufficient funding), the qualitative interviews added the following:

- **Lack of continuous technical support.** Most of the interviewed entities (MEHE, EDL, MoF, trainers) mentioned the difficulty of interpreting some PPL clauses and the need for a point of contact (hotline, WhatsApp group) to answer questions and clarifications by procuring entities and tender and acceptance committees.
- **Heavy administrative burden.** Many interviewees mentioned the need to simplify tender documents and decrease the number of required documents.

Figure 18 **Average rating of various institutional obstacles (1=weak obstacle to 5=critical obstacle)**



The Court of Accounts

The CoA plays administrative and judicial roles. The administrative role includes ex-ante oversight, oversight reports, and opinions regarding financial issues. The judicial role consists of auditing public finances and everyone who handles public funds. Ex-ante oversight is called for by the internal regulations of the CoA and is not explicitly mentioned in the Public Procurement Law itself.

Based on the CoA interview, typical violations usually cover bid announcements, the estimated price (the way it was set and its secrecy), errors in the operations of tender committees, splitting of contracts, contracting single-bidders, submission of missing documents, and amendments to the tender documents. These violations are reported directly to the procuring entities through memos and meetings are held in case clarifications are needed.

According to the qualitative interviews, the obstacles that stand in the way of the CoA's proper oversight of public procurement operations include: staffing vacancies; lack of sufficient IT equipment; considerable vagueness in the PP law itself and a failure to clearly assign responsibilities and authorities in some cases; and an overreliance on ex-ante oversight while ex-post oversight remains insufficient.

The State Council

Under article 66 of the State Council's bylaws, the State Council is in charge of reviewing complaints that involve violations of the basic provisions of the PPL (transparency, equality, competition). The Council can act before contract signature and can invalidate all prior procedures. Under the law, the Complaints Authority of the PPL is supposed to resolve such cases. However, because this authority has not been established, complaints are filed directly before the State Council.

Based on the interview with the State Council, a considerable number of appeals is received and the Council's rulings are morally binding, in that public officials who violate judicial rulings may be subject to financial penalties.

The most common violations are failure to adhere to the principles of competition, transparency, and equality in the tendering process, and loopholes within the tender itself.

Finally, the State Council expressed a vague interest in training for Judges of Urgent Matters (juge des référés) and the Second Chamber.

Training Needs

In order to acquire a clearer understanding of the training needs that need to be taken into account in future IoF planning, this chapter includes a brief description of past training experiences (based on the survey), followed by a competency rating based on a self-assessment by survey participants, then training needs according to both quantitative and qualitative interviews, and finally participant preferences regarding training modalities and levels.

Past Training

Two thirds of the respondents attended one basic training course, while another 27% attended two basic training courses. Only 5 respondents reported attending 3 courses, 1 attended 5, and 1 did not attend a single training course. In terms of specialized training, 32% of respondents did not attend any, while 40% attended one course, 12% attended 2 courses, 9% attended 3 courses, and 7% attended 4 or more courses. This may reflect a respondent bias, meaning that those who attended many courses were more likely to answer the survey, while in reality the share of public procurement officials who attended specialized courses is much lower.

In terms of training institutions other than the IoF, since the sample consists of IoF trainees, 10% declared having received training by NGOs (Gherbal, Irshad, etc.) or UNDP-funded programs, while 8% mentioned other public institutions (OMSAR and ENA), and 5% universities (Tor Vergata, LAU, BAU, NDU). It is unclear, however, whether the training received is directly related to public procurement.

Finally, in the qualitative interview, trainers expressed the need for regular access to assessment data (exam results). They also pointed out that because trainees in the same session can have significantly different levels, leading to frustration on all sides, a few self-assessment questions prior to registration can allow the IoF to organize more homogeneous sessions.

Competency Assessment

Using the list of competencies developed by the IoF and the various survey questions asking respondents to rate their possession of various types of knowledge and skills (from 1=limited to 5=very high), a table was compiled reporting the share of respondents who gave ratings of 3 or below, signifying a low level of competency.

The cut-off was set at 3 for the following reasons:

- Procurement officials who handle public funds should be expected to have better than average knowledge and skill levels in public procurement competencies.
- Individuals tend to be reluctant to declare a weakness and therefore a rating of 3 is likely to reflect a low level.
- This sample consists of individuals who have already received IoF training covering at least the basics of public procurement. Therefore, public procurement employees in general, some of whom have not been trained are expected to have even weaker ratings.

In the table, all competencies which were rated 3 or below by more than 40% of the respondents were flagged in red. The main conclusion from the table is that trainees feel less than confident in most public procurement tasks with the exception of general knowledge of the law, tender submission, and tender evaluation. Indeed, 60% or more rated their competencies as average or less in: Translating technical needs into integrated procurement plans, Identifying and assessing procurement-related risks and developing management plans for them, Developing and implementing a supplier development strategy, Analyzing the supplier base according to strategic criteria, and Managing supplier risks. It is to be noted that many of these are relatively strategic and may only be needed for senior procurement staff.

Table **Public procurement competencies rated 3 or below by procurement stage**

Procurement Theme	IoF Competency	Survey Competency	% of respondents
General	Legislations	Knowledge of the PPL	30
	Computer literacy	IT Tools (word & Excel)	15
Needs Assessment and Planning	Legislations	Understanding the laws governing public procurement planning	34
	Needs Assessment	Analyzing operational and financial data and forecasting future needs	49
		Translating technical needs into integrated procurement plans	62
	Planning	Estimating planning expenditures and aligning the procurement plan with financial plans	55
	Risk Assessment and Risk Management	Identifying and assessing procurement-related risks and developing management plans for them	60
Market studies	Market Analysis & Engagement	Collecting and analyzing market information	55
		Using market study results to plan purchases	54
		Conducting market research and identifying potential suppliers	49
	Communication	Engaging with stakeholders to gather market information	51
Preparation of tender documents	Specification Development	Drafting clear and measurable technical specifications	58
	Tender Documentation	Drafting legal and effective evaluation criteria	49
	(Contracts, Forms etc..)	Preparing a full tender dossier and terms and conditions	50
	Tender Evaluation	Ensuring the legal compliance of all tender documents	43
Announcement of tenders	Tender Documentation	Drafting a clear tender notice, free of any exclusionary conditions	50
		Ensuring that the tender notice does not grant any undue advantage	44
		Aligning the timing of the announcement with the implementation schedule	43
		Linking the announcement to the administration's implementation capacity and coordinating with the technical and legal committees	46

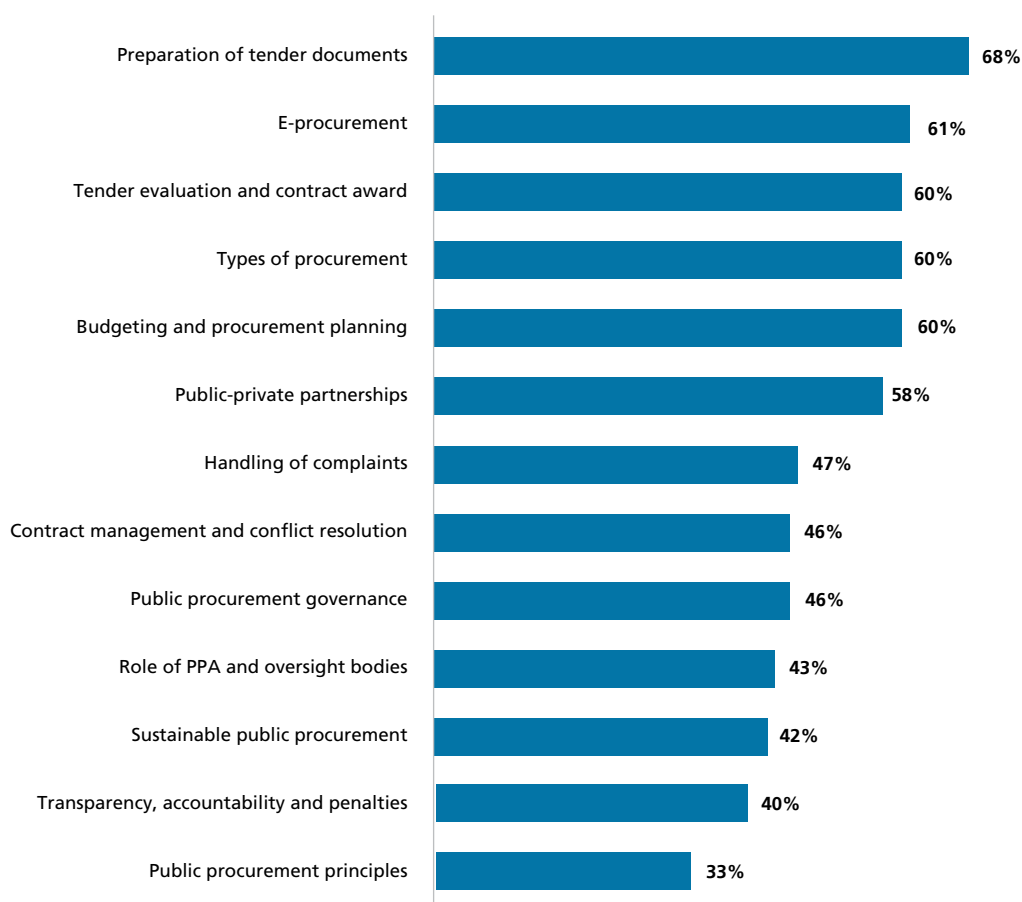
Procurement Theme	IoF Competency	Survey Competency	% of respondents
Tender submission	Governance, Ethics & Compliance	Managing the process of receiving and opening bids with full accuracy, integrity and confidentiality and accountability	31
	Tender Evaluation	Conducting the formal verification of bid completeness and compliance with mandatory requirements	29
	Tender Documentation (Contracts, Forms etc..)	Carrying out the public bid opening process with full documentation	32
		Handling late or incomplete bids in accordance with the law	37
	Governance, Ethics & Compliance	Ensuring transparency and equal opportunity for all suppliers throughout the process	26
	Tender Evaluation	Evaluating the technical proposals systematically	38
		Assessing financial proposals accurately and objectively	32
		Identifying conflicts of interest and making decisions transparently	36
	Award & De-brief	Preparing a comprehensive bid evaluation report and formulating a clear, justified recommendation	34
	Communication	Managing communication with bidders while maintaining confidentiality	43
Tender evaluation	Governance, Ethics & Compliance	Handling political pressure or attempts to influence the evaluation process	42
	Tender Documentation (Contracts, Forms etc..)	Monitoring systematically and keeping full documentation	42
	Performance	Objectively evaluating supplier performance and compliance with the contract's financial and technical terms	41
	Management & Measurement	Managing requests for amendments to the contract responsibly	42
	Contract management	Professionally resolving disputes and risks arising during implementation	44
Contract management	Communication	Building trust and effective communication with suppliers	51
		Developing and implementing a supplier development strategy	60
	Supplier Management	Negotiating with suppliers	58
	Negotiation	Analyzing the supplier base according to strategic criteria	63
	Risk assessment & Risk Management	Managing supplier risks	64
Supplier relations			

Training needs

Almost all the respondents (92%) expressed interest in participating in additional training. This reflects a sampling bias, as all of the respondents are past trainees. However, it also undoubtedly means that their training experience at the IoF was positive and encouraging. There were no significant differences among the various types of procuring entities. It is noteworthy that the PPA, CoA, and State Council also reported needing specialized training.

As for the **training needs**, as identified by the survey respondents, the most widely selected topic was preparation of tender documents (68%), followed by e-procurement (61%), then tender evaluation and decision-making, types of procurement, and budgeting and procurement planning (60%), and public-private partnerships (58%). While the first and last are relatively specialized, the middle three are part of basic public procurement training, revealing that one basic training session may not be sufficient and needs to be supplemented by refresher training or asynchronous training (pre-recorded sessions). There were no remarkable differences across procuring entity types.

Figure 19 **Distribution of proposed topics of training by share of respondents who requested them**



The qualitative interviews confirmed the above, while contributing a significant number of additional topics including:

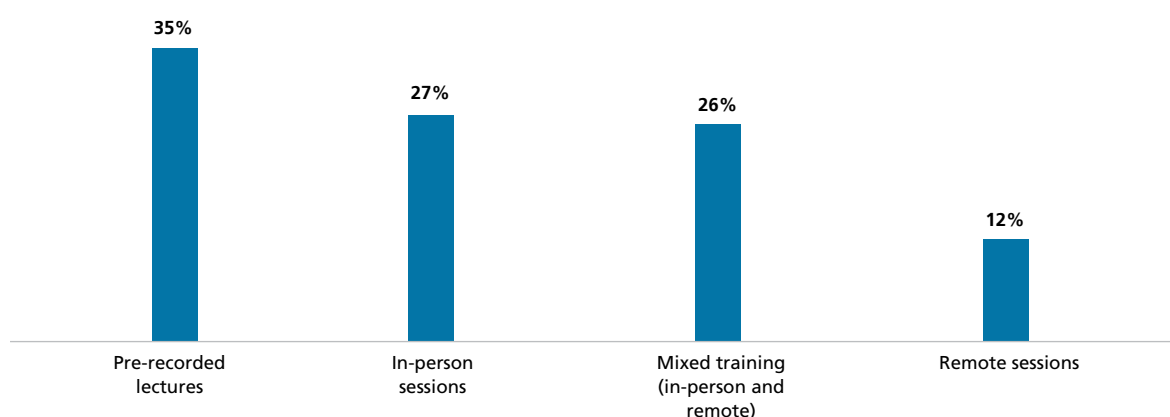
- **Tender and acceptance committees** (mentioned by EDL, MoF, and PPA). The interviewed trainers confirmed that this is one of the most requested topics due to fear of legal consequences. Areas of confusion include the classification of required documents as essential and non-essential, and comparison of financial proposals with the estimated value of procurement. EDL suggested the development of a practical guide for committee members.

- **Prequalification (CDR), two-stage bidding (CDR), and framework agreements** which were found useful but too complicated by most interviewed entities (including Saida municipality). Training as well as guidance documents with concrete examples were requested.
- It is noteworthy that the interviewed **municipality (Saida)**, which is currently establishing a dedicated procurement department requested a wider range of topics: market research and estimation of the value of procurement, evaluation mechanisms, competition, contract management, and prevention of conflicts of interest. Moreover, it was suggested to extend basic training to the mayor and members of the municipal council, possibly in order to secure political will for the needed reforms, but also to raise awareness among the decision makers about the importance of the sound implementation of the law.

Future training preferences

In terms of training format, **pre-recorded lectures** that trainees can watch at a time that is convenient for them garnered the highest share (35%), noting that the IoF is currently piloting the nata3alam platform which offers such courses. This was followed almost equally by in-person sessions and hybrid training (27% and 26% respectively). It is noteworthy that a very low percentage selected remote training, potentially reflecting the difficulty of live interaction and possibly internet challenges. It is noteworthy that trainers themselves expressed a preference for active learning due to: 1) higher engagement; 2) analytical thinking leading to deeper understanding; and 3) wealth of information due to exchange. The only challenge is that active learning is more time-consuming.

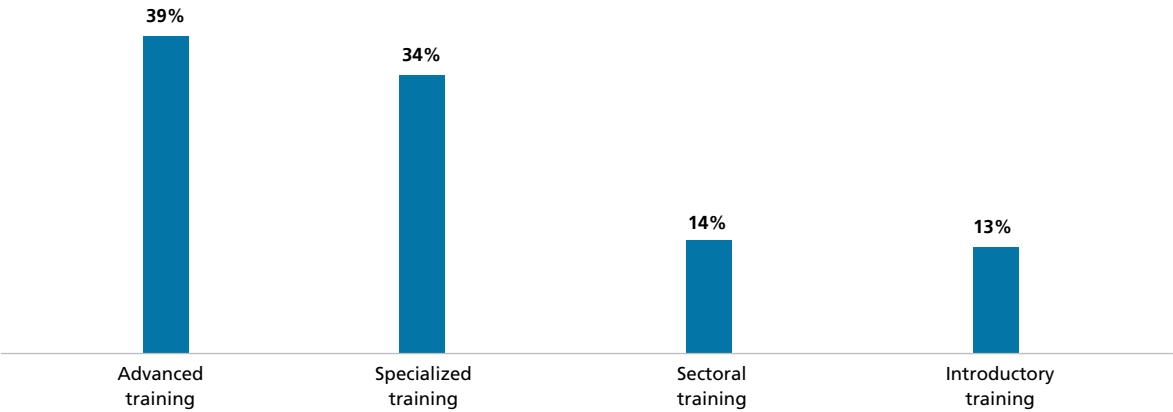
Figure 20 **Distribution of respondents by preferred training format**



As for the requested level of training, slightly less than 40% of the respondents selected advanced training (analysis, technical evaluation, contract management), knowing that the share is relatively similar across procuring entity types. The second-most requested level of training is specialized training (strategic level), which garnered a 34% share of the respondents. This type of training was more likely to be selected by military/security respondents (48%) and public administrations (42%), whereas only 26% of public institutions and 19% of municipal respondents expressed interest in it. Finally, sectoral training (procurement of drugs, services, works, etc.) was selected by only 14% of respondents (26% in public institutions) and introductory training was selected by 13% of respondents (29% in

municipalities). Given that the respondents are all trainees who have at least attended the introductory training course, these results cannot be generalized to the entire population of public servants. However, it is clear that introductory training is still needed for municipal procurement employees, sectoral training garners special interest in public institutions, and advanced and specialized training is more likely to be requested by military/security and public administration respondents.

Figure 21 **Distribution of respondents by preferred training level**



Finally, some respondents suggested: 1) holding training sessions outside Beirut to facilitate access for remote municipal employees and 2) holding a quick training session on the use of the public procurement platform (potentially by the PPA).

Conclusions

Following this detailed synthesis of the results of the semi-quantitative survey and qualitative interviews, this section attempts to extract the major conclusions listed under the major chapters of this assessment.

The Status of Public Procurement Skills and Capacity Gaps

- At the planning level
 - The preparation of **annual procurement plans** is more prevalent in the armed forces, relatively less prevalent in public administrations and institutions, and rare in municipalities. This situation is more likely related to institutional obstacles rather than competency gaps.
 - The estimation of the value of procurement is still challenging for many procurement staff.
- At the tender launching level
 - No major difficulties were reported in the preparation of tender documents, other than unfamiliarity with the standard tender documents.
 - No major difficulties were reported for the announcement of public tenders, except for the need for ongoing technical support in challenging cases and training/ support for the use of the central platform.
- At the bid opening and evaluation level, the main challenge was classification of required documents as essential or non-essential for bid opening,
- Contract management remains relatively challenging in part due to a weakness in related administrative knowledge and skills.

Public Procurement Attitudes and Behaviors

- Most of the surveyed institutions do not currently have explicit rules against **conflict of interest**.
- The vast majority reported never facing external pressure or **interference** in public procurement decisions.

Human Resources

Human resource-related obstacles extracted from the survey and interviews may be condensed as follows:

- **Absence of a well-defined Procurement Unit**, with the public procurement function remaining fragmented among multiple departments.
- **Procurement staff shortages and demotivated employees**, a situation that is generalized to the entire public service.
- **Absence of a public procurement profession** with clear roles and responsibilities and an official qualification/credentialing mechanism.
- **Deficiency in procurement-specific competencies and knowledge of the law** and weak enforcement of mandatory training.
- **Lack of data on public procurement employees**, which prevents any knowledge of the share of employees who have been trained.
- **Administrative complexity**, with procedural bottlenecks and slow internal processes.

Institutional Capacity

Based on the results of the survey and interviews, the institutional obstacles that stand in the way of the various components of the procurement ecosystem fulfilling their roles are as follows:

Public Procurement Authority

- **Limited administrative capacity**, knowing that the PPA has a 90% vacancy rate in its staff.
- **Lack of financing.**
- **Need for technical support** in managing the Public Procurement Platform and procurement files.
- **Need for specialized and continuous training.**
- **Lack of a functional Complaints Authority as provided for by the law.**

Institute of Finance

- **Lack of financing**, needed to upgrade facilities, increase the training offer and deliveries , widen the team of subspecialized trainers, and homogenize the level of expertise between old and new trainer cohorts.
Fragmentation of training entities, with a lack of coordination and a failure to take advantage of potential synergies.

Procuring Entities

- **Need for continuous technical support**, as many entities requested a point of continuous contact to answer questions and provide clarifications.
- **Unclear procedures or coordination issues**, with most entities lacking internal guidelines and SOPs and lacking records of proceedings.
- **Weak or absent IT systems**, which impedes the digitization of procurement archives.
- **Heavy administrative burden**, with many interviewees mentioning the need to simplify tender documents and decrease the number of required documents.
- **Payment delays** were reported by various types of procuring entities, which undermines private sector trust and discourages suppliers from participating in public procurement operations. Around half of the surveyed public administrations reported difficulties attracting suppliers.

Oversight Agencies

- **Staff shortages.**
- **Lack of IT equipment.**
- **Vagueness in the law** and failure to clearly assign responsibilities and authorities in some cases.
- **Lack of enforcement of the law and related penalties**, resulting in an uneven application of the law in various profiles of procuring entities.
- **Overreliance on ex-ante oversight** while ex-post oversight remains insufficient.

Training Needs

The major conclusions regarding training needs will be subdivided into two sections: content and format.

Training content

- The assessment showed that one training course is insufficient as a significant share of previous trainees feel less than confident in their **competency** in several procurement tasks following the passage of time. These competencies cover most public procurement tasks with the exception of general knowledge of the law, tender submission, and tender evaluation. The needs are more extensive in the case of municipalities.

Topics that were specifically requested by a majority of the respondents include:

- Budgeting and procurement planning.
- Types of procurement (specifically prequalification and two-stage bidding, framework agreements).
- E-procurement.
- Tender evaluation and decision-making including the roles and responsibilities of tender and acceptance committees.
- Public-private partnerships.

Training format

- The surveyed respondents expressed a preference for asynchronous training (pre-recorded lectures), followed by in-person session and hybrid training. Remote training was the least favored format.
- Based on the survey, basic training remains relevant for most municipal procurement staff while sectoral training tends to be requested by public institutions, and more than 40% of military/security and public administration respondents expressed interest in advanced and specialized training.

Finally, comparing the results of this assessment with those of the survey implemented in 2023, the following may be concluded. Some progress seems to have been made in terms of: 1) issuance of standard procurement documents and guidelines; 2) extension of training to a significantly larger share of public procurement employees; and 3) increased supplier participation in view of the value-adjustment of most procurement contracts in the intervening period. However, most of the institutional capacity constraints remain in place and the law remains only partially implemented.

Recommendations

The conclusions of the survey reflect a procurement system that continues to show the signs of a government plagued by a financial crisis, with institutions struggling to continue normal operations and unable to enforce major reforms and public servants receiving subsistence salaries while being expected to perform their jobs fully or be subject to severe legal consequences. However, some signs of recovery are beginning to show with many ministries undergoing administrative overhauls and a public salary adjustment about to be implemented. As such, there may be a window of opportunity for completing the process of reforming public procurement in Lebanon.

This section lays out several major recommendations that need to be implemented in order to improve the application of the Public Procurement Law. While some of these recommendations can be implemented by the IoF and are meant to inform its future training plans, many others fall under the responsibility of the Lebanese government as a whole.

Following are the recommendations that fall under the mandate of the IoF:

- 1. Develop and implement a comprehensive national training plan.** The plan would include general training, specialized training, and targeted training according to entity classification (central, decentralized, and military/civil). Specialized training would focus on topics that were either requested or deemed necessary based on the results of this assessment, including: planning, market studies, procurement methods, needs assessment, tender committees, acceptance committees, handling objections and disputes, risk management across the entire public procurement cycle, price estimation, technical specifications, contract management, evaluation, and internal auditing. The plan would also include a variety of delivery methods (synchronous onsite, synchronous online, asynchronous), while ensuring complementarity between the advantages of these various methods.
- 2. Develop a PP training curriculum** that aligns with national orientations related to the professionalization of PP. If resources are available, the curriculum should include teaching practical skills (e.g. developing procurement plans, drafting technical specifications, etc.), rather than only relying on the transfer of knowledge.
- 3. Expand the courses available on the nata3alam platform.** The results of the survey showed that a significant share of trainees are in need of refresher training in many topics that are covered in basic and specialized trainings. In the survey, respondents also expressed a preference for asynchronous training which they can take based on their own availability. Ideally, these courses can be followed by short assessments that ensure uptake of the material and provide the IoF with continuous training gaps data.
- 4. Develop a separate training program on the roles and responsibilities of tender committees.** This is one of the most widely selected topics in view of the serious legal consequences it entails. The session can be interactive with practical examples and simulations. It should also cover the classification of tender documents into essential or non-essential documents.
- 5. Develop specialized training programs on new types of procurement** (e-procurement, two-stage bidding, framework agreements).
- 6. Increase the capacities of trainers in active online training,** as many expressed a preference for in-person training thinking it was more conducive to active learning techniques.
- 7. Implement training outside Beirut** to facilitate access for employees in smaller remote municipalities.

8. **Extend training to mayors and members of the municipal council** to increase their understanding of the law principles and garner their support for the needed reforms.
9. **Develop short online pre-assessment interviews** to allow the assignment of trainees to more homogeneous training levels.
10. **Share post-training assessment results with trainers** and develop follow-up measures in case the results show an insufficient take-up of the training content.
11. **Coordinate with oversight agencies** which expressed interest in public procurement training for judges.
12. **Coordinate training with other training providers** to take advantage of synergies.

As for recommendations that fall under the authority of other public procurement partners, they are presented in the following table.

Entity	Recommendations
PPA	Push for the creation of unified Procurement Departments in public administrations and institutions
	Enforce the adoption of the standard rule against conflicts of interest recently issued by the PPA by all procuring entities and include it in the job descriptions of PP officers
	Enforce mandatory training in collaboration with the IoF, including special training for the CoA and State Council judges
	Create a help desk for questions and clarifications in coordination with IoF procurement experts and post important Q&As on the Public Procurement Platform to disseminate important clarifications
	Simplify current tender documents and the list of requested documents
	Develop and publish guidelines for the implementation of PP law 244/2021
	Develop a recorded module on the use of the Public Procurement Platform
	Upgrade the platform to include all e-procurement functionalities
Government of Lebanon	Fill the vacancies in the PPA and provide it with the necessary resources
	Establish the Complaints Authority and nominate its members
	Fill critical staff vacancies in procuring entities and oversight agencies
	Provide the IoF with the needed resources to fulfill its mission
	Develop and adopt, in collaboration with the PPA, the secondary legislation needed for the e-procurement implementation
	Fund the digitization of public entities
	Adjust public salaries
Civil Service Board	Create the Public Procurement Profession within the Lebanese civil service collaboration with the PPA
	Establish the competency framework and job descriptions related to the PP profession
	Ensure the linkages between competency framework, career development and career path

Annex A

Survey Instrument

تقييم الممارسات والحاجات التدريبية في الشراء العام في لبنان

في إطار المهمة الموكلة إليه في المادة 72 من قانون الشراء العام (244/2021) بتوفير التدريب الإلزامي والمستمر للقائمين بمهام الشراء العام، وبعد تنفيذ سلسلة من الدورات التدريبية التعريفية والمتخصصة حول القانون، يقوم معهد باسل فليحان المالي والاقتصادي بإجراء دراسة لفجوات القدرات واحتياجات التدريب في الشراء العام. يهدف هذا الاستبيان إلى تحديد الفجوات في المعارف والمهارات والسلوكيات والموارد والأنظمة اللازمة لتطبيق قانون الشراء العام بفعالية، وذلك تمهيداً لاستخراج الحاجات التدريبية وتحديد أولويات تعزيز القدرات الوطنية بناءً على الحاجات الفعلية للسنتين المقبلتين.

قام معهد باسل فليحان المالي والاقتصادي بتكليف مؤسسة البحوث والاستشارات بتنفيذ هذه الدراسة لتمام العمل المطلوب، تمّ اختيار عيّنة تمثّل القيّمين والمولجين مهام الشراء العام في مختلف الجهات الشارية في لبنان من الإدارات والمؤسسات العامة والبلديات واتحاداتها، كما والجهات المعنية الأخرى في الدولة، من الذين خضعوا للتدريب حول قانون الشراء العام من قبل معهد باسل فليحان خلال السنوات السابقة. نوّكّد لكم أنّه سوف يتمّ تحليل الإجابات بشكل إجمالي يحترم الطابع العلمي والموضوعي للدراسة، وبالتالي لن يتم الكشف عن أية بيانات شخصية أو وظيفية عائدة للمشاركين.

1. أسئلة عامة

- 1.1 تاريخ ملء الاستمارة:
- 1.2 إسم المجيب:
- 1.3 الصفة الوظيفية:
- 1.4 الدرجة/ الفئة:
- 1.5 نوع المؤسسة: ☐ إدارة عامة ☐ مؤسسة عامة ☐ بلدية، مؤسسة أمنية/عسكرية ☐ جهة رقابية ☐ جهة ناظمة ☐ غيره، حدّد
- 1.6 المؤسسة/الإدارة:
- 1.7 المديرية:
- 1.8 الدائرة:
- 1.9 المهام الوظيفية الفعلية:
- 1.10 ما هي أعلى مرحلة تعليمية نظامية انهيتها؟
☐ إبتدائي ☐ متوسط ☐ ثانوي ☐ جامعي ☐ ماجستير ☐ دكتوراه
- 1.11 ما هو مجال دراستك الاساسي/ تخصصك؟
- 1.12 هل تتولى صفتك الوظيفية الحالية: ☐ بالأصالة ☐ بالتكليف
- 1.13 ما عدد سنوات خبرتك في الإدارة العامة؟
- 1.14 ما عدد سنوات خبرتك في الشراء العام؟

- 1.15. ما مدى ارتياحك في استخدام البرامج/المنصات التالية؟ (1= صعوبة كبيرة إلى 5= ارتياح كامل)
- Microsoft Word
- Microsoft Excel
- المنصة الإلكترونية المركزية للشراء العام

2. التدريب على قانون الشراء العام

- 2.1. ما هو عدد الدورات التدريبية حول القانون التي اشتركت فيها؟
- ☐ دورات تعريفية ☐ دورات تخصصية ☐ غيره، حدد: (عدد)
- 2.2. في حال شاركت بدورات تدريبية، ما هي المؤسسات/الأطراف التي قامت بالتدريب؟
- ☐ معهد باسل فليحان المالي والاقتصادي ☐ مركز تدريب في القطاع العام
- ☐ مركز تدريب في القطاع الخاص ☐ جمعية غير حكومية
- ☐ جامعة ☐ غيره

3. مرحلة ما قبل الشراء

تحديد الاحتياجات وإعداد خطط الشراء

- 3.1. هل يجري في إدارتك وضع خطة شراء سنوية ممنهجة ومفصلة؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 3.2. في حالة الإيجاب، هل يتم إرسالها إلى هيئة الشراء العام؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 3.3. في حالة الإيجاب، هل يتم إرسالها ضمن المهلة الزمنية المنصوص عنها في المادة 11 من قانون الشراء العام؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 3.4. هل تتم بلورة أي تبريرات أو تعليقات خطية عند تحديد الاحتياجات؟
- 3.5. في حالة النفي، كيف يتم التأكد من الحاجة الفعلية لتلك المستلزمات قبل تضمينها في خطة الشراء؟
- 3.6. يرجى تحديد مستوى امتلاكك للمعارف والمهارات المرتبطة بكل من الكفاءات التالية (1= مستوى محدود 5= مستوى مرتفع جداً)
- فهم القوانين والإجراءات المنظمة لتخطيط وإطلاق عمليات الشراء العام
 - تحليل البيانات التشغيلية والمالية وتوقع الاحتياجات المستقبلية والمخاطر
 - تحويل الاحتياجات الفنية والمتطلبات التشغيلية إلى استراتيجيات وخطط شراء متكاملة تحقق الأهداف
 - تقدير الموازنة وتخطيط الإنفاق بكفاءة وربط خطة الشراء بالخطط المالية
 - تحديد وتقييم المخاطر المتعلقة بالشراء ووضع خطط لإدارتها في جميع مراحل الشراء العام (أو دورة الشراء)

دراسة السوق

- 3.7. هل تقوم الوحدات المولجة بمهام الشراء بدراسة السوق للتأكد من:

- وجود السلع والخدمات المطلوبة

☐ نعم ☐ كلا ☐ لا أعرف

- وجود السلع والخدمات التي تراعي معايير الاستدامة (البيئية أو الاقتصادية أو الاجتماعية)

☐ نعم ☐ كلا ☐ لا أعرف

- تحديث معطياتها عن الأسعار السائدة

☐ نعم ☐ كلا ☐ لا أعرف

3.8. هل تتوفر لديكم قاعدة معلومات ممكنة يمكن الرجوع إليها للحصول على أسعار سلع وأشغال؟

☐ نعم ☐ كلا ☐ لا أعرف

3.9. في حالة النفي، ما هي الأسس المتبعة لتقدير كلفة الشراء؟

3.10. ما هي المشاكل أو التحديات التي تعترض عملكم في إطار التخطيط للشراء:

- تقييم الاحتياجات ☐ نعم ☐ كلا ☐ لا أعرف

- وضع الاسعار التقديرية ☐ نعم ☐ كلا ☐ لا أعرف

- اعداد خطة الشراء ☐ نعم ☐ كلا ☐ لا أعرف

- ربط خطة الشراء بالموازنة ☐ نعم ☐ كلا ☐ لا أعرف

3.11. يرجى تحديد مستوى امتلاكك للمعارف والمهارات المرتبطة بكل من الكفاءات التالية

(1= مستوى محدود 5= مستوى مرتفع جدا)

• جمع وتحليل البيانات والمعلومات السوقية بشكل منهجي

• استخدام نتائج دراسة السوق لوضع استراتيجيات الشراء وتخطيط المشتريات

• التفاعل مع الموردين والخبراء والأطراف الداخلية لجمع معلومات السوق وتعظيم فائدة الدراسة.

• إجراء دراسة السوق وتحديد الموردين المحتملين بشكل فعال.

4. مرحلة التلزم

تحضير ملفات التلزم

4.1. ما هي المصادر التي تعتمد عليها لإعداد تقديرات دقيقة للتكلفة والمواصفات الفنية قبل وضع ملفات

التلزم؟ (إجابات متعددة)

☐ دراسة السوق ☐ العقود السابقة ☐ استشارة الخبراء الفنيين

☐ جميع ما سبق ☐ غيره، حدد

4.2. هل يتم تحديد المخاطر المتعلقة بالسوق (مثل تقلبات الأسعار أو نقص الموردين) قبل إعداد دفاتر الشروط؟

☐ نعم ☐ كلا ☐ لا أعرف

4.3. كيف تقيّمون سهولة إعداد كل قسم من الاقسام التالية من دفتر الشروط؟

(1= سهل للغاية إلى 5= شديد الصعوبة)

- تعليمات للعارضين

- معايير التأهيل والمشاركة

- المواصفات الفنية

- معايير وآلية التقييم

- الشروط الخاصة بالعقد

- 4.4. يرجى تحديد مستوى امتلاكك للمعارف والمهارات المرتبطة بكل من الكفاءات التالية (1= مستوى محدود 5= مستوى مرتفع جداً)
- صياغة المواصفات الفنية بدقة وبوضوح وبشكل قابل للقياس وللتنفيذ
 - تصميم معايير تقييم العروض بما يتوافق مع القوانين ويحقق أفضل قيمة مقابل المال ويعزز المنافسة
 - إعداد وإدارة مستندات دفتر التلزم وقائمة الشروط بشكل كامل
 - التأكد من التوافق القانوني لجميع وثائق المناقصة

الإعلان عن المناقصة العمومية

- 4.5. أين يتم نشر الإعلان عن المناقصة ودفاتر الشروط (إجابات متعدّدة)
- ☐ الموقع الإلكتروني للجهة الشارية ☐ المنصة الإلكترونية المركزية لدى هيئة الشراء العام
- ☐ الجريدة الرسمية ☐ يتم الاتصال بعدد من العارضين لسحب دفتر الشروط ☐ غيره، حدد
- 4.6. هل سبق أن قبلتم عرضاً تمّ تسليمه بعد انقضاء المهلة المحددة في إعلان المناقصة؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 4.7. في حالة الإجابة بنعم، ما هو السبب؟ _____
- 4.8. يرجى تحديد مستوى امتلاكك للمعارف والمهارات المرتبطة بكل من الكفاءات التالية (1= مستوى محدود 5= مستوى مرتفع جداً)
- صياغة إعلان مناقصة واضح واستخدام لغة فنية وقانونية دقيقة خال من أي شروط إقصائية
 - التأكد من أن إعلان المناقصة متاح لجميع المتنافسين المحتملين ولا يمنح أفضلية غير مشروعة لأحد
 - تحديد التوقيت المناسب للإعلان وموائمته مع الجدول الزمني للتنفيذ
 - ربط الاعلان بقدرة الادارة على التنفيذ لاحقاً والتنسيق مع اللجان الفنية والقانونية

استلام وتقييم العروض

- 4.9. هل يوجد لدى الإدارة لجنة تلزم؟
- ☐ نعم، يوجد لجنة تلزم دائمة داخل الإدارة ☐ نعم، يوجد لجنة تلزم لكل عملية شراء على حدة
- ☐ كلا ☐ لا أعرف
- 4.10. هل اضطررتم في حالات محددة الى تخفيف شروط قبول العارضين بعد فتح العروض، تسهيلات لقبول العروض الأقل كلفة؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 4.11. في حالة الإيجاب، ما هي هذه الحالات؟ _____
- 4.12. عند مواجهة عرض منخفض الأسعار بصورة غير عادية، هل تطلبون من العارض تبريراً خطياً يوضح أسباب انخفاض السعر قبل اتخاذ قرار بقبول العرض أو رفضه؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 4.13. هل تجري المفاوضات مع العارضين الذين قدّموا عروضاً:
- ☐ قبل اختيار العرض الفائز ☐ بعد اختيار العرض الفائز ☐ لا تحدث أية مفاوضات مع العارضين

4.14. خلال تقييم العروض، هل تمنح أفضلية لفئة معيّنة من العارضين؟
☐ نعم، للعروض التي تحتوي سلعاً وخدمات فكرية لبنانية ☐ نعم، لعارضين ثبتت كفاءتهم ☐ كلا

4.15. هل تقومون بـ:

- تبليغ جميع العارضين بقرار الإحالة خطياً

☐ نعم ☐ كلا ☐ لا أعرف

- تقديم أسباب عدم الفوز للعارضين غير الفائزين

☐ نعم، دائماً ☐ نعم، عند الطلب ☐ كلا ☐ لا أعرف

4.16. يرجى تحديد مستوى امتلاكك للمعارف والمهارات المرتبطة بكل من الكفاءات التالية

(1= مستوى محدود 5= مستوى مرتفع جداً)

على صعيد استلام العروض

• إدارة عملية استلام وفتح العروض بدقة ونزاهة كاملة، مع ضمان الامتثال الصارم للإجراءات القانونية

ومبادئ السرية والمساءلة.

• التحقق الشكلي الأولي من استكمالية العروض واستيفائها للشروط الإلزامية

• تنفيذ عملية فتح العروض العلني/الرسمي مع توثيق كامل للإجراءات

• التعامل مع العروض المتأخرة أو الناقصة وفق الأنظمة القانونية.

• ضمان الشفافية وتكافؤ الفرص لجميع الموردين خلال العملية

على صعيد تقييم العروض

• تقييم العروض الفنية والتقنية للعروض بشكل منهجي وفق المعايير والمواصفات والشروط المحددة.

• تقييم العروض المالية بشكل دقيق وموضوعي، وتحليل الأسعار والتكاليف المقترحة، والتحقق من صحتها

واتساقها

• اكتشاف تضارب المصالح واتخاذ القرارات بشفافية.

• اعداد تقرير شامل حول نتائج تقييم العروض وصياغة توصية واضحة ومبررة لاتخاذ القرار

• إدارة التواصل مع المتنافسين حول نتائج التقييم مع الحفاظ على سرية المعلومات الحساسة.

• التعامل مع الضغوط السياسية أو محاولات التأثير خلال عملية التقييم.

5. إدارة العقود

5.1. هل يتم إعداد وتوثيق محاضر استلام؟

☐ نعم ☐ كلا ☐ لا أعرف

5.2. هل تطبقون بنود العقد المتعلقة بالجزاءات (Penalties) في حال تأخر التنفيذ أو عدم الالتزام بالمواصفات؟

☐ دائماً ☐ غالباً ☐ أحياناً ☐ كلا ☐ لا أعرف

5.3. هل تخضع أي أوامر تغيير (Variation Orders) لموافقة الجهات الرقابية المسبقة وفق القواعد المالية والقانونية؟

☐ دائماً ☐ غالباً ☐ أحياناً ☐ كلا ☐ لا أعرف

- 5.4. هل يتم الدفع وفق مراحل التنفيذ المحددة في العقد؟
☐ دائماً ☐ غالباً ☐ أحياناً ☐ كلا ☐ لا أعرف
- 5.5. هل تحتفظون بسجل شامل لجميع المراسلات والمستندات المتعلقة بالعقد لأغراض التوثيق والرقابة؟
☐ نعم ☐ كلا ☐ لا أعرف
- 5.6. كيف تتم متابعة تنفيذ العقد بشكل أساسي؟ (إجابات متعددة)
☐ زيارات ميدانية
☐ تقارير دورية من المتعهد
☐ إشراف دائم
☐ اجتماعات متابعة
☐ لا توجد آلية منتظمة
- 5.7. يرجى تحديد مستوى امتلاكك للمعارف والمهارات المرتبطة بكل من الكفاءات التالية (1= مستوى محدود 5= مستوى مرتفع جداً)
 • تنفيذ عمليات المراقبة والمتابعة بشكل منهجي وتوثيق كافة مراحل التنفيذ والمراسلات
 • تقييم أداء المورد ومدى التزامه بالشروط المالية والفنية للعقد بشكل موضوعي واستباقي
 • إدارة طلبات التعديل أو التغيير في نطاق العقد أو شروطه بطريقة منضبطة، تحمي المصلحة العامة
 • تحديد واحتواء النزاعات والمخاطر التي تنشأ أثناء التنفيذ، ومعالجتها بشكل احترافي

6. العلاقة مع الملتزمين والقطاع الخاص

- 6.1. هل تحتفظون بسجلّ بأسماء الموردّين والمقاولين؟
☐ نعم ويتم تحديثه بانتظام ☐ نعم ولا يتم تحديثه إلا نادراً ☐ ليس لدينا سجل ☐ لا أعرف
- 6.2. هل تواجهون مشاكل في استقطاب العارضين من القطاع الخاص بالمشاركة في عمليات الشراء العام؟
☐ نعم ☐ كلا ☐ لا أعرف
- 6.3. في حال نعم، ما هو سبب هذه المشاكل؟

- 6.4. هل تحتفظون بسجل رسمي للشكاوى أو الاعتراضات المقدمة من الملتزمين؟
☐ نعم ☐ كلا ☐ لا أعرف
- 6.5. كيف تقيّمون التحديات التالية في التعامل مع الملتزمين؟ (1= ليس تحدياً إلى 5= تحدّ كبير)
 - ضعف التواصل
 - قلة تجاوب الموردّين مع المناقصات
 - سوء فهم المتطلبات الفنية
 - تأخّر الدفعات
 - تحديات مرتبطة بالمنصة الإلكترونية

- 6.6. يرجى تحديد مستوى امتلاكك للمعارف والمهارات المرتبطة بكل من الكفاءات التالية
(1 = مستوى محدود 5 = مستوى مرتفع جداً)
- تطوير وتنفيذ استراتيجية استقطاب وتطوير للموردين
 - بناء الثقة والتواصل الفعال مع الموردين
 - التفاوض مع الموردين
 - تحليل وتصنيف قاعدة الموردين الحالية والمحتملة بناءً على معايير استراتيجية
 - تحديد وتقييم وإدارة المخاطر المتعلقة بالموردين وسلسلة التوريد، وضمان امتثالهم للمتطلبات القانونية والأخلاقية والبيئية والاجتماعية

7. السلوكيات في عمليات الشراء

- 7.1. كيف تقدر نسبة معرفتك بتفاصيل أحكام ومبادئ قانون الشراء العام؟
(1 = معرفة محدودة إلى 5 = معرفة دقيقة)
- 7.2. هل يوجد في إدارتكم أي قواعد لمنع تضارب المصالح، بالنسبة إلى الموظفين المولجين بمهام الشراء وإدارة العقود؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 7.3. هل يوجد صلة قرابة بين موظفين أو مسؤولين في إدارتك وموردين تتعامل معهم إدارتك؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 7.4. هل سبق واعترضت جهة رقابية على التلزم (عدم موافقة ديوان المحاسبة مثلاً)؟
- ☐ نعم ☐ كلا ☐ لا أعرف
- 7.5. هل سبق أن واجهت مواقف ضاغطة أو تدخلات خارجية قد تؤثر على نزاهة عملية الشراء؟
- ☐ نعم ☐ كلا
- 7.6. في حالة الإيجاب، كيف تعاملت معها؟

8. الموارد البشرية

- 8.1. هل لدى مؤسستك وحدة شراء متخصصة بمهام ومسؤوليات واضحة؟
- ☐ نعم ☐ كلا
- 8.2. هل يوجد عدد كاف من الموظفين المؤهلين لإدارة التخطيط، التلزم، تقييم العروض، وإدارة العقود؟
- 8.3. ما نسبة الموظفين المولجين بالشراء الذين تلقوا تدريباً حول قانون الشراء العام وأفضل الممارسات بالنسبة لعدد موظفي إدارتك؟ _____ %
- 8.4. هل ترى أنّ وظيفتك ومهامك في الشراء العام محدّدة بشكل واضح ودقيق؟
- ☐ نعم ☐ كلا
- 8.5. هل تعتقد أن عبء العمل الملقى على موظفي الشراء واقعي ويسمح بالالتزام بالإجراءات القانونية الواردة في قانون الشراء العام؟
- ☐ نعم ☐ جزئياً ☐ كلا

8.6. برأيك، ما هي أبرز العوائق المرتبطة بإدارة الموارد البشرية التي تعرقل تطبيق قانون الشراء العام في مؤسستك؟

8.7. هل توجد آلية داخلية لتبادل الخبرات والتعلّم بين الموظفين المسؤولين عن عمليات الشراء (اجتماعات، مجموعات عمل، دروس مستفادة)؟

☐ نعم ☐ أحياناً ☐ كلا

9. الأنظمة والبنية المؤسسية

9.1. هل تواجهون صعوبات في وظائف المنصة الإلكترونية أو استقرارها أو الاتصال بالإنترنت عند استخدامها؟

☐ نعم، توضيح _____ ☐ كلا ☐ لا أعرف

9.2. هل توجد نماذج موحدة لملفات التلزم وأدلة وإرشادات متاحة وتُستخدم بانتظام في مؤسستك؟

☐ نعم ☐ كلا ☐ لا أعرف

9.3. هل لدى إدارتك دليل داخلي أو إجراءات تشغيلية موحدة خاصة بالشراء تتماشى مع قانون الشراء العام؟

☐ نعم ☐ كلا ☐ لا أعرف

9.4. هل يوجد نظام حفظ وأرشفة رقمية يضمن تخزين بيانات الشراء بشكل سليم ويؤمن سهولة استخدامها وتحليلها؟

☐ نعم ☐ كلا ☐ لا أعرف

9.5. ما هي أبرز العوائق التنظيمية (مثل غياب الأنظمة المعلوماتية، خطوط المسؤولية غير الواضحة أو ضعف أدوات المتابعة) التي تعرقل التطبيق الكامل لقانون الشراء العام في مؤسستك؟

9.6. هل تتواصلون مع هيئة الشراء العام إذا شعرتُم بالحاجة للاستفسار واستيضاح أمر ما يتعلّق بأنظمة الشراء العام؟

☐ نعم، كلّما دعت الحاجة ☐ كلا، لا حاجة لذلك

☐ كلا، لا نعرف مع من يجب التواصل ☐ لا أعرف

9.7. هل لدى إدارتكم أي دعم قانوني و/أو تقني لحل النزاعات مع الموردين؟

☐ نعم ☐ كلا ☐ لا أعرف

9.8. الرجاء تقييم العوائق المؤسسية التالية بحسب أهميّتها (1=عائق ضعيف إلى 5=عائق فائق الأهمية)

- عدم إنشاء أو تفعيل الهيئات المنصوص عليها في القانون

- غياب الأنظمة والإجراءات الداخلية المحدثة

- ضعف التنسيق بين الدوائر داخل الإدارة

- تدخلات في غير محلها في عمل الشراء

- ضعف أنظمة التوثيق والأرشفة

- صعوبة تشكيل اللجان

- نقص التمويل

- غيره، حدّد _____

10. الحاجات التدريبية

- 10.1. هل أنت مهتم بالمشاركة ببرامج تدريب إضافية حول الشراء العام؟
☐ نعم ☐ كلا
- 10.2. في حال الإجابة بنعم، الرجاء تحديد مواضيع التدريب (إجابات متعدّدة)
☐ حوكمة الشراء العام
☐ إعداد الموازنة وتخطيط الشراء
☐ طرق الشراء (المناقصة العمومية، المناقصة على مرحلتين، الاتفاق الرضائي، ...)
☐ تحضير ملفات التلزم (دفاتر الشروط)
☐ تقييم العروض وإرساء العقود
☐ عمل هيئة الشراء العام والهيئات الرقابية
☐ أنظمة الشراء الإلكتروني (E-Procurement)
☐ الأهداف والمبادئ التوجيهية للشراء العام (مثل المنافسة، الشفافية، المساءلة)
☐ التعامل مع الاعتراضات (طلبات إعادة النظر) التي قد تطرأ قبل توقيع العقد
☐ إدارة العقود وحل النزاعات
☐ ممارسات الشراء العام المستدام
☐ الشراء العام والشراكة بين القطاعين العام والخاص
☐ النزاهة والمساءلة والعقوبات
☐ غيره، حدّد: _____
- 10.3. ما هو شكل التدريب الذي تفضّله؟
☐ ورش عمل حضورية
☐ ورشات تدريبية عن بُعد
☐ محاضرات مسجلة مسبقاً يمكن حضورها في أي وقت كان
☐ برامج مختلطة (حضوري وعند بعد)
☐ غيره، حدّد: _____
- 10.4. ما هو المستوى المطلوب للتدريب الذي تراه مناسباً لك حالياً؟
☐ تدريب تعريف (التعرّف الى مبادئ القانون والإجراءات الأساسية)
☐ تدريب متقدم (التحليل، التقييم الفني، إدارة العقود)
☐ تدريب تخصصي (مستوى استراتيجي)
☐ تدريب قطاعي (شراء الأدوية، الخدمات، الأشغال، إلخ)

11. ملاحظات ختامية

- 11.1. أي تعليقات أو اقتراحات إضافية؟ _____

Annex B

In-Depth Interview Guides

تقييم الممارسات والحاجات التدريبية في الشراء العام في لبنان دليل المقابلة مع الجهات الشارية

القسم الأول: الإطار التنظيمي والقدرات البشرية

1. هل لديكم وحدة للشراء العام؟ ما عدد موظفي هذه الوحدة؟ متى أسست هذه الوحدة (قبل القانون أو بعده)؟ في حال النفي هل تم تكليف موظف بمهام هذه الوحدة ومن يقوم بمهام الشراء؟
2. هل تم تعيين لجنة تلزيم ولجنة استلام وفقاً لأحكام القانون؟ وهل لديكم عدد الموظفين الكافي لتعيين لجان تلزيم ولجان استلام لكل عمليات الشراء؟ في حال كان الجواب كلا: ماذا تفعلون في هذه الحالة وكيف تشكّلون اللجان؟
3. هل هناك توزيع واضح للمسؤوليات بين مختلف الأقسام/الأفراد المعيّنين بالشراء العام (الإدارية، المالية، الفنية)؟
4. في حالة البلدية: هل يشارك رئيس المجلس البلدي في اللجان (تلزيم أو استلام)؟ هل يشارك أعضاء المجلس البلدي في اللجان؟
5. في جميع الحالات: من يضع ملف التلزيم؟ هل يشارك من وضع ملف التلزيم في اللجان لنفس عملية الشراء؟ هل يشارك المدير العام (أو رئيس المجلس البلدي) في جلسات فتح العروض؟
6. كم عدد موظفي الشراء العاملين في وزاراتكم حالياً؟ هل تلقوا تدريباً على قانون الشراء العام وآلياته التطبيقية؟ ما هي الجهة التي قامت بالتدريب؟
7. بحسب رأيكم، ما هو عدد الموظفين وما هي المهارات المطلوبة لتنفيذ إجراءات الشراء بكفاءة وامتنال للقانون؟ هل هذه الأعداد والمهارات متاحة ضمن ادارتكم (مؤسستكم...)?
8. ما هي المجالات أو الأحكام المحددة في القانون التي تعتقدون أنها تتطلب مزيداً من الاهتمام لناحية توفير المساندة التقنية العملية أو المواكبة coaching لإدارتكم / مؤسستكم خلال السنتين المقبلتين؟
9. أي نوع من الارشادات العملية تحتاجها ادارتكم /مؤسستكم لمساندكم في تطبيق القانون؟

القسم الثاني: الإجراءات والممارسات العملية

1. هل تقوم ادارتكم (مؤسستكم / بلديتكم) بالتخطيط للشراء العام؟ متى (في أي وقت من السنة)؟ هل تضعون خطة شراء للسنة المقبلة؟
2. هل يتم نشر خطة الشراء السنوية على المنصة الإلكترونية المركزية وعلى موقعكم الإلكتروني خلال المهل المحددة في القانون؟ في حالة النفي، لما لا؟
3. ما هي طرق الشراء الأكثر استخداماً في مؤسستكم (مناقصة عامة، مناقصة على مرحلتين، اتفاق رضائي، طلب عروض أسعار، إلخ)؟
4. هل استخدمتم الاتفاق الاطارى؟ اذا كانت الاجابة نعم: في أي نوع من المشتريات؟ هل واجهتم صعوبات في اجراءاته؟ وما هي؟ اذا كانت الاجابة كلا: هل تخططون لاستخدام هذا النوع من الاتفاق في تأمين حاجاتكم؟ هل تخشون عراقيل محدّدة في اجراءاته؟
5. هل يتمّ اعتماد أنظمة شراء أخرى في حالات التمويل الدولي؟ هل تخضع هذه العقود لرقابة ديوان المحاسبة والتفتيش المركزي؟

6. هل تعتمدون ملفات تلزيم (دفاتر شروط) موحدة أو نماذج رسمية صادرة عن هيئة الشراء العام ولا سيما دفاتر الشروط المنشورة مؤخراً؟
7. كيف يتم إعداد دفاتر الشروط الفنية، ومن يشارك في تحديد الشروط التأهيلية للعارضين والمواصفات الفنية؟
8. كيف تضمنون أن الشروط التأهيلية للعارضين و/أو المواصفات الفنية غير موجهة نحو مورد محدد وأنها تتيح المنافسة العادلة؟
9. كيف تحدّدون المهلة الزمنية للعارضين لتقديم عروضهم؟
10. هل تقبلون عروضاً تقدّمت بعد انقضاء آخر مهلة لتقديم العروض؟
11. هل يتم فتح العروض في جلسة علنية وتوثيقها بمحضر رسمي؟ كيف يتم فتح وتقييم العروض (زمنياً وعدد الجلسات)؟
12. ما هي التحديات التي تواجهونها أثناء فتح وتقييم العروض وتحديد العرض الفائز؟
13. هل تلتزمون بفترة التجميد المنصوص عنها في قانون الشراء العام؟
14. كيف يتم إبلاغ العارض الفائز والعارضين الآخرين؟ هل تقومون بنشر أيّ معلومات في هذه المرحلة؟
15. ما هو تقييمكم لمشاركة القطاع الخاص في عمليات الشراء العام؟ (قابلية المشاركة، عدد العارضين، مستوى الفهم لدفاتر الشروط ولمتطلبات القانون، إلخ).
16. هل لديكم ملفاً لإجراءات الشراء كما ينص عليه القانون؟ كيف (كيفية اعتماده، تيويمه...)?
17. هل تقيّمون الملتزم بعد انتهاء تنفيذه للعقد؟
18. هل حدث أن اعتبرتم ملتزماً معيّناً ناكلاً ونقّذتم إجراءات النكول والاقصاء؟ كيف طبقتكم ذلك وأين نشرتم القرار؟

القسم الثالث: الأنظمة والجهوزية التقنية

1. هل تستخدمون المنصة الإلكترونية المركزية؟ كيف ولماذا؟
2. هل يوجد على موقعكم الإلكتروني قسم مخصص لنشر المعلومات حول الشراء العام الذي تقومون به؟
3. هل لديكم أشخاص محدّدون من ضمن فريق العمل مسؤولون عن الاتصال بالمنصة الإلكترونية المركزية واستخدامها؟ إذا كان الجواب كلا، لماذا لم تكلّفوا أشخاصاً بهذه المهمة؟
4. هل تطلعون على التعليمات والقرارات والتوضيحات المنشورة على المنصة الإلكترونية؟ هل تجدونها مفيدة؟
5. ما هي أبرز الصعوبات التقنية التي تواجهونها في استخدام المنصة؟ هل لديكم أي توصيات في خصوص المنصة؟
6. هل لديكم إجراءات تشغيلية موحدة (SOPs) تنظّم عمليات الشراء؟
7. هل يتم حفظ ملقّات الشراء والعقود إلكترونياً بطريقة تتيح المراجعة والتدقيق بسهولة؟

القسم الرابع: الرقابة والمساءلة

1. ما هي آليات الرقابة الداخلية المعتمدة لديكم للتحقق من صحة الإجراءات واحترام القانون؟ هل تقومون بالتدقيق الداخلي على عمليات الشراء بحسب ما ينص عليه قانون الشراء العام (في حال الاجابة بنعم: من يقوم بالتدقيق وما علاقته بالادارة)؟ ما هي التحديات التي تواجهونها في تطبيق التدقيق الداخلي؟
2. هل تتم مراجعة قرارات الشراء من قبل ديوان المحاسبة أو التفتيش المركزي بانتظام؟ وكيف تصفون علاقتكم مع أجهزة الرقابة؟
3. هل تلقّيتم ملاحظات أو توصيات من الجهات الرقابية بخصوص تطبيق قانون الشراء العام؟
4. هل سبق أن تلقّيتم اعتراضات (طلب اعادة نظر) أو شكاوى من العارضين (مثلاً أمام مجلس الشورى أو ديوان المحاسبة أو حتى في القلم لدى ادارتكم) وبماذا تتعلّق: بمحتوى ملفات التلزيم (دفاتر الشروط) أو بنتيجة التقييم وعلان العرض الفائز؟ إذا كانت الاجابة نعم، ما هي الاجراءات التي اتخذتموها وما كانت النتيجة؟

5. إلى أي طرف تلجأون في حال احتجتم إلى استفسار أو مشورة تتعلق بتطبيق قانون الشراء العام؟
6. كيف تصفون علاقتكم بهيئة الشراء العام؟ هل تتواصلون معها؟ بأية أغراض؟ هل تطلبون موافقتها المسبقة في حالات محددة؟ ما هي؟ هل لديكم أي اقتراحات لتفعيل العلاقة معها؟

القسم الخامس: التحديات المتعلقة بتطبيق القانون والتوصيات

1. ما هي أبرز التحديات التي تواجهونها في تطبيق قانون الشراء العام (نقص التدريب، نقص الموارد المادية أو البشرية، ضعف الجهوزية التقنية لدى الموظفين، تداخل الصلاحيات، تدخلات سياسية أو إدارية، إلخ)
2. ما هو نوع الدعم الفني أو الإداري أو القانوني الذي تحتاجونه لتطبيق القانون بشكل أفضل؟
3. ما هي أهم المعارف التي اكتسبتموها منذ بدء تطبيق قانون الشراء العام؟
4. ما هي أبرز المواضيع التي لم يتمّ التدريب عليها بعد وترونها ضرورية لتحسين أداء وحدات الشراء العام؟
5. هل لديكم توصيات أو رسائل موجهة إلى هيئة الشراء العام أو الهيئات الرقابية أو جهات الوصاية أو أية أطراف أخرى لتحسين التعاون والتطبيق العملي للقانون؟

تقييم الممارسات والحاجات التدريبية في الشراء العام في لبنان دليل المقابلة مع مدرّبي الشراء العام

القسم الأول: تقييم جودة التدريب وأهميته وأثره

1. ما هي المواضيع أو المجالات التي تغطيها عادة دوراتكم التدريبية؟
2. ما هي الفئات المستهدفة التي تدربونها عادة (الإدارات العامة، البلديات، المؤسسات العامة، الجامعات، المستشفيات، إلخ)؟
3. ما هي المواضيع الأكثر طلباً من قبل الجهات الشارية في الدورات التدريبية؟
4. هل تتضمن البرامج التدريبية تطبيقات عملية (مثل إعداد خطة شراء، صياغة دفاتر شروط، أو تقييم عروض)؟
5. من خلال تجاربكم التدريبية، كيف تحدّدون أثر اساليب التعلم الناشط على الاكتساب المعرفي لدى المشاركين؟ هل من حاجات محددة يمكن تقديمها لكم في هذا المجال؟
6. هل تعطون أمثلة واقعية من السوق اللبناني أو حالات فشل ونجاح حقيقية في التدريب؟
7. هل سبق ودريتم تدريب إفتراضي (زووم...)؟ إذا نعم، كيف كان هذا التدريب؟
8. برأيكم إن الإطلاع على بيانات تقييم التدريب يمكن أن يكون مفيداً لكم؟ وكيف؟ وما هي المعلومات التي يمكنكم استثمارها لتفعيل نوعية التدريب ونتائجه؟
9. هل تصلكم أصداًء عن أثر التدريب على أداء الجهات الشارية بعد مشاركتها في الدورات؟

القسم الثاني: التحديات في التدريب ونقل المعرفة لدى المشاركين إلى مكان العمل

1. ما هي أبرز الصعوبات التي تواجهونها أثناء تنفيذ التدريب (عدد المشاركين، الجهوية، التفاعل، ضعف البنية التحتية، إلخ)؟
2. هل هناك عوائق مؤسسية تحدّد من مشاركة موظفي الإدارات العامة في التدريب (مثل ضعف الالتزام، غياب الحوافز، أو ضيق الوقت)؟ ما هي الإدارات التي تنطبق عليها هذه العوائق؟
3. ما هي أبرز نقاط الضعف أو الفجوات المعرفية التي تلاحظونها لدى المتدربين خلال التدريب؟ هل تلاحظون تفاوتاً كبيراً في القدرات بين الجهات الشارية المختلفة؟ إعطاء أمثلة.
4. ما مدى إلمام المتدربين بالمبادئ الأساسية مثل الشفافية والمساواة والنزاهة؟
5. ما هي المواضيع أو المهارات التي يواجه فيها المتدربون صعوبة أكبر (مثل التخطيط، تقييم العروض، إعداد المواصفات، أو إدارة العقود)؟
6. ما مدى استعداد المتدربين لاستخدام المنصة الإلكترونية المركزية (Portal / e-Procurement) عملياً بعد التدريب؟
7. برأيكم ما مدى إستعداد المتدربين لنقل المعرفة إلى مكان العمل؟

القسم الثالث: الإحتياجات المستقبلية من التدريب وبناء القدرات

1. هل تلاحظون تفاوتاً كبيراً في القدرات بين الجهات الشارية المختلفة؟ إعطاء أمثلة.
2. هل تواجهون صعوبة في تكييف التدريب مع اختلاف قدرات أو حاجات الفئات المستهدفة؟
3. ما نوع الدعم أو الأدوات التي تحتاجونها لتحسين جودة التدريب (مواد حديثة، تمارين تطبيقية، أدوات رقمية، إلخ)؟
4. هل ترون حاجة إلى تحديث المحتوى التدريبي ليتماشى مع التحديات الجديدة أو التطورات التقنية؟
5. هل هناك حاجة لتطوير دليل تدريبي موحد أو معتمد رسمياً للمدرّبين في لبنان؟
6. هل تقترحون إنشاء منصة تفاعلية للمدرّبين لتبادل المواد والخبرات والتجارب الناجحة؟
7. ما رأيكم في إنشاء نظام متابعة بعد التدريب coaching أو mentoring لدعم المتدربين أثناء تطبيق ما تعلموه؟

1. كيف تتصورون تطوّر مهنة مدّرب الشراء العام خلال السنوات المقبلة في لبنان؟
2. هل ترون أن هناك حاجة إلى تعاون أكاديمي أو جامعي لتضمين مواضيع الشراء العام في البرامج التعليمية الرسمية؟
3. ما هي المهارات الجديدة التي يجب تطويرها لدى مدّربي الشراء العام في المرحلة المقبلة (التحليل المالي، إدارة المخاطر، الشراء الإلكتروني، إلخ)؟
4. ما هي المواضيع المستقبلية التي يجب التركيز عليها في التدريب (مثل الذكاء الاصطناعي في الشراء...)?
5. هل تودّون إضافة أي ملاحظات أو مقترحات حول تحسين فعالية التدريب أو تطوير قدرات المدّربين أو التنسيق بين الجهات المعنية؟
6. كيف ترون دوركم في عملية الإصلاح في لبنان؟

تقييم الممارسات والحاجات التدريبية في الشراء العام في لبنان دليل المقابلة مع الهيئات الرقابية

القسم الأول: المهام القانونية

1. ما هو دور مؤسستكم في مراقبة عمليات الشراء العام وفق الإطار القانوني الحالي؟
2. كيف غير أو أوضح قانون الشراء العام مهام مؤسستكم مقارنة بالنظام السابق؟
3. هل تتمتع مؤسستكم بصلاحيات واضحة وآليات تنسيق محددة مع هيئة الشراء العام والجهات الرقابية الأخرى؟
4. كيف تقيّمون التوازن بين الرقابة المسبقة والرقابة اللاحقة في ظل القانون الجديد؟ (يطرح السؤال على ديوان المحاسبة حصراً).

القسم الثاني: الإجراءات الرقابية

1. كيف تقومون حالياً بمتابعة التزام الجهات الشارية بأحكام قانون الشراء العام؟ (التدقيق، التفتيش الميداني، مراجعة الوثائق، إلخ).
2. ما هي أبرز المخالفات أو الثغرات التي يتم اكتشافها عادة خلال أعمال الرقابة؟ ما مدى تكرار ورود ملاحظات تتعلق بالشراء العام في تقاريركم السنوية أو الدورية؟
3. كيف يتم إبلاغ الجهات المعنية بالملاحظات، وما هي الآليات المعتمدة لمتابعة تنفيذ التوصيات أو التصحيح؟
4. كيف تتم متابعة تنفيذ العقوبات أو التوصيات الصادرة عنكم بعد التحقيق أو التدقيق؟
5. هل لديكم آلية فعالة لإحالة حالات الاشتباه بالفساد أو الاحتيال إلى الجهات القضائية المختصة؟

القسم الثالث: التنسيق والإشراف

1. كيف يتم التنسيق بينكم وبين هيئة الشراء العام؟
2. هل يمكنكم الاطلاع على بيانات المنصة الإلكترونية المركزية للشراء العام؟
3. ما هي أبرز التحديات التي تواجهونها في الحصول على المعلومات أو البيانات الدقيقة في الوقت المناسب من الجهات الشارية؟
4. كيف يمكن تعزيز التنسيق والتكامل مع هيئة الشراء العام والهيئات الأخرى ذات الصلة؟

القسم الرابع: القدرات والموارد

1. هل تتوفر لديكم القدرات البشرية والتقنية الكافية لتنفيذ مهام الرقابة بفعالية في ظل القانون الجديد؟
2. ما هي أبرز الفجوات الموجودة حالياً في القدرات البشرية والتقنية (نقص في العدد، غياب التدريب المتخصص، ضعف البنية التحتية المعلوماتية، نقص أدوات التحليل، إلخ)؟

القسم الخامس: التحديات القانونية والمؤسسية

1. ما هي أبرز الثغرات أو مكامن الغموض القانوني في قانون الشراء العام التي تعيق ممارسة الدور الرقابي بفعالية؟
2. هل هناك تداخل أو تضارب في الصلاحيات بين مؤسستكم وهيئات رقابية أخرى؟
3. هل تعاونون من أي تدخلات سياسية أو إدارية تحول دون تنفيذ دوركم الرقابي بفعالية؟
4. كيف أثرت الأزمة الاقتصادية والسياسية في لبنان على قدرة مؤسستكم على تنفيذ مهامها؟

1. ما هي أبرز العوائق الحالية أمام تعزيز المساءلة في مجال الشراء العام؟
2. ما هي الإصلاحات أو التعديلات التشريعية التي تعتبرونها ضرورية لتقوية الإطار الرقابي وتعزيز امتثال الجهات الشارية؟
3. ما هي الإجراءات أو الإصلاحات الأخرى التي ترونها ضرورية لتقوية الإطار الرقابي وتعزيز امتثال الجهات الشارية؟
4. ما نوع الدعم الفني أو المؤسسي الذي تحتاجونه لتحسين أدائكم الرقابي في مجال الشراء العام؟
5. هل تودون إضافة أي ملاحظات أو توصيات أخرى؟

تقييم الممارسات والحاجات التدريبية في الشراء العام في لبنان دليل المقابلة مع هيئة الشراء العام

القسم الأول: المهام القانونية والقدرات البشرية

1. هل يمكنكم وصف الهيكل التنظيمي لهيئة الشراء العام؟
2. ما هي الوظائف الأساسية التي تقوم بها الهيئة حالياً (مثل الإشراف، إعداد النماذج، التدريب، الرصد، جمع البيانات)؟
3. كم يبلغ عدد الموظفين الفنيين، القانونيين، المعلوماتيين، والإداريين حالياً مقارنة بما هو مطلوب؟ هل هناك أي عوائق (شواغر وغيره) تحول دون قيام الهيئة بكافة المهام الموكلة إليها في قانون الشراء العام؟
4. هل يتلقى موظفو الهيئة تدريباً كافياً في مجالات الشراء العام، المراقبة، الرقابة الداخلية، المعلوماتية وتحليل البيانات؟ أو أي مجال آخر؟
5. ما هي أبرز فجوات القدرات داخل الهيئة (مثل نقص الخبراء المتخصصين، مهارات تكنولوجيا المعلومات، التحليل القانوني، أو التدريب)؟
6. كيف تمّ تعيين الموظفين الحاليين لدى الهيئة؟ هل تواجه الهيئة صعوبات في توظيف أو استبقاء الكفاءات المؤهلة؟

القسم الثاني: الأنظمة والأدوات

1. هل تتوفر لدى الهيئة الموارد المالية والاستقلالية التشغيلية الكافية لتنفيذ مهامها؟
2. كيف تقيمون أداء وفعالية المنصة الإلكترونية المركزية للشراء العام؟ (سهولة الاستخدام، استقرار النظام، الاتصال بالإنترنت، التكامل مع الأنظمة المالية، قدرات التحليل، إلخ).
3. ما هو دور الهيئة في التدريب وبناء القدرات في مجال الشراء العام؟ وكيف تنظم هذا الموضوع؟
4. هل أعدت الهيئة نماذج ووثائق موحدة وأدلة إرشادية؟ ما هي وتيرة إصدارها وتبويبها؟ هل يتم اعتمادها فعلياً من قبل الإدارات العامة؟

القسم الثالث: مراقبة الشراء والتنسيق مع الجهات المعنية

1. كيف يتم التنسيق بين هيئة الشراء العام والجهات الرقابية الأخرى مثل ديوان المحاسبة والتفتيش المركزي أو الهيئة الوطنية لمكافحة الفساد؟
2. ما هي التحديات التي تواجهونها في فرض استخدام النماذج والوثائق الموحدة وضمان تطبيقها على مستوى الإدارات؟ ما هي الإدارات التي ما زالت لا تطبق قانون الشراء العام؟
3. ما هي التحديات التي تواجهونها في القيام بدوركم الإرشادي مع الجهات الشارية؟
4. هل لدى الهيئة آلية أو آليات لتحديد المخالفات أو الثغرات النظامية في ممارسات الشراء العام؟
5. ما هي التحديات التي تواجهونها في فرض المساءلة عندما لا تلتزم الجهات الشارية بالقانون؟ (إعطاء أمثلة).
6. إلى أي مدى يؤثر التدخل السياسي أو الإداري على ممارسة الهيئة لوظائفها الرقابية؟ (إعطاء أمثلة ولو لم يتم ذكر أسماء).

1. ما هي أبرز العوائق التي تعرقل التطبيق الكامل لقانون الشراء العام على المستويين المركزي والبلدي؟ (نقص الموارد الماديّة أو البشريّة، ضعف الجهوزية التقنية لدى الموظفين، ثقافة إدارية تقليدية ومقاومة مؤسسية، تداخل الصلاحيات، تدخلات سياسيّة أو إداريّة، إلخ).
2. كيف تصفون مستوى الوعي والجهوزية لدى الجهات الشارية للالتزام بالقانون؟
3. هل توجد ثغرات قانونية أو تنظيمية في القانون أو في المراسيم التطبيقية تعيق عمل الهيئة؟
4. ما مدى تأثير الأزمة الاقتصادية والسياسية في لبنان على قدرة الهيئة على أداء مهامها؟
5. ما نوع الدعم الفني أو المؤسسي الذي تحتاجه الهيئة لتعزيز أدائها (التمويل، الدعم التقني، التدريب)؟
6. ما هي أبرز المواضيع التي تعتقدون أنها أولوية للتدريب وهي ضرورية لتحسين أداء وحدات الشراء العام في الجهات الشارية؟
7. كيف ترون تطوّر دور هيئة الشراء العام خلال السنوات الثلاث المقبلة في إطار تعزيز إصلاح نظام الشراء العام؟
8. ما هي الإصلاحات أو المبادرات ذات الأولوية التي تقترحها الهيئة لضمان استدامة تطبيق قانون الشراء العام وتعزيز فعاليته؟
9. كيف تصفون التنسيق حالياً بين المعهد المالي والهيئة؟ ما هو الدور الذي يمكن أن يؤديه معهد باسل فليحان المالي والاقتصادي دعماً لمهام ودور الهيئة؟ هل هناك تكامل في الأدوار؟
10. ما هي الأولويات الثلاث العاجلة التي قد تساعد هيئة الشراء العام في تنفيذ مهامها؟
11. هل هناك أي تعليقات أو توصيات إضافية تودون مشاركتها حول احتياجات الهيئة أو التحديات التي تواجهها أو مقترحات التطوير المستقبلية؟

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القسم الأول: البرامج التدريبية

1. كيف يتم تقاسم الأدوار والمسؤوليات بين المعهد وهيئة الشراء العام في مجال التدريب والتوعية؟ ما هو دور كل من المعهد وهيئة في هذا الإطار؟
2. ما مدى شمولية البرامج التدريبية لمختلف الفئات المستهدفة (الوزارات، البلديات، المؤسسات العامة، القطاع التعليمي والصحي، القطاع الخاص)؟
3. ما هي المواضيع التي لا يشملها تدريب المعهد حالياً؟ هل تنوون تطوير مناهج جديدة في المستقبل القريب؟
4. هل تغطي البرامج التدريبية الجوانب العملية مثل إعداد خطة الشراء، صياغة دفاتر الشروط، إدارة العقود، والشراء الإلكتروني؟
5. هل يتم استخدام المنصة الإلكترونية المركزية خلال التدريب؟
6. ما هي مقاربتكم لتوسيع قاعدة الخبراء والمدرّبين المتخصصين في الشراء العام لتلبية الطلب المتزايد على التدريب؟
7. هل يتم تقييم أثر التدريب بعد انتهاء الدورة (من خلال استبيانات، اختبارات، غير ذلك)؟ وما هي التليات المعتمدة لتقييم مدى استفادة المتدربين من البرامج التدريبية؟
8. هل توجد متابعة لاحقة (Post-training follow-up) لقياس أثر التدريب على أداء الجهات الشارية؟

القسم الثاني: التحديات والاحتياجات

1. ما هي أبرز التحديات التي يواجهها المعهد في توسيع نطاق التدريب ليشمل جميع الجهات الشارية في لبنان (الإدارات المترددة، البلديات البعيدة، بالإضافة إلى جهات محددة مثل القضاء والمسؤولين القيايين والقطاع الخاص)؟
2. ما هي التحديات المرتبطة بضعف الجهورية المؤسسية لدى بعض الجهات المستهدفة (مثل البلديات أو المؤسسات الصغيرة)؟
3. ما هي تحديات التنسيق مع الجهات التدريبية الأخرى مثل المعهد الوطني للإدارة والجامعات الرسمية والخاصة.
4. كيف أثرت الأزمات المالية والإدارية في لبنان على قدرة المعهد على تنفيذ برامجه وعلى الموارد البشرية والتقنية واللوجستية المتاحة؟
5. ما هي الثغرات الأساسية في تطبيق قانون الشراء العام؟ ما هي الجوانب التي لم يتم تنفيذها (مثلاً هيئة الاعتراضات وغيرها)؟
6. ما هي أبرز الاحتياجات الحالية التي يجب تلبيتها لتمكين المعهد من أداء دوره بشكل أفضل؟

القسم الثالث: مستقبل التدريب في الشراء العام

1. ما هي رؤية المعهد المستقبلية لتعزيز مهنية الشراء العام خلال السنوات الخمس القادمة؟
2. هل هناك خطط لتطوير منصة تعلّم إلكتروني (e-learning) أو أدوات رقمية داعمة للتدريب المستمر؟
3. ما هي التوصيات الأساسية التي تودّون توجيهها إلى هيئة الشراء العام، والجهات المانحة، وصانعي القرار لضمان استدامة جهود الإصلاح؟
4. هل تودّون إضافة أي ملاحظات أو مقترحات حول تحسين فعالية التدريب أو تطوير قدرات المدرّبين أو التنسيق بين الجهات المعنية؟

تقييم الممارسات والحاجات التدريبية في الشراء العام في لبنان دليل المقابلة مع مجلس شورى الدولة

القسم الأول: المهام القانونية

1. ما هو دور مؤسستكم في مراقبة عمليات الشراء العام وفق الإطار القانوني الحالي؟

القسم الثاني: الإجراءات الرقابية

1. ما هو عدد المراجعات المقدّمة أمام المجلس كقضاء عجلة وكقضاء إبطال؟ ما هي القرارات الممكن اتخاذها في الحالتين؟
2. ما هي أبرز المخالفات أو الثغرات التي يتم اكتشافها عادة؟
3. هل تقدّم مراجعات تتعلّق بصفقات لم تعقد أصولاً وما الذي يقوم به المجلس في هذا الإطار؟
4. هل يتابع مجلس الشورى تنفيذ قراراته وكيف؟

القسم الثالث: التحديات القانونية والمؤسسية

1. هل يتعارض نظام الاعتراض في قانون الشراء العام مع صلاحيّات مجلس الشورى وكيف يتمّ التوفيق بينهما؟

القسم الرابع: الاحتياجات والتوصيات

1. ما هي الإصلاحات أو التعديلات التشريعية التي تعتبرونها ضرورية لتقوية الإطار الرقابي وتعزيز امتثال الجهات الشارية؟
2. ما هي الإجراءات أو الإصلاحات الأخرى التي ترونها ضرورية لتقوية الإطار الرقابي وتعزيز امتثال الجهات الشارية؟
3. ما هي الحاجات التدريبية لقضاة المجلس (على سبيل المثال، الشراء الإلكتروني، تكنولوجيا المعلومات، إلخ) وللجهات الشارية؟
4. هل تودون إضافة أي ملاحظات أو توصيات أخرى؟

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