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Journal of business and entrepreneurial studies, vol. 5, núm. 3, 2021

Universidad de Oriente, México

Disponible en: <https://www.redalyc.org/articulo.oa?id=573669774005>




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Administrative management in procurement processes in a public sector entity

La gestión administrativa en los procesos de adquisiciones en una entidad del sector público


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Journal of business and entrepreneurial studies, vol. 5, núm. 3, 2021

Universidad de Oriente, México

Recepción: 09 Octubre 2020

Aprobación: 01 Diciembre 2020

Redalyc: <https://www.redalyc.org/articulo.oa?id=573669774005>

Abstract: The objective of this work was to investigate the implications of administrative management in the procurement processes in a public sector entity, with a qualitative approach, the design was a case study, interviews were conducted using structured interview guides, the results of which will allow authorities and officials to implement corrective measures so that administrative management and procurement processes are done efficiently and transparently. The results showed that there was no interrelation between the phases of administrative management, deadlines were not met, the directives or manuals are outdated, there is a lack of monitoring of their processes and oversight, in order to achieve the goals set by the entity in a timely manner.

Keywords: administrative management, procurement process, control.

Resumen: El objetivo de este trabajo, fue indagar las implicancias que tuvo la gestión administrativa en los procesos de adquisiciones en una entidad del sector público, de enfoque cualitativo, el diseño fue el estudio de casos, se realizaron entrevistas usando las guías de entrevista estructurada, cuyos resultados obtenidos van a permitir que las autoridades y funcionarios ejecutar las medidas correctivas para que la gestión administrativa y los procesos de adquisiciones se hagan con eficiencia y transparencia. Los resultados permitieron conocer que no hubo interrelación entre las fases de la gestión administrativa, no se cumplieron los plazos, las directivas o manuales están desactualizadas, falta de monitoreo a sus procesos y su fiscalización, para lograr las metas trazadas por la entidad con oportunidad.

Palabras clave: Gestión administrativa, proceso de adquisiciones, control.

INTRODUCTION

State procurement is carried out worldwide, and is done in different ways, especially in the procedures and the legal framework that supports them. In this sense, Berriel (2011) describes how procurement was carried out in Asia, basically in Hong Kong, Nepal and South Korea, and finally concluded that with appropriate strategies significant changes can be made, and that the personnel dedicated to corporate procurement should be competent, specialized, professional and make use of all technologies, so that these procurements are carried out with transparency. In Latin America, the Inter-American Network of Government Procurement (RICG) is made up of more than 32 countries that meet annually to unite all the procurement systems and evaluate whether the innovations that have been implemented have achieved improvements in government procurement in accordance with the legal, economic and social environment of each American country.

In Peru the body that regulates state procurement is the Supervisory Body of State Contracting, they act under the Law of State Contracting of January 9, 2016, Law No. 30225 - Law of State Contracting - (LCE) and its regulations in force since the Supreme Decree No. 350-2015-EF., with this regulation it is sought that all state entities apply the law in a thorough way in the procurement processes, this will allow the acquisitions to be made in a timely manner, under better conditions of prices, quality that ensure transparency in each state entity, i.e. it is sought that the acquisitions are efficient, try to end the acts of corruption. This study will allow the entity to correct and prevent its officials from infringing and committing illicit acts when they make use of the state contracting law, dictating measures and directives that will allow direct acquisitions, small purchases, bids, etc., to be carried out properly, for which they must have control policies, carry out follow-ups with the purpose of improving the procedures that are executed in the administrative management, achieve transparency, in this way correcting all the errors will allow the entity to acquire goods and services in the established terms, quality at lower prices for the benefit of the entity, these actions cause the population to improve in their perception and distrust that have been earned by the state entities. Likewise, the following previous international works have been taken into account: the lack of proper budget planning has negative causes in state procurement due to personnel turnover, changes in public procurement rules, and budget items are not properly used. Consequently, in order to execute the stages of the contracts, it is necessary to plan the Annual Operational Plan and train the staff that executes this programming, thus being able to effectively control and evaluate the management. Corruption manages acquisitions and services on the awards that are made where public officials at the highest level are colluded and are not punished, they enjoy impunity, although they are the ones who benefit from these acts to the detriment of the Mexican population, these vices are even in the regulations, Despite the fact that there is knowledge, nothing is done to combat and correct these norms,

it is worth saying that there is no political will, he concludes that there are deficiencies regarding public procurement, among them we have that there is no regulation and control, there is no control of suppliers, there is no register, adequate guarantees are not required in order to ensure that suppliers comply with what they offer. Finally, Rossi, Murillo and Puente, (2002) in their article affirmed that there is no transparency and that corruption must be fought, which acts in different ways, one of them is how public officials are induced to act against the regulations, since they are given rewards to favor suppliers. The results of this research allow us to visualize that if the administrative management improves efficiently and has adequate information about the products it needs, it will solve these corrupt and irregular activities in state purchases.

In relation to the previous national works, it was specified the weakness in the information systems, monitoring should be carried out, allowing to evaluate the users, due to the fact that it is not in accordance with the rules issued to manage the processes within the deadlines, there is no articulation in the administrative areas which causes a delay in the works, affecting the basic needs of the Institution. On the other hand, Bocanegra, (2015) in his thesis, concluded that, internal control plays an essential role in the processes in reference to the works executed by the district municipality of José Crespo y Castillo of the Province of Leoncio Prado, as long as, an efficient control is carried out, the risks to be evaluated and the tasks on managerial control will be of benefit to the community.

Regarding the theoretical reference framework, the following categories have been taken into account: administrative management and procurement of goods, administrative management is a way of managing and directing a professional activity to achieve the resources, the goals for its execution, that is, to organize the systems. In the same way Münch, (2014) stated that administration has functions, the knowledge of which is vital in order to apply the procedure, rules, techniques and management handles. The following sub-categories were taken into account: planning, defined by Münch, (2014) is how the processes and the direction taken by the entity are defined, also how the products are made and their methods for their achievement. Similarly, according to, Chiavenato (2017) planning is an administrative function that is done in advance to know the objectives to be achieved, it is a model for the future. The sub-category, organization, defined by Münch, (2014) is how a company is managed to function in a simple way and that the processes have fluidity for those who work, here the functions, procedures, systems and categories are defined to achieve the objectives of the company. The organization is a process where the structure of an organization is defined. As for the subcategory management according to Münch, (2014) is the execution of the stages of an administrative process by directing, guiding the assets, and leading through the leader. On the other hand, it is the phase in which managers exert influence among their collaborators to achieve the designed goals. Similarly, according to Heredia and Fonseca, (2020) in this stage a collaborative management model should also be considered, and in this way the worker is integrated to develop their

functions. Finally, the subcategory control, according to Münch, (2014) stated that control is the stage where the rules are specified to evaluate the results whose objective is to detect and correct what has been executed irregularly. On the other hand, control is defined as measuring the actual results with respect to the plans, detecting errors and taking corrective measures.

The category Assets refers to the resources required by the entity to fulfill its purposes and meet its goals. Also, according to the United Nations Organization (UNO), goods are things whether movable or immovable, tangible or intangible, and the vouchers that certify the ownership of these assets. According to the contracting law, the subcategories considered were the programming phase and preparatory acts, the needs are determined, the PAC is approved, the institutional budget, the referential value is determined, the types of selection process to be convened, the special committee is appointed and here the bases are prepared and approved. The subcategory selection phase, is where the bidding is convened, registered, questions are asked and how the Committee resolves the consultations and observations, to then integrate the bidding conditions, the bids are presented and reviewed and then the award of the bid is given. Finally, the subcategory, the contractual phase, begins with the signing of the contract until compliance and payment for the goods and services provided. This research was carried out at INEI, based on the concepts of the goods and services category, and analyzed and evaluated the employees of the logistics area, in the period from 2013 to 2018. Despite the fact that the state entities are governed by the same regulations, it was possible to observe deficiencies such as those detailed, the documents of the companies were not adequately reviewed, because some companies surprised with false documentation to prove their experience, quotations were found from bidders who were not of the item to be contracted, These shortcomings are detrimental to the entity and therefore a series of controls should be implemented, as well as a review of obsolete manuals and directives, so that employees can perform their duties in a transparent manner.

As for the justification, the theoretical justification, in this study with the efficient application of procurement regulations will allow the entity that its procurement is done properly and avoid illegal acts, it is essential to follow up and control to improve processes and the entity can have its goods in a timely manner and at prices according to the market. The practical justification is to ensure that acquisitions are rigid, that all errors are corrected, and that the entity implements strategies and controls for a better performance of its workers. Finally, the methodological justification, allowed a series of approaches, techniques to obtain and achieve the objectives, according to the categories of research, so that the results obtained serve for future research. Likewise, this research contributes because according to the deficiencies found, it will allow the entity to make improvements in its management from the planning of its processes, to strengthen and lead its personnel, that they have the will for

a culture of change, in this way the institution will achieve its institutional goals.

MATERIALS AND METHODS

The present work was of interpretative paradigm, for Cataldo, (2006) it is the study of people's interpretations. The approach was qualitative defined by Cuenya and Ruetti, (2010) because it investigates the phenomena that happen in their usual context, the design used was the case study, which according to Atonal, (2020) is a very rigorous method, because it seeks to explain how and why they happen, the method was inductive, which according to Rodriguez and Perez, (2017) is analyzed from the particular to the general. This research took place at INEI, the governing institution of the national statistical system, with seven participants, including managers and personnel specialized in the area of hiring.

As techniques for obtaining the data, the interview was used, which is a set of procedures involving the interviewer and the interviewee; 19 open questions were used, while the documentary analysis, according to Cunha (1989), is the review of the information contained in the documentary sources; a documentary analysis matrix was used for the respective analysis. The instruments used were the structured interview guide, which contains the questions asked to the interviewee. The other instrument was the laws, in this case of study, the contracting law and the budget law of each fiscal year.

Once the data from the interviews were collected, they were first coded, analyzed and interpreted with a triangulation that allowed us to compare and later validate the results. We worked with two categories: administrative management and goods and services; the subcategories of administrative management were planning, organization, direction and control, and the subcategories of goods and services were the programming phase and preparatory acts, the selection phase and the contractual phase. In the present study the scientific rigor was done with the recent regulations of the Universidad César Vallejo, using credibility, confirmability and transferability, respecting the original information without adulterating the information.

Finally, to carry out the analysis of the seven interviews that were transcribed, categorized and codified, two emerging categories were obtained, and finally, the triangulation of the data was carried out according to the explicitness of the qualitative method.

RESULTS

This analysis is the product of triangulation (a method where 3 or more aspects or different observers or different data sources are used).

According to the general objective: To investigate the implications of administrative management in the processes of procurement of goods

and services at the National Institute of Statistics and Informatics. The interviewees responded in a general way that these implications occurred in the administrative management in the development of the acquisition of goods and services due to a lack of coordination between the areas that motivated the failure to meet the purposes, errors in the preparation of the tables of needs due to lack of planning added to the deficiencies in the design and strategies, It is also a priority to have updated functions and tasks with a new organizational manual of functions, the entity must correct this anomaly there should be no unnamed positions guidelines because there must be hierarchies and motivation to staff so that their work is executed with honesty and transparency, those who infringe must be punished, control in the entities is vital because it allows correcting errors through the recommendations that are given, In this way we avoid any act of corruption, in the programming stage and preparatory acts, delays in the processes must be corrected, price inquiries must be carried out as indicated in the procurement regulations, this allows deficiencies to be avoided and it is key that the procurement area has a staff with experience in the procurement law and is continuously fed back with training, In the selection phase, the Special Committee's overloaded work on certain occasions causes delays in the awarding of contracts because they prioritize their activities, which is why the Committee should be given support.

In the coding process resulting from the interview, two categories, training and personnel selection, were found to be emergent, apart from the two a priori categories.

According to Parra, Rodríguez (2016), training is the process in which a company encourages its personnel to learn and obtain skills and abilities so that they can develop and increase their production in their work throughout the company. The participants in the interview said that personnel must be trained continuously in contracting, civil or criminal liability and control regulations, thus providing feedback, increasing and standardizing strategies that allow for the development of activities for the benefit of the company. These trainings are vital and important because in the face of constant changes in the contracting law, the personnel working in the contracting area must be continuously trained to improve their performance.

Personnel selection, according to Armijos, Bermúdez and Mora (2019), starts with the definition of the mandatory criteria to fill an open position, in relation to the objectives of the entity and the policies and programs to ensure the entry of suitable personnel; on these bases the candidates are chosen. The interviewees said that the selection of personnel is essential, it allows having personnel with experience, certified in contracting, in order to fulfill their work in the supply area and it is important for the entity to have suitable and motivated personnel for the benefit of the entity, to prevent the personnel from leaving the institution, they must be granted adequate salary to have achievements in the entity.

The documentary analysis was made through the Contracting Law and its regulations, it is likely that due to the poor performance of the personnel, mistakes are made as described in the results, it is essential that the entity is supervised and fulfills its role. The entity must supervise and monitor its employees so that their work is transparent. In reference to the fiscal year budget law, this is based on the fact that the regulations contemplate that all acquisitions made must have their respective budget and be included in the Annual Contracting Plan that is prepared each year.

DISCUSSION

In this work, only the general objective will be carried out: To investigate the implications of administrative management in the processes of procurement of goods and services in the National Institute of Statistics and Informatics, the interviewees stated that these implications occurred because there was no coordination between areas, lack of planning, providing the area with suitable personnel to carry out their work in a timely manner and thus the institution meets its objectives. In this sense. On the other hand, Navarrete, Reyna, Haro, García (2019) in their article argued that the entities need to plan, control and evaluate, their work within their day and in this way the purposes of the entity are achieved. Likewise, the interviewees mentioned that the directives and the MOF need to be updated, and that the hierarchies and functions of the personnel need to be established and ordered. On the other hand, the interviewees on prevention, validation and correction agree that it is necessary that the recommendations made by the control body should be implemented, thus avoiding acts of corruption, in this regard, according to Bocanegra, (2015) stated that control has an essential role in the activities of the entity, avoids risks and corrects what was done by the staff. In reference to the table of needs, market study, approval of bases and call for bids, the interviewees said that delays should be avoided, the study of prices should be carried out in accordance with the procurement rules, regarding the consultation of observations, submission of proposals, these should be made within the deadlines provided for that reason the Special Committee should be strengthened and given the necessary support, contracts should have follow-up and monitoring, to apply penalties when appropriate. In that sense, Damian, (2018) in his research, argued, that there is weakness in the information systems, because there is no follow-up according to the rules provided for these processes, in the scheduled times. For an entity to be efficient in its management, planning, organization, direction and control must be complied with, there must be an interrelation, all obsolete directives or manuals must be changed, and there must be personnel prepared to develop the goals set by the entity in a timely and effective manner, for the benefit of the population.

CONCLUSIONS

Management stages must be interrelated, deadlines must be met, hierarchies must be established, directives or manuals must be reviewed, processes must be monitored, and specialized personnel must be available to achieve the goals set by the entity in a timely and efficient manner. It is recommended that the institution's authorities, especially the contracting area, ensure that procurement processes are carried out in accordance with the approved plans, and that the agencies involved supervise and make corrective actions in a timely manner. The projects included in the Annual Procurement Plan are the ones that cause many problems, there is an obsolete manual of functions, there is no follow-up and monitoring of the processes as well as a subsequent audit, it is suggested to the authorities to evaluate whether in the future they will sign agreements with new processes to avoid what is happening in the entity, also urgently implement a new manual of functions according to the current reality, finally the authorities must implement a control system, supervise the processes that everything offered is in accordance with the contract.

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