

Open Contracting in TANZANIA

At a glance



Open contracting can transform public procurement through better data, analysis and engagement with businesses and civil society. It involves (1) disclosure of open data and documents about the planning, procurement, and management of public contracts; and (2) engagement with civic and business users of information, leading to improved accountability and redress by government agencies or contractors through acting on the feedback received.



COUNTRY FACTS

Uses e-procurement system	NO
Implements Open Contracting Data Standard	NO
Active open contracting infomediaries	NO



COUNTRY HIGHLIGHTS

Tanzania is a member of Construction Sector Transparency Initiative (CosT)

Tanzania developed an Open Data Portal as part of its OGP commitments

The country amended its procurement law in 2016 to reduce bureaucracy



OPEN CONTRACTING OPPORTUNITIES IN TANZANIA

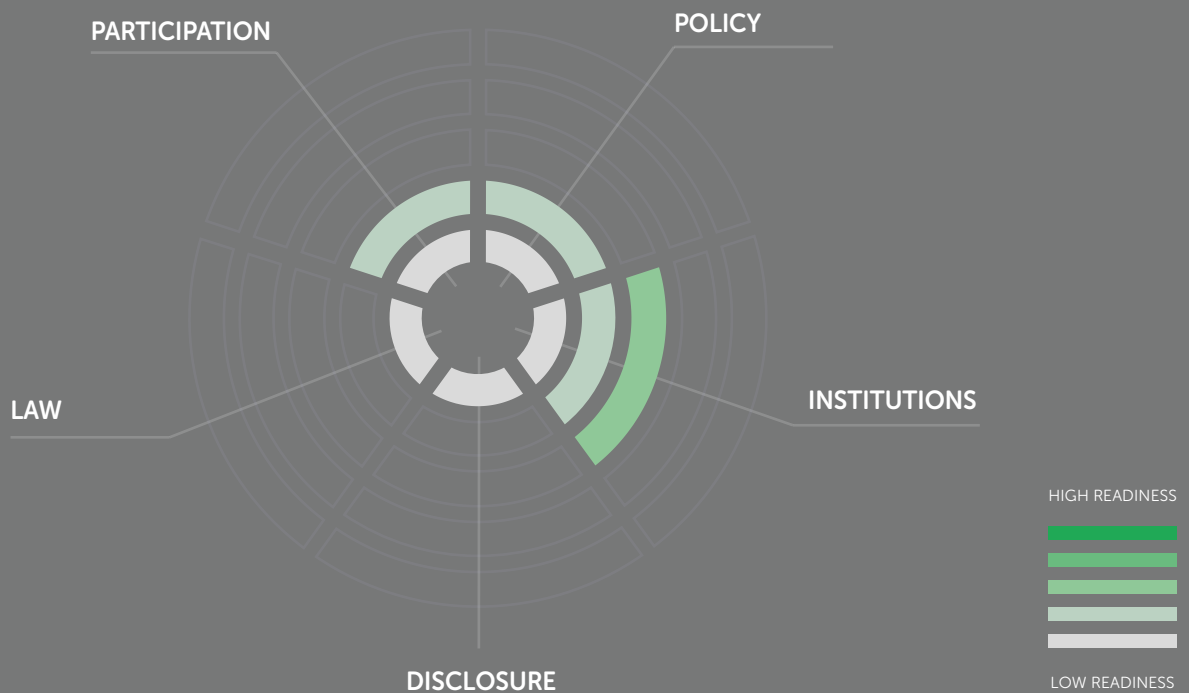
Tanzania's public procurement law should clearly state how citizens can participate in public procurement, including monitoring of processes and procedures.

The Public Procurement Regulatory Authority (PPRA) should periodically publish detailed information from procuring entities on all five stage of the contracting cycle, in line with the Open Contracting Data Standard.

Leading procurement agencies can coordinate efforts to normalize open contracting and its benefits among public officials and key data-owning agencies.

Addressing the lack of ICT capacities among public servants would help them to give citizens more useful, timely information to help enhance transparency in public contracting. Strengthening links between public agencies may help to ensure each agency has appropriate monitoring and enforcement capabilities.

To provide a level playing-field for business and address a lack of trust in the system, procurement should be conducted in a transparent and open manner, and a culture of accountability should be fostered.



EVALUATION OF OPEN CONTRACTING READINESS IN TANZANIA

LAW:

Although freedom of information is enshrined in the constitution, gaining access to government-held information continues to be a challenge in Tanzania, and there is no legal framework that specifically covers access to open contracting information. An amendment to the Public Procurement Act, enacted into law in 2016, seeks to address gaps in legislation, including open contracting. The amended act requires a witness at the signing of contracts, and for entities to report procurements electronically (where possible) or manually. Tanzania does not have a Freedom of Information Act, despite pledges by the president at the 2013 OGP Summit to pass such legislation the following year. Meanwhile, a Media and Freedom of Information bill has been put on hold, and a new law passed in 2015, the Statistics Act, has come under intense criticism for violating media freedom and the right to information. In 2010, the country began drafting a new constitution that would be more inclusive and people-centered, and would include open contracting in its provisions, but the drafting process has stalled.

POLICY:

Tanzania joined the Open Government Partnership in 2011. Neither of its first two national action plans committed to implementing open contracting. Tanzania is also a member of other regional and global initiatives such as the Universal Periodic Review (UPR) and the African Peer Review Mechanism (APRM); both of which require governments to commit to improving good governance in public service. There are no other high-level policy commitments to open contracting in Tanzania.

INSTITUTIONS:

The main institution responsible for public procurement is the Public Procurement Regulatory Authority (PPRA), which oversees procurement standards and practices, and monitors compliance of procuring entities.

The Government Procurement Services Agency (GPSA) is responsible for centralizing the procurement of stock items for resale to government and nongovernmental institutions, and for procuring common goods and services for other public institutions using framework contracts. The GPSA publishes procurement data on its website in an open data format.

DISCLOSURE:

Contracting information is usually published in PDF format, and in print in the Tanzania Procurement Journal. Tender advertisements are also available to the public through daily and weekly papers. Although the PPRA's website is generally updated regularly, the websites of most procuring entities are usually outdated, taking several weeks or even months for information to be published online.

PARTICIPATION:

There is no program in place to engage citizens and the private sector in open contracting. However, the PPRA has reached out to citizens through educational television programs, Swahili brochures, radio shows, and through the Tanzania Procurement Journal. There is little evidence of publicly available information being used by the government, private sector, or civil society for policy making, business development, or advocacy.