

The principle of professionalism as the basis for the contractual system in the sphere of procurement of goods, works, and services for state and municipal needs

Irina Petrovna Gladilina, Nicolaj Alexandrovich Acimov, Svetlana Alexandrovna Sergeeva

“Moscow’s Municipal Management University under the Moscow Government”, Sretenka str., 28, Moscow, 107045, Russian Federation

Abstract. The contractual system in the sphere of procurement of goods, works, and services for state and municipal needs is based on a whole number of principles. This article examines the principle of procurers’ professionalism. The principle of professionalism is foundational to foreign procurement practices. Currently, the procurement system in Russia still has no uniform requirements for the professional preparation of procurers, which is one of the foremost priorities in the theory and practice of the development of the contractual system in the procurement sphere. The article touches upon the experience of instructors in the Department of State and Municipal Order Management at the Moscow City Government University of Management in terms of activity aimed at improving procurers’ professionalism level.

[Gladilina I.P., Acimov N.A., Sergeeva S.A. **The principle of professionalism as the basis for the contractual system in the sphere of procurement of goods, works, and services for state and municipal needs.** *Life Sci J* 2014;11(11s):178-182] (ISSN:1097-8135). <http://www.lifesciencesite.com>. 39

Keywords: contractual system, procurer, career enhancement, professionalism, master’s program

Introduction

The Federal Law No. 44 “On the Contractual System in the Sphere of Procurement of Goods, Works, and Services for State and Municipal Needs” stipulates the procurer’s professionalism as one of the central principles of the contractual system. It is the professional basis that is a priority condition for the procurer’s quality and creative activity [1]. Engaging qualified specialists possessing theoretical knowledge and skills in the procurement sphere is a mandatory condition. Having said that, it is procurers and specialized organizations themselves that ought to take measures aimed at improving the qualification and professional training level in the procurement sphere in line with the legislation of the Russian Federation. The objectives have been defined quite clearly, whereas the content of the term “professionalism” requires fine-tuning the major approaches towards organizing activity aimed at improving the professionalism level of procurers.

The first part of Article 9 of the Federal Law # 44 states that the contractual system in the procurement sphere is about effecting the activity of a procurer, a specialized organization, and a supervisory body on a professional basis with engaging qualified specialists possessing theoretical knowledge and skills in the procurement sphere. However, at present, there is no such qualification as the procurer in Russia. Nor is there a program for preparing specialists for this area in institutions of higher learning within the frame of higher professional education.

In 1976, the Federal Procurement Institute was established in the US to provide for the

preparation and career enhancement of those employed in this area. In 1988, the US Congress passed a law that would establish requirements as to the integrity of employees in this category (ethical conduct standards).

On January 1, 2009, there entered into force the Resolution of the Government of the Russian Federation (# 362, dated May 6, 2008) “On Instituting State Requirements for the Professional Retraining, Career Enhancement, and Practical Training of State Civil Employees in the Russian Federation”. This resolution was adopted in furtherance of the Decree of the President of the Russian Federation dated December 28, 2006 (# 1474) “On the Supplementary Professional Education of State Civil Employees in the Russian Federation”. Learning is provided through an additional professional education program entitled “Management of State and Municipal Needs” in accordance with requirements laid down by the Ministry of Education and Science of the Russian Federation.

Thus, according to these requirements, the normative period of advanced training (within the frame of a single Program), irrespective of learning technology used, is to be no fewer than 120 class hours for the basic level. There are no specific requirements for the program, but there are requirements as to what the specialist must know and be able to do after completing the course. Also, all the educational programs (modules) come with established approximate content. It is up to the educational institution to set a specific title and content for these educational modules across

specialization sections, as well as the content and length of core courses. The educational institution has the right to change up to 30% of a program's content while preserving the basic minimum of content established by these requirements [2; 3].

The attainment of a high level of professionalism by participants in the procurement process will help provide for state and municipal needs with maximum results and minimum budget expenditures. However, it is still unclear what fundamentals of procurer professionalism are the most sought-after.

"Professionalism" has been viewed by scholars quite broadly. For instance, E.M. Korotkov construes professionalism as an aggregate of profession-specific knowledge, abilities, skills and the degree of mastery in them [4]. In the structure of professionalism, D. Goleman points up emotional intelligence as the ability to efficiently manage oneself and one's relations with others [5]. The above is certainly crucial to apprehending the essence of the category "professionalism", but different approaches towards interpreting the content of this term preclude us from construing the content of procurers' professionalism univocally [6; 7; 8; 9; 10].

Special consideration should be made for diagnosing the level of professionalism. The experience of the authors of this article makes it possible to speak of an aggregate of specific requirements based on which one can make a mediated judgment on the criteria for the level of the procurer's professionalism:

- the determination of the procurer's professionalism level should be effected inclusive of the individual characteristics of professional growth;
- the assessment of professionalism is effected through comparing obtained results with specific norms, as well as comparing them with previous diagnostics with a view to determining qualitative and quantitative achievements in the procurer's professional growth;
- diagnosing the procurer's professionalism level involves not only identifying the actual level but the potential of individual trajectories of improvement;
- determining the procurer's professionalism level relies on one's self-analysis, self-diagnosis of the efficiency of professional activity with a view to creating conditions for encouraging self-improvement and professional growth.

The professionalism level should be viewed as a content characteristic of procurers' activity. In the broadest strokes, the content of the procurer's professional activity is a set of functions, as well as operations corresponding to them, through which the

functions are realized. It is also the availability of objectively set goals and objectives of the contractual system in the sphere of procurement of goods, works, and services for state and municipal needs, the actualization of which is what the procurer's professional activity is there to serve. It is also personality mindsets, which persist throughout one's professional making. The making of one's personality, according to E.F. Zeyer, is a continuous goal-oriented process of professional change of one's personality [3].

Thus, the procurer's professionalism is a multidimensional professional-personal quality that has a complex structure and incorporates a number of functionally interrelated components:

- motivational (an aggregate of motives adequate to the goals and objectives of the contractual system in the sphere of procurement of goods, works, and services for state and municipal needs);
- cognitive (an aggregate of knowledge needed for successful professional activity in the procurement sphere);
- personal (an aggregate of personal qualities crucial to procurement activity);
- activity (an aggregate of abilities and skills required to practically resolve the procurer's professional objectives);
- reflexive (an aggregate of abilities required to assess one's own professional activity and choose a strategy for one's conduct).

The authors of this article have developed a theoretical model for the procurer's professionalism, which includes a block of knowledge and a block of abilities (Table 1):

Table 1. A model for the procurer's professionalism within the frame of the contractual system in the sphere of procurement of goods, works, and services for state and municipal needs (Omitted).

The block of knowledge:

- I. Knowledge of laws and regulations regulating the operation of the sphere of procurement of goods, works, and services for state and municipal needs.
- II. Knowledge of procurement activity:
 1. Planning in the procurement sphere:
 - developing procurement plans and scheduled plans;
 - making changes to procurement plans and scheduled plans;

– placing procurement plans and scheduled plans in a single information system and making changes to them.

2. Determining and substantiating the initial (maximum) price of the contract.

3. Providing a rationale for procurement decisions.

4. Putting together and placing procurement documentation and contracts in a single information system.

5. Ways of determining suppliers (contractors, executors).

6. The procedure for entering into and fulfilling the terms of contracts and overseeing their fulfilment.

7. Monitoring procurements.

8. Rules of procedure for commissions.

9. Rules for engaging experts and expert organizations for conducting examinations on the contract.

10. Effecting the control of procurements on the part of procurers.

III. General knowledge:

1. The fundamentals of economics.

2. The fundamentals of marketing.

3. The fundamentals of management.

4. Social-economic knowledge.

5. Law knowledge.

6. The fundamentals of computer literacy.

7. The fundamentals of business communication.

8. Electronic document management.

9. The fundamentals of the organization of labor.

10. The fundamentals of labor legislation.

IV. Praxiological knowledge

1. Knowledge of modern effective procurement practices.

2. Knowledge of technology for the adoption of effective procurement practices.

3. Preparing suggestions on streamlining procurement activity for the purposes of improving its quality (effectiveness and efficiency).

V. Axiological knowledge

1. Knowledge in the area of combating corruption and other types of abuse in the procurement sphere.

2. Anti-corruption restrictions and prohibitions imposed on the state procurer's officials.

3. Ways of and the procedure for resolving a conflict of interest in effecting procurements for state and municipal needs.

The block of abilities:

I. Gnostic abilities

1. Working with various sources of information.

2. Obtaining relevant information, processing, systematizing, summarizing it and using new information technology.

II. Diagnostic-design abilities:

1. Using methods of research in management in the procurement sphere and designing its development.

2. Effecting the monitoring of procurement activity.

3. Analyzing the development level of the procurement sphere at the organization level.

III. Reflexive abilities

1. Determining one's own professionalism level.

2. Juxtaposing one's own professionalism level with the real level of procurement activity within the organization.

3. Objectively assessing the level of one's theoretical preparation in the procurement sphere.

4. Defining the focus areas of self-education.

5. Regulating one's own professional activity.

IV. Constructive abilities

1. Defining the goals, objectives, focus areas, content, ways, methods, and forms of procurement activity.

2. Planning procurement activity based on the following information:

- the degree procurements are substantiated;

- the real state of procurement activity within the organization;

- the nature of interaction with public control representatives;

- personal professional characteristics.

3. Working out the technology of managerial solutions to specific procurement situations.

V. Communicative abilities

1. Adequately perceiving and understanding one's colleagues and suppliers.

2. Displaying the ability to creatively interact and communicate.

3. Organizing communication and preventing conflicts within the "procurer – supplier" system.

Based in the model, a diagnostic map for determining the procurer's professionalism level has been developed. We recommend using the following

set of diagnostic methodologies to determine the procurer's professionalism level:

- the procurer's self-diagnosing one's own level of professionalism within the procurement sphere (based on the "Diagnostic Map for Determining the Procurer's Professionalism Level" developed by I.P. Gladilina, N.A. Akimov, and S.A. Sergeeva);
- the assessment of the procurer's professionalism level by the organization's administration;
- the expert assessment of the procurer's professionalism level (based on the results of resolving managerial and other professional issues related to procurement activity).

Each procurer assesses one's knowledge and abilities by selecting the answers "No command", "Average command", "Command", "Good command", which are expressed as the following quantitative indicators:

- No command – 0 points;
- Average command – 1 point;
- Command – 2 points;
- Good command – 3 points.

The teaching staff of the Department of State and Municipal Order Management at the autonomous educational institution of higher professional learning Moscow City Government University of Management, headed by the Head of the Department of Competitive Policy of the City of Moscow G.V. Dyogtev, implements 120- and 72-hour career enhancement programs. There have been developed 16-hour programs for targeted assistance to procurers on specific issues of the contractual system in the procurement sphere. Worthy of special mention in terms of improving procurers' professionalism level is the master's Management program "State and Municipal Procurement Management". This program is available both full-time (two-years of study) and part-time (two and a half years of study). The program's mission is the preparation of highly qualified mobile human resources in the sphere of goods, works, and services for state and municipal needs. Instructors face specific objectives on forming in master's students specific professional competencies in the procurement management sphere within the context of the actual social-economic situation and conducting scientific research work for changing the scientific and methodological base of state procurements. There is a set of objectives defined for attaining goals set:

- creating psychological-pedagogical conditions for the effective preparation of competitive, highly professional, mobile, and creative program graduates;

- forming in program graduates general and professional knowledge and the ability to communicate constructively (including in a foreign language) and form personal managerial competencies (leadership, responsibility, goal-orientedness, etc.);

- fostering an aspiration towards conducting one's professional activity in line with legal and ethical norms;

- forming in program graduates the need for creativity and the ability to propose and realize innovation ideas in the area of state procurement;

- preparing program graduates for resolving professional issues in the area:

- improving the quality of managing procurement results;
- attaining state procurement target results;
- stimulating fair competition;
- assessing the activity of both procurers and suppliers.

Resolving these objectives helps improve the professional level of procurers, which is convincingly attested to by the career growth of master's students and informative publications on the results of their research activity as part of scientific research work in the term and completing scientific-research and organizational-managerial practical training.

The program's competitive advantages compared with similar programs demonstrate that this program has quite solid competitive advantages in the national market of educational services:

- the department's highly-qualified teaching staff, invited specialists from the Department of Competitive Policy of the City of Moscow, the Government Accountability Office, etc.;

- the practice-oriented orientation of preparing masters based on forming relevant professional competencies in accordance with the social orders of society and the state and requests from the labor market in the area of state procurement, inclusive of the characteristics of the contractual system in the procurement sphere;

- consistent liaison with masters' employers, which enables masters to work on their own procurement projects under the guidance of leading scientists and experienced consultants/practitioners;

- the unique content of monitoring the quality of preparing graduates and the degree of their matching the labor market's requirements, as well as mechanisms underlying making corresponding changes to the Primary Educational

Program inclusive of the development of science, culture, economics, technology, and the social sphere;

- developing scientific-methodological support and teaching aids that are in line with the mission, goal, and objectives of the program;

- taking internships at the Department of Competitive Policy of the City of Moscow, the Department of the Development of Information Technology, the Federal Anti-Monopoly Service, etc.

Thus, the professionalism of procurers in the procurement sphere requires methodical and goal-oriented work that helps develop, based on the best foreign and national practices, the professional competencies of human resources in the procurement sphere.

Corresponding Author:

Dr. Gladilina Irina Petrovna

«Moscow's Municipal Management University under the Moscow Government»

Sretenka str., 28, Moscow, 107045, Russian Federation

References

1. Gladilina, I.P. and S.A. Sergeyeva, 2013. The Psychological-Pedagogical Characteristics of the Development of Creative Thinking in State Procurement Specialists. *Sovremennyye Problemy Nauki i Obrazovaniya*, 4. Date Views

25.09.2013 www.science-education.ru/110-9955.

2. Gladilina, I.P. and G.V. Grin, 2014. The Creative Development of Student Youth in the Process of Professional Making: A Monograph. Moscow, pp: 126.
3. Zeyer, E.F., 1998. The Psychology of Professions. Moscow, pp: 264.
4. Golovnyova, I.V., 2008. The Psychological Fundamentals of Personnel Management: A Study Guide. Kiev: Kondor, pp: 172.
5. Goleman, D.J. Emotional Intelligence. Moscow, 1998.
6. Nikiforov G.S., 2009. The Psychology of Management. Kharkov: Gumanitarny Tsentr, pp: 512.
7. Badenhorst-Weiss, J., G. Callender, and J. McGuire, 2010. Building the Procurement Profession: A Comparative Review" In Towards New Horizons in Public Procurement. Florida: PRAcademics Press.
8. Prier, E., C. McCue and R. Behara, 2010. The Value of Certification in Public Procurement: The Birth of a Profession?
9. Kelleher, T.J., Jr., T.E. Abernathy, H.J. Bell, Jr. and S.L Reed, 2010. Smith, Currie & Hancock's Federal Government Construction Contracts: A Practical Guide for the Industry Professional, 2nd ed. Hoboken, N.J: John Wiley & Sons.
10. Randall, H., 2011. Local Government Contracts and Procurement. Haywards Heath: Bloomsbury Professional.

6/30/2014