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# Using E-Tenders in the United Arab Emirates to Enhance Transparency and Integrity

Dr. Karem Sayed Aboelazm<sup>1</sup>

## Abstract

*This paper presents the transition from the paper system to the electronic system of the tenders' system in the United Arab Emirates by providing definitions of the concept of public procurement and electronic public procurement based on the United Arab Emirates Law. The researchers' point of view was also presented in the previous two definitions. This paper also looks at the digital transformation of public procurement in the United Arab Emirates using the electronic tender's system. The paper reached several results, the most important of which is the existence of six e- portals for government procurement in the UAE that use the e-bidding system, which led to saving a lot of money at the federal and local levels, increase transparency and enhance integrity.*

**Keywords:** Public Procurement, Transparency, Integrity, Digital Transformation, E-Public Procurement, E-Tender, United Arab Emirates.

## 1. Introduction

According to Thai (2001), countries spend 15% to 20% of their GDP on procurement to meet their needs for products and services, making them the market's top consumers. Public purchases of products and services account for more than 60% of public spending in some nations (Tesfahun, 2011). The OECD estimates that the yearly value of public procurement in OECD nations is \$4.733 billion (Basil Fuleihan Financial and Economic Institute, 2015). In parallel, public procurement accounts for between 15% and 20% of GDP in Arab nations (Aboelazm, 2022a). On the other hand, developing nations spend almost 820 billion US dollars on public procurement each year (The World Bank, 2012). As a result, bad public procurement methods squander money and resources at the federal level, which is bad for the nation's economy. In order to promote openness, honesty, and sustainability while decreasing monopoly in public procurement, most nations—including the United Arab Emirates (UAE) in particular—designed various policies to secure an electronic system.

Additionally, when formulating public policy, governments attempt to use electronic systems in all areas (Aboelazm, 2021). Nowadays, most nations have discovered that using technology in a variety of areas, such as e-justice (Aboelazm, 2022b), e-commerce, and public procurement (Carayannis, 2001), results in numerous benefits through the establishment of an electronic tender system, which significantly reduces corruption (Vaidya, 2006) and achieves higher levels

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<sup>1</sup> Assistant Professor of Public Law, College of Law, Umm Al Quwain University, United Arab Emirates, Email: [karem.s.aboelazm@gmail.com](mailto:karem.s.aboelazm@gmail.com) & [drkarem.a@uaqu.ac.ae](mailto:drkarem.a@uaqu.ac.ae), ORCID: <https://orcid.org/0000-0001-6126-1114>

of transparency and integrity in public procurement to reduce public spending by saving time, effort, and resources used on the process.

The United Arab Emirates recently significantly improved its public procurement system through the implementation of many changes. These changes are intended to promote the transparency, accountability, and efficiency of the procurement process, ensuring that taxpayer funds are used effectively. A centralized e-procurement system, a regulatory body for procurement involving small and medium-sized businesses in public tenders, using public procurement to achieve sustainability, and a code of ethics for procurement specialists are some of the changes. The nation's overall economic competitiveness is anticipated to rise as a result of these reforms, which are expected to increase private-sector investment (Cherian, Munuswamy & Jasim, 2020; Tutu, Kissi, Osei-Tutu, & Desmond, 2019).

## **2. Methodology**

Regarding public and electronic procurement definitions, the study relied on descriptive methodology. The Federal Procurement and Stores Regulations of the United Arab Emirates were examined using the analytical method. The study drew on various sources, including publications released by specialist international organizations like the World Bank and the Organization for Economic Cooperation and Development and articles published in international journals indexed on Scopus and Web of Science. It also used several legislations, including the United Arab Emirates law.

## **3. Definition of Public Procurement**

According to Lee (2010), procurement is locating and obtaining the required goods and services from the public and private sectors at the most competitive price while upholding acceptable quality margins. This has increased interest in public procurement from the general public, the private sector, and policymakers (Larbi, Baiden & Agyekum, 2019; Offei, Kissi, & Badu, 2016). The disparities between public and private procurement do exist, though. On the other hand, public procurement focuses on providing a good or service to serve the public interest under the guidelines established by legal orders, directives, judgments, political or administrative decisions, and in the context of a preconceived plan (Gordon, 1996; Bright, 1994; Panayiotou et al., 2004).

"The act of procuring from third parties includes the acquisition of goods, services, and building projects," according to Gershon. From the conception and identification of business requirements to the end of a services contract or the end of an asset's usable life, this process encompasses the whole life cycle (Gershon, 1999). Therefore, the goal of public procurement is to find suppliers and contractors who can provide goods and services swiftly and efficiently (Atiga & Azanlerigu, 2017).

However, the majority of national laws do not provide a precise definition of public procurement. For instance, Egyptian law (Egyptian Public Procurement Law No. 182 for 2018) did not define public procurement. However, it was outlined as follows in the UNCITRAL Law (UNCITRAL Model Law on Public Procurement 2011) and the Procurement and Warehouse Regulations in the United Arab Emirates (Cabinet Decision No. 4 of 2019):

Public procurement, according to UNCITRAL law, "means the acquisition of goods, construction, or services by a procuring entity" (Article 2 of the 2011 UNCITRAL Model Law

on Public Procurement). Contrarily, according to the law of the United Arab Emirates, it is "Any good, service, or business needed by the federal authorities to carry out their business" (Article (1) from Cabinet Decision No. (4) of 2019).

Since the law stipulated that only needs of federal authorities could be covered by public procurement, whether these needs are for supplies, services, or even construction work, public procurement includes any needs of the federal government but excludes any needs of local government.

#### **4. Definition of E-Public Procurement**

Despite the development of numerous innovative systems that can be used in procurement, including artificial intelligence and electronic systems that would develop support systems for the government, most developing countries, including Egypt, still do not have electronic tenders' systems in place (Schiele & Torn, 2020). But several countries, including South Korea (Kim, 2008; Lim et al., 2008; Lim & Lee, 2006; The World Bank, 2004), Italy (Giacalone et al., 2006; OECD, 2011), and the United Arab Emirates, do employ it.

"Electronic public procurement" can be used to define the use of ICT to establish purchasing between awarding entities and suppliers, according to the concept of public tenders mentioned earlier (Asamoah & Annan, 2019; Tutu, Kissi, Osei-Tutu & Desmond, 2019).

According to (Baltharzzar, Bernard, and Kofi, 2019; Davlila et al., 2003), "e-public procurement" refers to the use of ICT by the government to manage its relationships with suppliers who submit bids for the acquisition of products and services, construction projects, and consulting services. In addition, it involves "the application of technological tools to significant steps in the public procurement process, including contract award, selection, and communication" (Sun et al., 2012; Belisari, Appolloni & Cerruti, 2019).

The aforementioned definitions apply to professions or fields that have made use of technological, communicative, or electronic methods; depending on the circumstance, all or more of these domains may be covered (Aboelazm, 2022a). However, none of these criteria included e-public procurement goals. Roman provides the following definition of e-procurement: "e-procurement can be understood as the digitalization of key purchasing processes elements, such as search, selection, communication, bidding, or contract awarding" (Roman, 2013).

Public procurement is defined as "information systems shared between various governmental organizations and the private sector, which are carried out electronically in any part of the procurement process" (Walker & Brammer, 2012; Carayannis, & Popescu, 2005) in order to increase efficiency, quality, and transparency.

However, UNCITRAL law did not provide a definition for electronic public procurement. Even so, Article (1) of Cabinet Decision No. (4) of 2019 defines it as the electronic system created by the Ministry and used in the federal body to carry out all procurement-related procedures in accordance with United Arab Emirates law.

#### **5. E-Tenders System in the United Arab Emirates Laws**

In the United Arab Emirates, there is an e-public tenders' system at a central level, and decentralized e-public procurement systems, consisting of:

The central electronic tenders' system, which is used to notify suppliers electronically of procedures pertaining to their activities as well as to advertise all tenders, procedures, and competitions (Article 7 from Cabinet Decision No. (4) of 2019), According to Article (8) of Cabinet Decision No. (4) of 2019, the federal government entities set up an electronic database for suppliers and accept all bids and offers electronically (Article 16 of Cabinet Decision No. (4) of 2019). According to Article (28) from Cabinet Decision No. (4) of 2019, the supplier is informed that his proposal has been received via the electronic procurement system.

Along with the decentralized electronic public tender's system, which includes the following (Official platform for the Government of the United Arab Emirates):

- **Al Maqtaa Gate, the digital platform for Abu Dhabi government procurement**, is allocated for this purpose and is where local government entities in Abu Dhabi announce purchases made using digital platforms for Abu Dhabi government procurement. This platform was created by the Department of Government Support in Abu Dhabi to improve digital services, transparency, and procurement processes for the local government sector.
- The official procurement website for Dubai government bids is **the Dubai Government E-Procurement Portal**. It serves as the internet hub for all vendors doing business with Dubai government agencies.
- **The Government of Sharjah's central e-procurement platform** offers vendors and procurement specialists assistance tools for conducting procurement activities. Additionally, it provides creative, secure, and highly effective methods for managing tenders, saving the department and its suppliers time and effort.
- **The government of Ajman's electronic supply system**, where the department of finance is in charge of registering vendors, contractors, and consultants and approving their dealings with the government of Ajman. The Contracts and Procurement Division must receive a request from suppliers who want to work with government organizations in Ajman.
- **The electronic supply system for Ras Al Khaimah government agencies**, which is designed for contracting with government agencies in Ras Al Khaimah. The supplier must first register with the department of finance of the Ras Al Khaimah government's supplier's register.

## 6. Why using E-tenders system in public procurement

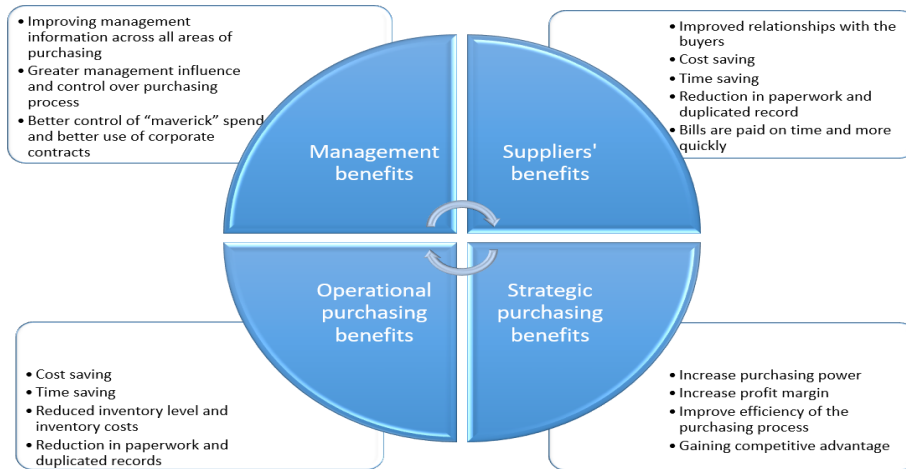
Many public administration and policy specialists draw a connection between the use of contemporary technical tools and the fight against corruption in general. In contrast, it lessens direct contact with the public and avoids direct contact between the service provider and the service user. The use of modern, electronic, and technological methods in public procurement systems yields numerous advantages and benefits in addition to lowering corruption in this situation, increasing the role of ICT in public procurement (Hardy & Williams, 2008; Moe, 2004; Lee, Tan, and Trimi, 2005).

The concept of e-procurement in government institutions has been discussed in this context through the relationship between information technology development and public procurement on the one hand, and the main benefits on the other (Malone, Yate, & Benjamin, 1987; Steinfield, Kraut & Plummer, 1995; Henriksen & Mahnke, 2005). features it brings to public procurement, such as enhancing and expanding public services, cutting costs (Croom, 2000; Lancioni, Smith, & Olivia, 2000), increasing transparency, boosting competition in the

open free market, saving time and effort, and minimizing some bureaucratic procedures (Wyld, 2002; Min & Galle, 1999; Zsidisin & Ellram, 2001; Croom, 2000; Emiliani, 2000; de Boer, Harink & Heijboer, 2002) and the transmission of information about public procurement in an efficient and timely manner (Svidronova & Mikus, 2015).

The e-procurement system, on the other hand, also accomplishes a number of other advantages at four levels (suppliers, management, purchasing strategy, and procurement process) (Arbin, 2003; Croom & Brandon-Jones, 2007), as follows:

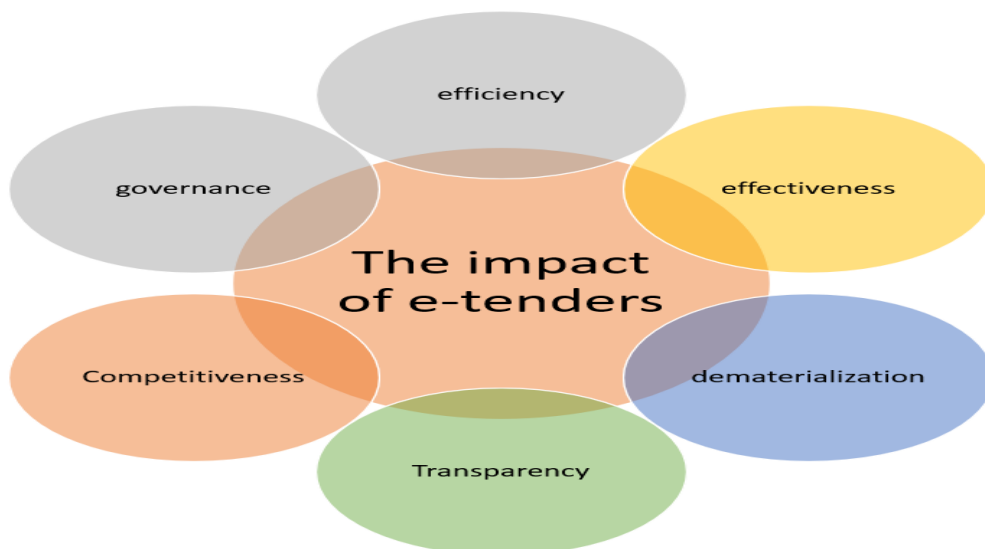
**Figure 1:** The matrix of E-procurement advantage



Source: (Sitar, 2011)

In addition, there are certain advantageous consequences on e-procurement, as seen in the following figure:

**Figure 2:** the impact of E-procurement



Source: (Gardenal, 2010)

In addition to the main role for the e-tenders to reduce the corruption. Every country deal with the problem of corruption in public procurement (Matechak, 2002). However, it is evident that corruption rates are higher in developing nations than they are in rich nations. Most significantly, the risks of corruption would affect domestic wealth in addition to the fact that the public budget incurs significant costs, which directly affect the various services, such as health, education, and other services that the government is committed to providing (Romanets, 2006). Public procurement corruption is the worst (Ampratwum, 2008).

The use of technical tools in public procurement procedures is also thought to prevent corruption in public spending generally and in public procurement specifically, in addition to the advantages and benefits already discussed. Due to the frequent direct interactions between the staff of the procurement department and the private sector, the public procurement sector is the one in which corruption arises the most frequently.

Different steps that make up the riskiest corruption in the procurement process have been identified by some scholars. These phases involve planning the purchase and determining the expected cost, inviting participation in the procurement process, issuing contracts, and assessing performance (Matechak, 2007).

Many people, however, disagreed with this viewpoint because they established five public procurement processes that have high indicators for containing corruption risks. According to Neupane (2014), these phases are (procurement planning and need identification, technical specification setting, bid procedures, contract award and implementation, monitoring implementation, and accountability).

E-procurement's involvement in thwarting corruption, as well as each step in concluding a public procurement, commencing with planning, and finishing with implementation, are as follows:

The various government agencies' planning and assessment of the need in relation to the plan of procurement operations for a given time constitutes the first stage. For the purchase of goods, services, or contracting and construction projects, this phase includes a set of procedures that begin with reviewing the current procurement processes, identifying the current and future needs, and choosing the most effective procurement method to be used (Public Bidding - Limited Bidding - Local Bidding - General Practice - Limited Practice - Direct Order - Framework Agreement, etc.) (Basheka, 2009).

In order to achieve accountability, the government generally tries to strengthen the transparency of public procurement procedures. However, there are many factors that the government cannot control or that are challenging to handle, such as irrational procurement planning, a lack of accurate needs analysis, and excessive item costs. Every country has significant opportunities for corruption during the planning stage of public procurement processes, but the prevalence of corruption in these circumstances is rising in developing nations because of the fragility of their technological infrastructure and their reliance on the old-fashioned (paper) system (Ware et al., 2011).

In order to further their own interests, those in charge of the procurement planning process may decide to identify needs that are neither less nor more than those that are necessary. Since the e-public procurement portal allows for the monitoring of all procurement activities and promotes the disclosure of information pertaining to procurement, this issue can be solved using electronic technologies. The purchasing plan of the agency or government institution is published on the online portal designated for purchases, so the procurement-planning officer

cannot hide information about purchases and the actual needs that have been specified based on what has been evaluated from the ongoing procurement. Because control officials may monitor actual demands and how to define them using the computerized system, planning officials cannot distort needs for their own profit.

Technical specifications may occasionally be created by individuals in charge of creating them for the benefit of a particular supplier or contractor at the stage of developing them and preparing tender documents or practice documents for the public procurement process. By requiring some pointless paperwork and procedures, an excessively complicated tender may occasionally be used to hide accusations of corruption (Bhattarai, 2011). Corruption can be reduced at this stage of the procurement process by using an electronic system, allowing all bidders to access the procedures and the necessary papers on the online public procurement portal and become fully informed of them (McPheraon & Mac Searraigh, 2007).

The third and fourth stages of the public procurement process—the phases of bidding, contract award, and implementation—are regarded as two of the riskiest since they allow for easy tender manipulation. As a result, these stages are weak and have higher rates of corruption than the others. The e-procurement system reduces corruption in these two stages by allowing presentations and evaluation of them via electronic means; as a result, the human element is eliminated from dealing at these levels (Mcpherson and Macsearraigh, 2007).

It is challenging to find corrupt practices since the accounting and auditing stage is not consistently carried out at the level of all public procurement operations (Thai et al. 2005). In order to ensure the transparent and efficient flow of information to the review process, the government's reporting systems for auditing accounts and procedures lack transparency and cooperation between governmental and inter-supervisory bodies (Gupta, Jha & Gupta, 2009). In order to execute effective control over all public procurement procedures, a stringent e-public procurement system must be built up (Aman & Kasimin, 2011; Kaliannan & Awang, 2009). This system must also use a specialized process methodology for automatically auditing these operations.

The e-public procurement method has been widely implemented internationally due to the advantages and benefits that e-procurement achieves in reducing corruption in public procurement. By minimizing direct contact between procurement officers and bidders, it is thought to be a crucial and successful instrument for identifying and reducing corruption as well as limiting the misuse of power in this sector (Sohail and Cavill, 2008).

## **7. Conclusion**

This research dealt with the reform of government procurement systems by using electronic procurement systems, and this was done through three points. In the next point, the advantages of electronic procurement were explained, including how it can effectively reduce corruption in government procurement processes and the benefits that this system can achieve at all levels and for all parties to the procurement process.

The UAE's unique experience of having a central electronic platform for government procurement at the level of federal entities was also reviewed. It also has five decentralized platforms for government procurement at the local government level.

The research has shown many advantages that characterize the government procurement system in the United Arab Emirates. It combines centralized and decentralized procurement

systems, which significantly contributes to achieving the benefits of the two procurement methods and avoiding the potential adverse effects of applying one system without the other.

Several World Bank reports also supported the distinctive experiences of e-government procurement, including those of the United Arab Emirates. One of the reports mentioned the experience of the Dubai Municipality, which started in the early years of the twenty-first century after the issuance of a decree requiring all legal entities to begin utilizing e-government systems. The following are the crucial elements that I have listed below that the government has learned about as a result of fulfilling this mandate:

- Strong sponsorship on the part of the executive management.
- Efficient allocation of financial and human resources.
- Efficient marketing and a focus on customer service while providing a value proposition to all interested parties.
- Continuous management of change and involvement of the end-user or customer in development.

For this reason, Dubai uses the "Tejari" electronic procurement system, which Dubai and IBM created. It ran for ten years, from 2002 to 2012, processing contracts worth more than 12 billion AED (roughly 3.25 billion US dollars), involving more than 4,200 suppliers, and saving close to AED 7 million (approximately \$1.9 million) a year in terms of time, materials, and archiving.

Therefore, it is suggested that the remaining emirates that have not yet established an electronic system adopt the federal electronic procurement system and other decentralized systems. Sharing this unique experience makes it possible to take advantage of these systems in Arab nations that have not yet incorporated technological tools into governmental procurement procedures.

Because this new technology will result in a significant breakthrough in efficiency and effectiveness in government procurement processes, the UAE can also develop an electronic procurement system using artificial intelligence techniques. Additionally, it will result in significant reductions in government spending.

## **8. Limitations**

Nevertheless, the current research focuses on the case of the United Arab Emirates. The scholars may present future research that could focus on the uses of artificial intelligence in public procurement by establishing bidding systems that rely on artificial intelligence rather than humans to prevent public procurement officials from dealing with private suppliers. It is also possible to focus on other aspects, such as sustainability standards in public procurement, conflicts of interest, or integrity and transparency, which significantly affect the volume of public spending on public procurement. The author also suggests that future studies rely on case studies through questionnaire-based studies.

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## **Legislations**

United Arab Emirates Cabinet Decision No. (4) of 2019 regarding the Procurement and Warehouse Management Regulations in the Federal Government and its amendments.