



Mapping of Public Procurement Regulations and Procedures in **Argentina**



The main takeaways of this analysis are the following:

- 1) Regulation of public procurement is divided by governmental levels (national, provincial and municipal) and each one of them is divided by governmental branches (executive, legislative and judicial), with the executive branch spending most of the public money.
- 2) The procurement of goods and services, the procurement of public works and Public-Private Partnership contracts tend to be regulated independently (i.e. by different rules). Furthermore, each procurement type has its own enforcement authority.
- 3) For the procurement of goods and services, the vast majority of public administration including centralized administration (e.g. Ministries) and most decentralized entities (autarkic entities) apply the general public procurement regime. Some decentralized entities, including all public companies, however, establish their own public procurement regimes.
- 4) Most of the procurement regimes are based on a centralized regulation (unique policy making and enforcement authority) with decentralized operations.
- 5) The contractor selection procedure depends on the estimated cost of the procurement, with public tender being the standard selection procedure. For smaller procurements, private tender and price biddings may be used, inviting only a determined quantity of bidders to present their bids. Finally, direct awarding applies in specific circumstances - such as small purchases, urgency, contracts between State agencies or in cases where only a sole supplier exists.
- 6) Foreign companies can be bidders in either "national" public tenders (if they have a branch office in Argentina) or "international" public tenders (if they do not have a branch office in Argentina).
- 7) Preference regimes for national or local goods or services, and national or local companies, are regulated at each governmental level. At the federal level, the national companies currently enjoy 5% preference. Generally, none of those preferences apply to contracts partially or fully funded by International Financial Institutions.
- 8) The websites of the procuring entities contain all the necessary information on the calls for public tenders.
- 9) Electronic procurement platforms are currently being developed and implemented by different jurisdictions.
- 10) Various municipalities are following the global trend of smart cities, which implies large investments in new technologies.
- 11) Public companies are a central factor in public procurements. They have their own procurement regulations and vast experience with foreign investors.

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