

Open Contracting: The School Meals Programme in Bogotá, Colombia

Juan David Duque Botero



Case Study for the IIEP-UNESCO Research Project 'Open Government in Education: Learning From Experience'

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This work was conducted under the supervision of Muriel Poisson, Program Specialist at the International Institute for Educational Planning of UNESCO (IIEP-UNESCO).

This case study was prepared by Juan David Duque Botero, and is one of the seven case studies carried out as part of the IIEP-UNESCO research project on 'Open Government in Education: Learning from Experience'. Each case study prioritizes one of the following aspects of open government: open policy, open budget, open contracting, and social audits. By providing evidence of good practices to educational managers and decision-makers, this project aims to promote more responsive, effective, and innovative educational planning with a focus on citizen involvement.

For more information on this project, as well on the IIEP-UNESCO's wider capacity building programme 'Ethics and Corruption in Education', visit the ETICO resource platform: <https://etico.iiep.unesco.org>. Over 35 titles published under the Institute's Series on 'Ethics and Corruption in Education' are available for download.

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Foreword

Open government emerged about a decade ago and has been gaining momentum over the past few years, likely as a result of recent advances in information technology. It is based on the assumption that the rapid development of new technologies combined with the pressure for more transparent and accountable governments will push countries to explore innovative approaches not only to share information with the public, but also to consult citizens and engage them in education service delivery. Moreover, by helping to redefine citizen-government boundaries, it is believed that open government can help improve transparency and accountability in the management of public sectors (including the education sector), and beyond that, the overall public administration culture.

The Organisation for Economic Co-operation and Development (OECD) defines open government as the transparency of government actions, the accessibility of government services and information, and the responsiveness of government to new ideas, demands and needs. The Open Government Partnership identifies three major principles underlying this concept, namely: information transparency, public engagement, and accountability. The European Commission emphasises the principles of transparency, collaboration and participation, open data, open services, and open decisions. Finally, the World Bank defines open government using the principles of transparency, citizen engagement and participation, and responsiveness.

A cursory review suggests that there is a dearth of literature on open government in the education sector and a lack of systematic identification of practical experiences within this framework. Moreover, there is no uniformity among definitions of 'open government' in the education sector and an absence of clarity regarding the various domains of open government observed in the educational field. There is also a growing need to evaluate the impact of the increasing number of open government initiatives developed within the education sector around the world and to analyse and draw lessons from the challenges and barriers associated with their implementation in order to achieve their full potential.

The challenge for educational planners is huge – to pay due attention to open government concerns at each step at the policy and planning cycle. Each step allows for varying degrees of citizen input and participation: during the first stage citizens can help identify the problem and discuss possible policy options; then, during policy implementation, they can monitor whether the policy is being implemented as planned, detect weaknesses and shortcomings, and contribute to the identification of solutions. However, citizens can also contribute actively to the evaluation of education policies and programmes through social audits, thereby complementing other more formal systems of 'checks and balances to hold governments to account for their education commitments' (UIS, 2018).

In this context, the UNESCO International Institute for Educational Planning (IIEP) has decided to launch a new research project entitled 'Open government in education: Learning from experience' as part of its 2018-21 Medium-Term Strategy. Open government is understood here as the opening up of government data, processes, decisions, and control mechanisms to public involvement and scrutiny, with a view to ensuring inclusive and equitable quality education. It calls for renewed government-citizen interaction and relies on the principles of transparency, citizen engagement, and participation, as well as government responsiveness. IIEP's project aims at promoting more responsive, effective, and innovative educational planning with a focus on citizen involvement. Its specific aims are as follows:

- to foster an understanding of what is meant by open government in the education sector;
- to explore perceptions of open government approaches in education among all major stakeholders;

- to establish a list of criteria that maximise the successful implementation of open government initiatives in education;
- to evaluate the impact of open government initiatives specifically as they relate to the aims set out in SDG 4; and
- to provide recommendations to education decision makers and planners on how to make informed decisions about the design and implementation of open government policies in education.

This research contends that all three principles of open government – transparency, accountability, and citizen engagement – are pivotal to achieving SDG 4. Through open school data, the public can verify that their governments spend money in a fair manner, which maximises opportunities for marginalised populations to access education. Open procurement can deepen the level of transparency and accountability in education contract management, thereby ensuring that procured items (e.g. school equipment, textbooks) actually reach their beneficiaries. Moreover, open policy and planning promote the involvement of minorities in the formulation of policy, which helps to make policies and curricula more diverse and inclusive. Lastly, social audits, like community monitoring, can be an effective means for verifying that school resources are being used correctly.

In 2018, IIEP undertook exploratory work to better formulate what is meant by open government in the education sector, and to document and assess early, innovative initiatives developed in that field. On this basis, the Institute launched in 2019 a global survey to review existing initiatives. It also launched seven case studies illustrating the diversity of open government initiatives in education. Each case prioritises one of the following aspects of open government: open policy, open budgeting, open contracting, social audits, and crowdsourcing. The cases combine the following data collection methods: gathering of contextual information using secondary data related to the programmes/initiatives under review; a qualitative inquiry with semi-structured interviews; focus group discussions; participatory observation; and a large-scale quantitative inquiry involving the distribution of 250 questionnaires to school actors using a multi-level stratified sampling method.

This case study presents the open contracting initiative carried out by the Secretariat of Education of the Municipality of Bogota, as part of the School Feeding Program. It examines how all documents of the procurement process required for the acquisition and distribution of food are published and made available through an online public platform, which is visible to all participants in the public procurement system (suppliers, parents, control entities, citizens in general, state entities, among others). It is part of a series of case studies commissioned by the IIEP, under its open government in education program.

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Muriel Poisson

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Glossary

A number of key concepts used throughout this document are defined here. All other terms should be interpreted as usual.

Bid	An offer made by a supplier to source food or to store, pack, and deliver meals for the SMP.
Bidder	A bidder submits a bid to CCE as part of the public tendering process to select suppliers that can meet the specifications of the DAI.
CCE	Colombia Compra Eficiente, the Colombian National Public Procurement Agency, is a decentralised body of the executive branch of the national government with its own legal identity and assets. Administratively and financially independent, it reports to the Colombian National Planning Department (Departamento Nacional de Planeación), which governs the public procurement system in Colombia. It is responsible for designing, structuring, and signing the DAIs.
CTB	The 95 Certified Territorial Bodies (Entidades Territoriales Certificadas) in Colombia are made up of departments, districts, municipalities, and indigenous territories with more than 100,000 inhabitants, together with those with fewer than 100,000 inhabitants that have proven their technical, administrative, and financial capabilities to the MoE.
DAI	Demand Aggregation Instruments (Instrumentos de Agregación de Demanda) are the legal mechanism by which state bodies can coordinate and consolidate their individual market requirements to obtain cost efficiencies and make more effective use of public resources. They are signed by the Business Section of CCE.
DEI	District Educational Institutions (Instituciones Educativas Distritales) are the educational institutions in the Capital District of Bogotá. They are responsible for receiving the meals from the logistics operator and serving them to students on the public school register. They also report any issues concerning the meals to the overseer .
DoE	The Department of Education for the Capital District of Bogotá (Secretaría de Educación del Distrito) is responsible for managing, organizing, and planning educational services in the Capital District, in accordance with the relevant constitutional and legal provisions and the educational goals set out in legislation governing the public education service. It pursues the highest standards of quality, benefit, equality, effectiveness, efficiency, and efficacy. It also heads the School Procurement Programme (Programa de Contratación Escolar) in Bogotá.
Main Operation	The studies, activities, and negotiations that permit CCE to sign DAIs with suppliers to source food or to store, pack, and deliver meals to schools in Bogotá.
MoE	The Colombian Ministry of Education (Ministerio de Educación Nacional) is the official government body responsible for managing educational, and often cultural, affairs at national level. It also heads the nationwide SMP.
Open contracting	The process of using a range of different means to share information and engage stakeholders throughout the entire procurement process and acquisition cycle, from tendering and awarding, to monitoring and post-contract evaluation.
Overseer	The natural person or legal entity that carries out technical, legal, financial, and accounting oversight of the SMP in Bogotá.
Price Framework Agreement	A Price Framework Agreement (Acuerdo Marco de Precios) is a contract signed by the Business Section of CCE and one or more suppliers, that sets out the nature of the goods or services to be provided, together with the maximum acquisition cost, minimum guarantees, delivery deadlines, and the conditions whereby a purchaser may sign the agreement.
Quote	The supplier's price for providing the specific goods or services requested by the DoE on the TVEC.

Secondary Operation	The activities to be carried out, following signature of the DAI, by (1) the DoE - to purchase, receive, and pay for services rendered, and by (2) the supplier to quote on, provide, and bill for services rendered to source food or to store, pack, and deliver meals to schools in Bogotá.
SECOP	The Sistema Electrónico de Contratación Pública is the public e-procurement system that enables state bodies to comply with their obligation to publish all the documents created as part of their procurement processes and which lets stakeholders, interested parties, and the general public participate in and follow the tendering, bidding, and oversight processes.
SMP	The School Meals Programme (Programa de Alimentación Escolar) is headed by the MoE and the DoE to source food and deliver school meals to children and young people to encourage them to remain in the public education system, help keep them alert, boost their learning skills and cognitive development, and foster a healthy lifestyle.
SMP Open Contracting Initiative	The SMP Open Contracting Initiative in Bogotá is the subject of this study. It comprises one model for sourcing food and another model for storing, packing, and delivering meals to schools in Bogotá.
Supplier	The market agent who is awarded a tender as the result of a procurement process.
Transparency	The process of making complete, objective, reliable, and timely information on government activities available to a range of stakeholders.
TVEC	The Tienda Virtual del Estado Colombiano, or Colombian State Virtual Store, is an IT platform for placing purchase orders created to meet the specifications of the DAIs.

Source: Author

Executive summary

This case study examines in depth the open contracting model used to implement the School Meals Programme (SMP) in the Capital District of Bogotá, Colombia, and analyses the results obtained. The research included semi-structured interviews and surveys with some 250 stakeholders at school level in both urban and rural areas of the Capital District.

The study sets out to show how an online public procurement platform visible to all stakeholders (suppliers, parents, oversight bodies, state bodies, and the general public, among others) is being used to publish in an open and accessible manner all the documents from the tendering processes to source food and deliver meals as part of the SMP in Bogotá. It illustrates how this model creates greater transparency and allows for proper monitoring and oversight of food quality throughout the entire chain, from sourcing food to delivering meals to students at school.

In addition, it also shows how the Department of Education in the Capital District of Bogotá and the Colombian National Public Procurement Agency have used an open data system to analyse past and current SMP tenders in Bogotá to identify the main issues to be tackled. Effective market analysis led to a decision to cut out intermediaries by splitting the operation in two: sourcing food on the one hand, and logistics operations (storing, packing, and delivering meals) on the other.

The research suggests that despite the notable success of the SMP Open Contracting Initiative in Bogotá, it will not be an easy task to roll this programme out nationwide, given the particular characteristics of the operation in the Capital District, including the use of processed foods in school meals, although procurement processes could certainly be published on e-procurement platforms such as SECOP. However, given that most school meals in Colombia as a whole are prepared on site, the main challenge for replicating this successful initiative will be to adjust the model to the specific requirements of each particular region by analysing operational structures to see how the range of suppliers might be increased in each and every procurement process.

Introduction: General context

Since 2007, Colombia has taken major steps towards implementation of open contracting by setting up a suite of SECOP e-procurement platforms.

There are currently three SECOP platforms:

1. **SECOP I** is a tool for publishing procurement processes. State bodies are legally obliged to publish their tendering and contracting activity on this platform, given that these tenders involve spending taxpayers' money to deliver projects, goods and services to citizens, and the general public therefore has a right to access the relevant information. In addition, freely available and relevant information boosts competition in procurement processes.
2. **SECOP II** is a transactional tool that enables state bodies to carry out the entire procurement process online, from planning the procurement process to awarding tenders. In turn, this platform provides bidders with valuable information on state bodies' demand for their services and lets them make comments and submit bids, as well as manage their contracts. It also allows oversight bodies to audit the procurement system and gives civil society an insight into how state bodies are spending taxpayers' money to deliver projects, goods, and services to citizens. Although there was initially no requirement for all state bodies to carry out their procurement processes on SECOP II, the Colombian Government stipulated that as of April 2020 it would become mandatory for all bodies at both national and regional level.
3. **TVEC** is an IT platform that allows state bodies to acquire goods and services with uniform technical features to match the specifications of the DAIs created by CCE. This platform has delivered very positive results in terms of greater efficiency and savings for state bodies.

In addition, since implementation of the 2010–2014 National Development Plan, Colombia has carried out a series of actions in areas such as modernizing public administration, improving access to government information, developing new technologies, encouraging innovation, increasing accountability, and creating tools to boost civic engagement (Gobierno de Colombia, n.d.).

As one of the largest and longest-standing social programmes in Colombia, the SMP aims to help safeguard children's and young people's right to a healthy life and good education by providing them with nutritious and varied school meals. The initiative also serves to encourage them to remain in the public education system and creates opportunities for transforming social structures characterized by deep divisions that perpetuate persistent models of exclusion.

In Colombia, 95 CTBs (departments, districts, and municipalities) guarantee provision of the SMP throughout the school year, beginning on the first day of term.

Specific objectives of the SMP include: (1) safeguard children's and young people's access to the public education system; (2) encourage children and young people to remain in school rather than skipping or dropping out; and (3) provide all children and young people on the public school register with a supplementary meal to meet their energy, macronutrient, and micronutrient needs.

The DoE currently provides both light supplementary meals or snacks and full meals (breakfast and lunch) to children and young people on the public school register in Bogotá. For the purposes of this case study, research has focused on the provision of light supplementary meals or snacks at school, since this is the option covered by the Open Contracting Initiative. Hereinafter, reference to school meals should be taken to refer to these light supplementary meals or snacks.

Bogotá is the biggest city in Colombia and one of the largest in Latin America. It has the largest SMP budget of all the country's regions (approximately US\$170 million). Every day, the DoE feeds 714,654 school students: 216,678 servings of breakfasts and lunches and 708,369 servings of light meals or snacks. As a result, all children and young people on the public school register in Bogotá are entitled to receive supplementary meals or snacks throughout the school day, whether they attend school during the morning shift, afternoon shift, or evening shift or have a full school day (Claudia Puentes, online questionnaire, December 2019).

In its mission to provide high-quality school meals to students in Bogotá, one of the greatest challenges faced by the SMP Open Contracting Initiative is the complex logistical operation of distributing meals in a city of approximately 10 million inhabitants.

In 2015, CCE and the MoE began examining a range of difficulties and problems arising from the increasing numbers of students skipping or dropping out of school, along with the pressing issue of child malnutrition. In addition, oversight bodies had detected a number of irregularities in SMP tenders in many cities and departments across the country: state bodies were awarding contracts directly to a handful of suppliers rather than through competitive processes, which led to extra purchasing costs.

To get a better grasp of the situation, the Business Section of CCE began analysing the open data now being published in Colombia. Whereas previously internal databases had to be searched for answers to questions such as 'How many suppliers are there?' or 'What kind of contracts have been signed?', this information can now be obtained from the open data published on the public website www.datos.gov.co. This shift in approach not only provides answers to predefined aspects, but also makes it possible to ask all manner of further questions and analyse all macro processes from any angle, including obtaining in-depth information on the number of suppliers at any one time, which is invaluable for finding a way to increase the range of bidders (Nicolás Penagos, personal communication, November 2019).

Another issue affecting the SMP in Bogotá prior to implementation of the Open Contracting Initiative was the fact that the programme was being operated by distribution and logistics companies that not only delivered the meals, but also sourced the food. As a result, state bodies only had contact with the final delivery link in the supply chain (intermediaries), but had none directly with food producers.

In 2015, CCE and the DoE formed a strategic alliance by signing Agreement 2958 of 2015, which set out the guidelines for running a pilot scheme for carrying out the SMP in Bogotá by means of a DAI. This alliance made it possible to deliver higher-quality meals more effectively through open contracting, by cutting out intermediaries, increasing the range of bidders, regulating food prices with price floors and ceilings, and combatting anticompetitive practices, thus leading to savings for the Capital District.

The current inter-administrative agreement has been in force since 2016 and has the following objectives: (1) use the state's purchasing power to create economies of scale; (2) improve the quality of the meals provided through the SMP Open Contracting Initiative; (3) increase the quality of the suppliers awarded tenders; and (4) boost the national food industry by using certified suppliers on the national register of food producers and employing Colombian citizens in the operation. As a result, by using two parallel DAIs to source food and to deliver school meals throughout Bogotá, there is now increased competition and more streamlined purchasing processes for the DoE, as well as greater control over food inventories, direct contact with food producers, greater administrative efficiency, and full monitoring and follow-up of meals from the production plants through to the end beneficiaries (Andrés Mancipe, personal communication, November 2019).

The new procurement model for the SMP Open Contracting Initiative in Bogotá sought to increase transparency and strengthen the programme by splitting it into two specialised operations: sourcing food on the one hand, and logistical operations (storing, packing, and delivering meals) on the other. This decision was

taken following an industry study that suggested that companies providing distribution and logistics services in Colombia were not necessarily providing a comprehensive service for the SMP as a whole. Splitting the job of sourcing food off from the logistics of delivering meals would make the most of the economies of scale that would result from letting specialist companies handle different operations and would cut out intermediaries, thus making for more rational, effective, and efficient use of the resources allocated to the SMP Open Contracting Initiative.

This step led to an increase in the number of suppliers. In the first food purchasing process for school meals (LP-AMP-2016), 44 bidders signed AMP CCE-542-1-AMP-2017; in the second process (CCENEG-005-1-2018), 36 successful bidders signed DAI CCE-727-1-AG-2018. The SMP in Bogotá currently covers all DEIs and provides meals in two formats: light supplementary meals or snacks (the option covered by the SMP Open Contracting Initiative) and full meals (breakfast and lunch). Together, these two forms of healthy and highly nutritious school meals are provided daily to 714,654 students on the public school register in Bogotá (as of 30 September 2019).

In addition, as part of the reporting mechanisms designed to increase accountability of the SMP Open Contracting Initiative, school meal committees were set up at DEIs to coordinate, monitor, and agree on continuous improvement actions for the programme. These committees had already been envisaged in MoE Resolution 29452 of 2017 and in DoE Resolution 0685 of 2018, which set out the guidelines for implementing the SMP Open Contracting Initiative in DEIs.

This study carried out qualitative and quantitative research with selected participants at each level in the SMP Open Contracting Initiative in Bogotá. It covers the following aspects within the framework of the SMP Open Contracting Initiative: (1) description of the implementation framework for the SMP; (2) analysis of access to information and models of participation; (3) study of the reporting and accountability models in place; (4) analysis of short-, medium-, and long-term impact; (5) conditions for success and improvement strategies; and (6) conclusions and recommendations.

1 Description of the implementation framework for the SMP

1.1 Qualitative research

Table 1 gives details of the research informants at national, local, and school level, including their roles and functions in the SMP.

Table 1. Research informants (qualitative research)

Level	Actor (type of actor)	Roles and responsibilities	Main activities
Central	Andrés Mancipe, deputy business director, CCE	Identify and implement acquisition and demand aggregation mechanisms for goods and services required by the state to promote transparency and accountability in public spending.	Identify good practices in state bodies' purchasing processes • Design mechanisms to attract a wider range of high-quality bidders in state bodies' purchasing processes • Since 2016, responsible for structuring DAIs for the SMP in Bogotá.
Central	Luz Marina Rojas Pacheco, business manager, Dipsa Food (supplier)	Supply food for the SMP in Bogotá by means of the DAI.	Daily delivery of food products agreed with CCE and the DoE.
Central	Carlos Galeano Rueda, CEO, Productos Alimenticios El Recreo (supplier)	Supply food for the SMP in Bogotá by means of the DAI.	Daily delivery of food products agreed with CCE and the DoE.
Central	Miguel Ángel Villanueva Toscano, operations manager, Unión Temporal Ms 360 (supplier)	Supply food for the SMP in Bogotá by means of the DAI.	Daily delivery of food products agreed with CCE and the DoE.
Central	Ricardo Alberto Aponte Núñez, manager, Mountain Food (supplier)	Supply food for the SMP in Bogotá by means of the DAI.	Daily delivery of food products agreed with CCE and the DoE.
Local	Claudia Puentes Riaño, secretary for education, DoE	Head implementation and provision of the SMP in all schools in the Capital District • Responsible for calling for quotes for the DAI on the TVEC IT platform to promote transparency in SMP procurement processes in Bogotá • Formulate, orient, and coordinate policies and plans in the education sector in accordance with the Capital District Development Plan.	Implement the SMP in Bogotá • Design strategies to reduce school dropout rates and guarantee children's and young people's equal access to high-quality, relevant education, whatever the form, level, and means of delivery • Responsible for inspection, monitoring, oversight, and assessment of the quality of education provision in the city, and for setting up reporting and accountability mechanisms in general and for the SMP in particular.

School	Elizabeth Marín, headteacher, Colegio Distrital Atahualpa	Deliver the school's institutional project and implement the decisions of the school governance bodies. Supervise delivery of SMP meals to students at the DEIs • Create the necessary conditions for teaching and learnings, including provision of education resources as and where necessary.	Promote continuous quality improvement processes in education at the institution <ul style="list-style-type: none"> • Liaise with education authorities, the local community, and institutional sponsors or patrons to ensure academic progress at the institution and improve life in the community • Promote activities that benefit society by strengthening ties between the institution and the local community.
Civil society	Nicolás Penagos, head of Latin America at Open Contracting Partnership and former deputy business director at CCE	Facilitate the process of opening up public procurement processes through greater data transparency to ensure that the sizable sums of money involved are allocated honestly, fairly, efficiently, and effectively • Responsible for promoting transparency and accountability by publishing open data on the different participants in public procurement processes at national and regional level, including data and information on the SMP in Bogotá.	Raise awareness of the use of open, accessible, and timely information on government tenders to ensure that citizens and companies can play their part in identifying problems and offering solutions. <ul style="list-style-type: none"> • Identify how and why open contracting works and gather solid evidence on what can be achieved, including the role played by reporting and accountability mechanisms • Harness the power of data to set out, understand, and solve procurement issues by using open data standards based on users' needs.
Civil society	María Teresa Palacio Jaramillo, founder and president of Palacio Jouve García, lawyers specializing in public law and state contracting (legal practice)	Pioneers in the SMP Open Contracting Initiative in Bogotá <ul style="list-style-type: none"> • Charged with advising on and leading the transformation of the model of the SMP Open Contracting Initiative to promote greater transparency. 	Has provided advice on the SMP in Bogotá from the start of the process, building on their permanent consultancy to the Mayor's Office and specifically to the DoE, which is responsible for feeding children and young people at the public schools in the city.
Civil society	Juliana Vernaza, director of education, AICentro (think tank)	Help promote more transparent planning and implementation processes for spending public resources, and step up the fight against corruption in different public processes, including the SMP in Bogotá.	In charge of education issues at the AICentro think tank, which brings together a range of professionals and experts in different areas of public policy to analyse and discuss issues of mutual interest to Colombia in general and Bogotá in particular, and hold informed, timely discussions to contribute to the debate on the country's public policies, including education.

Source: Author

1.2 Quantitative research

Table 2 shows the kind of research informants who took part in the quantitative research in both rural and urban areas.

Table 2. Research informants (quantitative research)

Total interviews: 246	Area	
	Urban	Rural
Schools	4	4
Students	112	112
Parents	4	3
Headteachers	3	4
Teachers	4	4
Total interviews	123	123

Source: Author

In the past, tenders were concentrated in the hands of a very small number of suppliers in Bogotá. The lack of competition and the clear evidence of collusion between market actors not only went against the DoE's general interest and mission, but also contravened the principles of transparency, objective selection, plurality, economy, and responsibility enshrined in the Colombian Constitution, not to mention the fundamental rights of the country's children, who were being served very poor quality school meals (María Teresa Palacio, online questionnaire, November 2019). Given this state of affairs, it was clearly necessary to rethink the procurement process and find creative mechanisms, within the strict legal framework, to guarantee a minimum quality for school meals as part of an overall strategy for encouraging students to remain in the education system, which at the end of the day is the ultimate goal of education and society.

With this in mind, the SMP Open Contracting Initiative in Bogotá got under way in 2015, when CCE and the MoE designed the necessary mechanisms to create the ideal procurement model to enable the SMP to be carried out more effectively and transparently (Claudia Puentes, online questionnaire, December 2019).

These two bodies announced the tender to the 95 CTBs in Colombia, of which only Bogotá had the duly documented processes and technical team required. Agreement 2958 of 2015 sealed an alliance with CCE to draw up a DAI to implement the SMP in Bogotá by means of the on-site delivery method.¹ This led to the publication of process CCE-054A-AG-2015 as a DoE pilot scheme for the SMP in Bogotá. Tenders were awarded to three suppliers following the signing of DAI 286AG. At the request of CCE, this process was audited by the World Bank.

Following these results, DAIs were incorporated into the open contracting model for school meals and the procurement model was restructured. CCE began studying the SMP market in Bogotá to identify practical improvements in state procurement. It found that the supply of SMP goods and services was concentrated in the hands of a very small number of suppliers, and that these suppliers were logistics operators who both sourced food and delivered meals. CCE realised that little attention was being paid to food producers and manufacturers, who were a major market force and formed the first link in the SMP supply chain. As a result, CCE and the DoE signed Agreement 4050 of 2016, which came into force in April 2017 and split the procurement process in two: LP-AMP-129-2016 (food sourcing) and LP-AG-130-2016 (storing, packing, and delivering meals).

¹Meals prepared on site account for less than 10% of the total meals delivered in Bogotá; the remaining 90% are processed meals.

The CCE procurement process launched two operations: (1) the Main Operation, in which public tenders are announced and CCE signs an agreement with one or more suppliers; and (2) the Secondary Operation, in which the suppliers with the winning bids awarded through the TVEC submit their quotes and then supply the goods or services in question to the DoE. All the documentation for both the Main and the Secondary Operation is made publicly available on the SECOP platform so that all stakeholders in the procurement system can make pertinent observations and comments on the process, which will be accepted or rejected as appropriate. *Figures 1-7* show how the SECOP II platform enables all stakeholders in the public procurement system (public bodies, suppliers, citizens, and oversight bodies, among others) to check all the information on the current SMP Open Contracting Initiative.

Figure 1 shows both draft and final documents for the procurement process.

Figure 1. Documents for the SECOP II process

Contract Documents	
Document Name	
01 Aviso de convocatoria.pdf	Download
02 Estudio de mercado.pdf	Download
03 Anexo 1 Fichas técnicas EM.pdf	Download
04 Anexo 2 Anexos técnicos EM.pdf	Download
05 Anexo 3.1 instructivo estudio costos EM.pdf	Download
06 Anexo 3.2 Estudio de costos EM.xlsx	Download
07 Estudios y documentos previos.pdf	Download
08 Anexo 1 Fichas técnicas.pdf	Download
09 Anexo 2 Anexos técnicos.pdf	Download
10 Anexo 3 Segmentos de participación.pdf	Download
11 Anexo 4 partidas arancelarias.xlsx	Download
12 Anexo 5 Perfil nutricional de la oferta técnica de los alimentos.pdf	Download
13 Anexo 6 Garantías.pdf	Download
14 Formato 1 Formato para observaciones.xlsx	Download
15 Formato 2 Formato para Proponentes extranjeros.docx	Download
16 Formato 3 Formato para validar experiencia.docx	Download
17 Formato 4 Lista de alimentos.xlsx	Download
18 Formato 5 Información bromatológico de los productos.xlsx	Download
19 Formato 6 Presentación de la Oferta económica.XLSM	Download

Source: SECOP II

This section of the platform lets users download all the documents from the procurement process so that stakeholders can keep track of any adjustments made and can also leave comments and queries.

Figure 2 shows the observations made at all stages of the procurement process by means of public messages.

Figure 2. Observations on SECOP II

Observaciones y Mensajes			
Tipo	Referencia	Asunto	Fecha
Observación a informe	CO1.MSG.445286	[Respondido] RE SOLICITUD ACLARACIONES LR	16/08/2018 9:06 AM (UTC -5 horas)
Observación a informe	CO1.MSG.449004	[Respondido] RE-Subsanación Industria de Alimentos Daza SAS	16/08/2018 9:06 AM (UTC -5 horas)
Observación a informe	CO1.MSG.450617	[Respondido] RE ACLARACIÓN SUBSANACION CERENUTRIR	16/08/2018 9:06 AM (UTC -5 horas)
Observación a informe	CO1.MSG.450818	[Respondido] RE REMISION SUBSANACIONES CONSORCIO ABC GLORIA	16/08/2018 9:05 AM (UTC -5 horas)
Observación a informe	CO1.MSG.451095	[Respondido] RE Subsanacion Namaste Food S.A.S	16/08/2018 9:05 AM (UTC -5 horas)

Source: SECOP II

Feedback on the various procurement processes initiated by CCE and the DoE has been extremely useful for strengthening the procurement process. Stakeholders' comments on the legal, financial, and technical sides to

the operation covered issues such as adding more nutritious food to school meals, increasing the operational capacity required of suppliers to operate the programme, making adjustments to financial indicators, and expressing concerns about the DoE's minimum technical requirements for each food group and segment, among others. The observations received for each procurement process can be broken down as follows:

- a. LP-AG-130-2016: 350 observations made between draft and final documents
- b. LP-AMP-129-2016: 500 observations made between draft and final documents
- c. SA-SI-140-AG-2017: 170 observations made between draft and final documents
- d. LP-AG-153-2017: 80 observations made between draft and final documents
- e. CCENEG-005-1-2018: 2,800 observations made between draft and final documents
- f. CCE-973-IAD-2019: 875 observations on draft documents
- g. CCE-974-IAD-2019: 350 observations on draft documents

The observations made by different stakeholders in the procurement process are analysed by CCE and the DoE, who decide whether to accept them and make the corresponding adjustments to the documents or to pass on any relevant comments to the party in question. This permits the SMP Open Contracting Initiative to be carried out transparently and for all observations to be processed within the legally established deadline.

Figure 3 shows the bids submitted by bidders taking part in the procurement process.

Figure 3. Bids on SECOP II

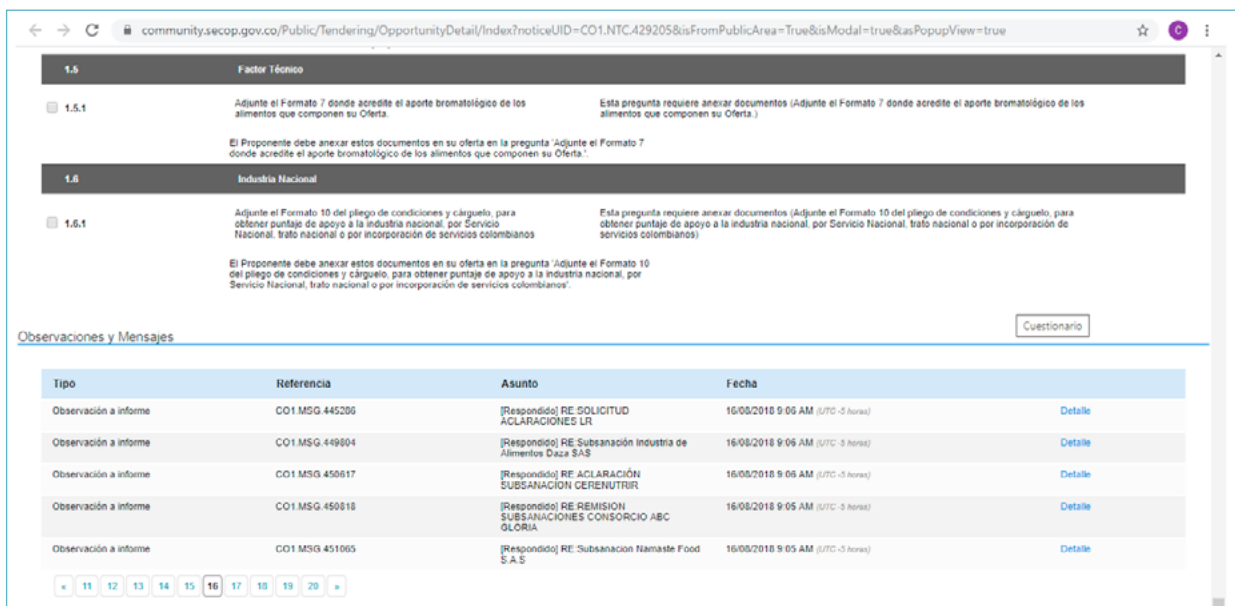
Posición	Estado	Razon	Fecha y hora de llegada	Proveedor	Documento de la oferta
1	Pendiente		16/06/2018 12:06:18 PM (UTC-05:00) Bogotá, Lima, Quito	CATERING SERVICE DELI S.A.S ★★★★★	0 Recomendación (es) Descargar
2	Pendiente		18/06/2018 5:40:09 PM (UTC-05:00) Bogotá, Lima, Quito	Coma S.A.S. COLOMBIA, Bogotá ★★★★★	0 Recomendación (es) Descargar
3	Pendiente		19/06/2018 3:26:58 PM (UTC-05:00) Bogotá, Lima, Quito	Bimbo De Colombia ★★★★★	0 Recomendación (es) Descargar
4	Pendiente		19/06/2018 5:25:37 PM (UTC-05:00) Bogotá, Lima, Quito	fruservice SAS COLOMBIA, Bogotá ★★★★★	0 Recomendación (es) Descargar
5	Pendiente		19/06/2018 7:04:31 PM (UTC-05:00) Bogotá, Lima, Quito	UNIÓN TEMPORAL TIO MARCO COLOMBIA, Melgar ★★★★★	0 Recomendación (es) Descargar

Source: SECOP II

Once the state body has published the bids received for the procurement process in question, the platform allows any interested party to download and examine them. All this information is made publicly available to ensure that all processes are transparent and accountable.

Figure 4 shows the amended documents submitted by bidders in the process.

Figure 4. Amended documents on SECOP I

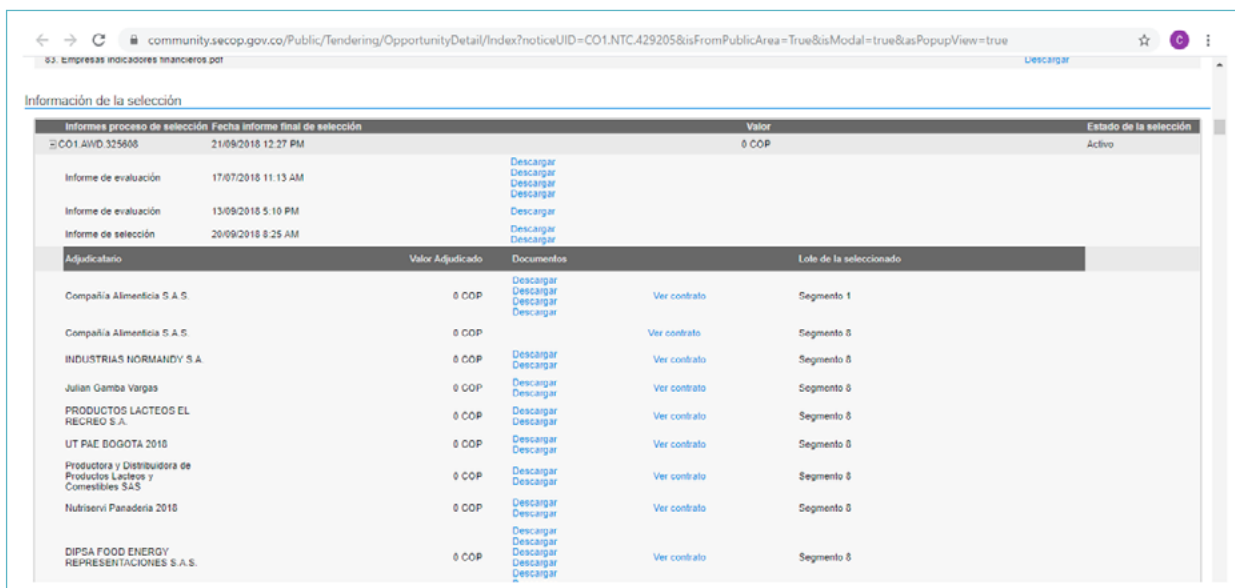


Source: SECOP II

During the evaluation period, bidders may be requested to submit amended documents incorporating a series of modifications required by the state body. These amended documents are also available on the platform.

Figure 5 shows the evaluation reports for each bidder.

Figure 5. Evaluation reports on SECOP II

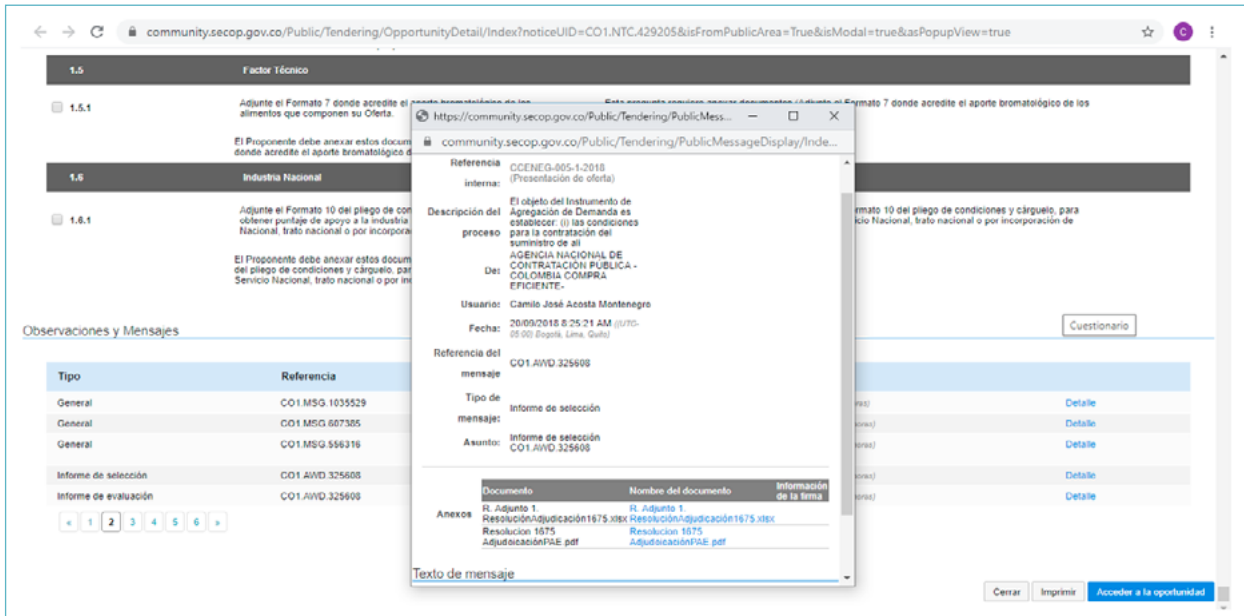


Source: SECOP II

Once the bids have been assessed, the state body publishes an evaluation report to let the general public know which bidders have been successful and to give citizens the opportunity to make observations on the report, which state bodies are then required to respond to.

Figure 6 shows the minutes of the risk and adjudication meetings.

Figure 6. Minutes of meetings on SECOP II

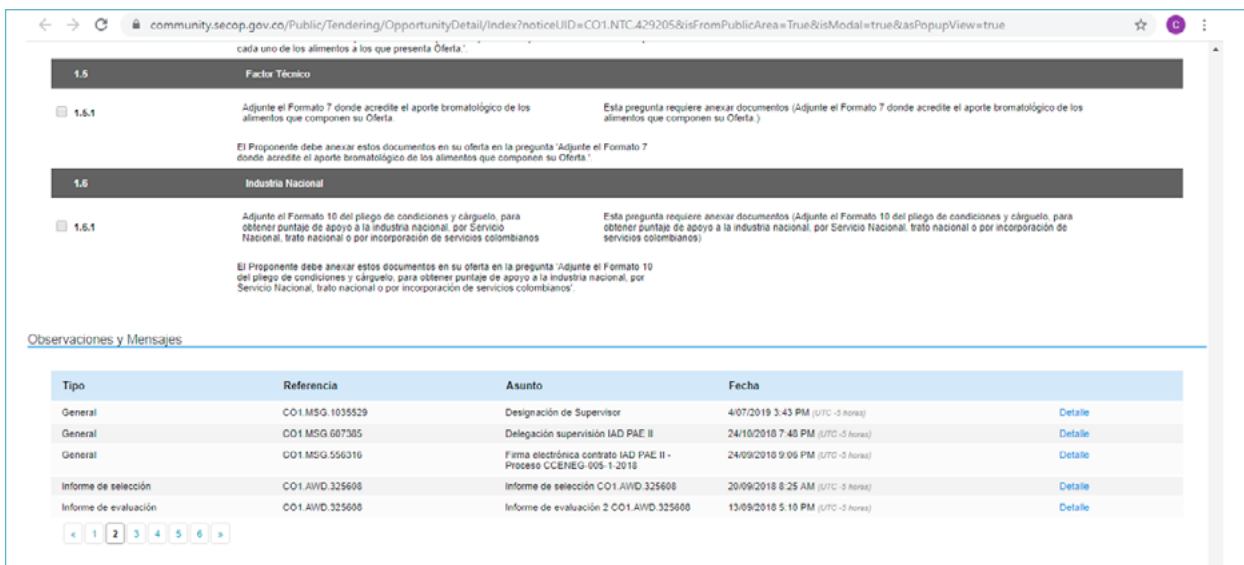


Source: SECOP II

Once tenders have been awarded, the state body shares the results of the procurement process with all stakeholders at a public adjudication meeting, the minutes of which are then published. In addition, a public risk meeting is held before bids are submitted to set out the risks identified by the body for the procurement process in question, at which stakeholders may make any observations or express concerns.

Figure 7 shows the adjudication report, signed contracts, and oversight delegations.

Figure 7. Reports, contracts, and oversight delegations on SECOP II



Source: SECOP II

Finally, the platform is used to publish the contracts, oversight reports, and other related documents so that citizens and other stakeholders can follow the process by means of this transparent reporting and accountability mechanism. The following SECOP link shows the current state of procurement process CCENEG-005-1-2018 for SMP meals: <https://community.secop.gov.co/Public/Tendering/OpportunityDetail/Index?noticeUID=-CO1.NTC.429205&isFromPublicArea=True&isModal=true&asPopupView=true>.

Once the Main Operation is under way to select the suppliers to source food and to deliver meals for the SMP in Bogotá, a Secondary Operation requires the CCE, on behalf of the DoE, to ask the winning bidders from the Main Operation to quote a price for a specific food product. The DoE is legally obliged to select the supplier with the lowest quote, provided it meets all the necessary quality and technical standards, and will then place a purchase order with the selected supplier.

The DAIs for sourcing food and for storing, packing, and delivering school meals came into force on 16 April 2017. Monitoring and oversight of the SMP Open Contracting Initiative were carried out by a central technical team and by overseers charged with checking the technical, administrative, legal, and financial parameters of the DAIs. As a result, DAIs for the SMP Open Contracting Initiative make it possible to provide approximately 708,369 daily meals, comprising 2,833,476 food units (a light meal is made up of four components: a drink, a cereal snack, a dessert, and a piece of fruit) in 391 DEIs.

This was possible thanks to the following factors: (1) a sufficient budget to ensure the feasibility of the operation; (2) solid institutional relationships in the form of strategic alliances with the CCE, the National Institute for Drug and Food Surveillance (Invima) and the Department of Health for the Capital District, for example; and (3) robust institutional capacity, in the form of an interdisciplinary technical team at central level and technical, administrative, legal and financial oversight provided by 346 overseers (Claudia Puentes, online questionnaire, December 2019).

The budget for the SMP Open Contracting Initiative is made up mainly of funding from the city of Bogotá's own resources (90%), with the remaining resources coming from funding that the central government makes available to local and regional administrations (Sistema General de Participaciones, SGP, 10%).

Table 3 shows the budget allocated to school meals from 2016 to 2019.

Table 3. Budget for the SMP in Bogotá (as of 30 September 2019)

Source of funding	Resources for 2016 (COL\$ million)	%	Resources for 2017 (COL\$ million)	%	Resources for 2018 (COL\$ million)	%	Resources for 2019 (COL\$ million)	%
Own resources	288,297	94	325,693	89	348,797	64	336,584	91
SGP resources	18,709	6	41,865	11	23,514	6	32,294	9
Total resources invested	307,007	100	367,558	100	372,312	100	368,879	100
Total investment 2016–2019: COL\$1.4 trillion								

Source: SMP in Bogotá, semi-structured interview

It is worth stressing that since the preliminary project for 2020 has secured budgetary resources to guarantee the above provision, the SMP Open Contracting Initiative in Bogotá can now be considered to be a sustainable programme. It should also be borne in mind that this initiative has created significant savings in the procurement process: for 2020, the DoE has initially allocated a budget of COL\$316,004 million to the SMP Open Contracting Initiative (Claudia Puentes, online questionnaire, December 2019).

Training days are run to meet the needs identified by monitoring and oversight mechanisms. This high-quality training also delivers the following benefits:

- Better supervision in facilities where food is sourced and meals prepared.
- Increased monitoring of the programme beneficiaries, with daily reporting of any issues that arise.

- Greater expertise in the use of IT tools so that stakeholders can actively participate in all stages of the public procurement process, and suppliers can familiarise themselves with how the DAIs and TVEC work.

The research revealed that the monitoring and evaluation system works in two stages (Claudia Puentes, online questionnaire, December 2019):

1. Pre-contract stage

Actors: CCE and the DoE. CCE and the DoE prepare the documentation setting out the processes for sourcing food and for storing, packing, and delivering meals to the DEIs. Suppliers are selected if they meet the requirements of the published process.

2. Contract stage: implementation

Actor: DoE. The DoE issues the purchase orders for the food to be delivered to schools and communicates this decision to the food suppliers, logistics operators, and overseers of the SMP Open Contracting Initiative. It also authorises the quantities of meals to be delivered to the DEIs in accordance with their requests.

Actor: Food supplier. The food supplier delivers the food required by the DoE to the logistics operator to store, pack, and deliver the meals to the DEIs.

Actor: Logistics operator. The logistics operator stores, packs, and delivers the meals to the DEIs.

Actor: Overseer. The overseer monitors and oversees the whole SMP Open Contracting Initiative from sourcing of the food required by the DoE to delivery of the meals to the DEIs. It reports on any issues that arise and notifies the operators of any need to undertake improvement actions to remedy any issues that might affect the operation.

Actor: DEI. The DEI is responsible for receiving the meals from the logistics operator and serving them to the students on the public school register in the Capital District. It also reports any issues that arise to the overseer.

Actor: Student. Students are responsible for indicating whether or not they wish to receive school meals. If so, they should eat the meal provided. One of the goals of the SMP Open Contracting Initiative is to deliver healthy, nutritious food to students on the public school register in the Capital District.

2 Access to information and models of participation, and evolution of the SMP Open Contracting Initiative

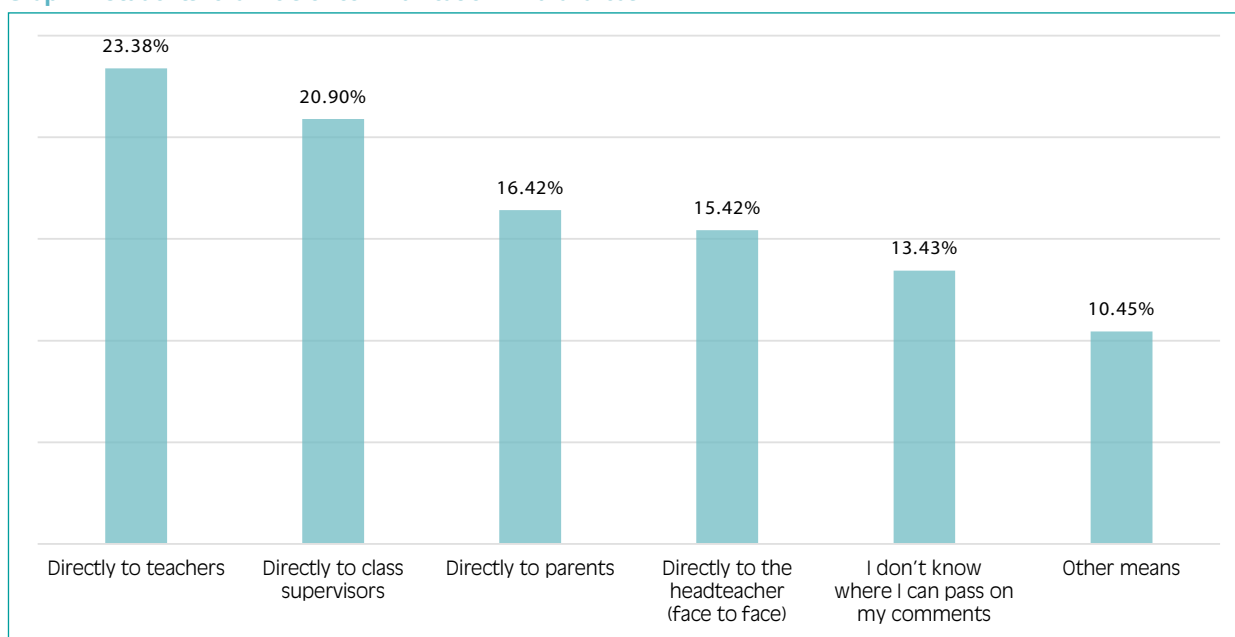
2.1 Channels of communication

Headteachers and programme leaders at the DEIs play a key role in the daily planning and delivery of the SMP Open Contracting Initiative by informing the DoE of their needs and reporting any issues that might affect the smooth operation of the programme at their school. This daily flow of information between the DEIs and the DoE ensures that meal components and quantities can be adjusted as and when necessary.

With this in mind, each DEI sets up a series of engagement mechanisms and channels of communication to obtain feedback from the people involved at the DEIs (students, parents, teachers, and headteachers). The following graphs present the findings of the quantitative research carried out by means of school surveys designed to identify how effective these channels of communication were in the eyes of the informants at the DEIs.

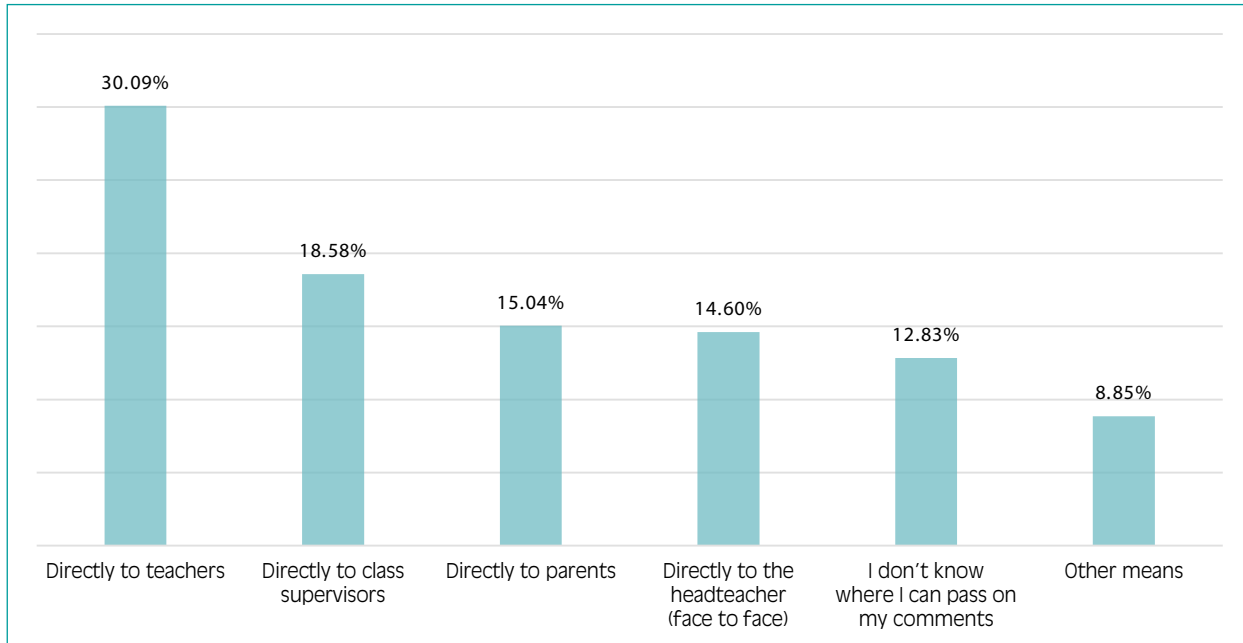
Graphs 1 and 2 show the findings of the surveys carried out at DEIs in rural and urban areas, respectively, to identify the channels of communication most commonly used by students to make comments and give their feedback on the meals they receive every day. It is worth noting that while most of the channels of communication mentioned by students are internal channels within a given DEI (teachers, class supervisors, headteachers, and other means such as emails, social media, or school websites), there is also one external channel of communication (parents).

Graph 1. Students' channels of communication in rural areas



Source: Compiled by author from survey findings

Graph 2. Students' channels of communication in urban areas

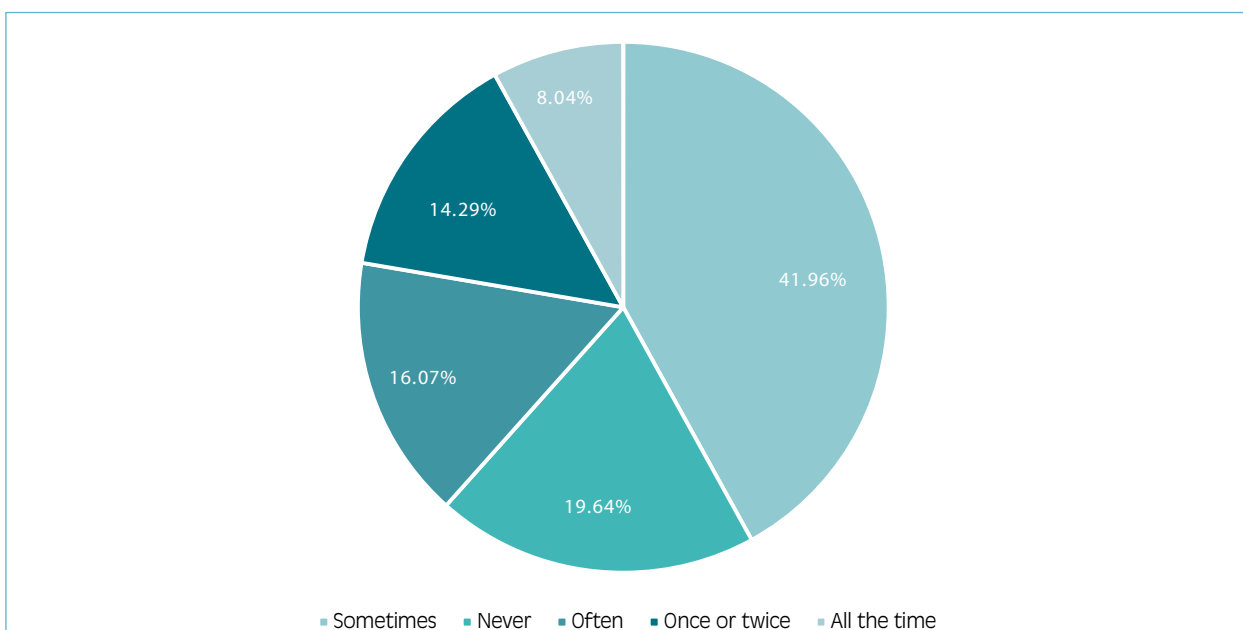


Source: Compiled by author from survey findings

The findings show that in both rural and urban areas, students communicate mainly with the following people to give their feedback on the meals they receive every day: teachers (26%) and class supervisors (19%), as internal channels within the DEI, which account for 45% of the total channels for the students surveyed; and parents (15%), an external channel.

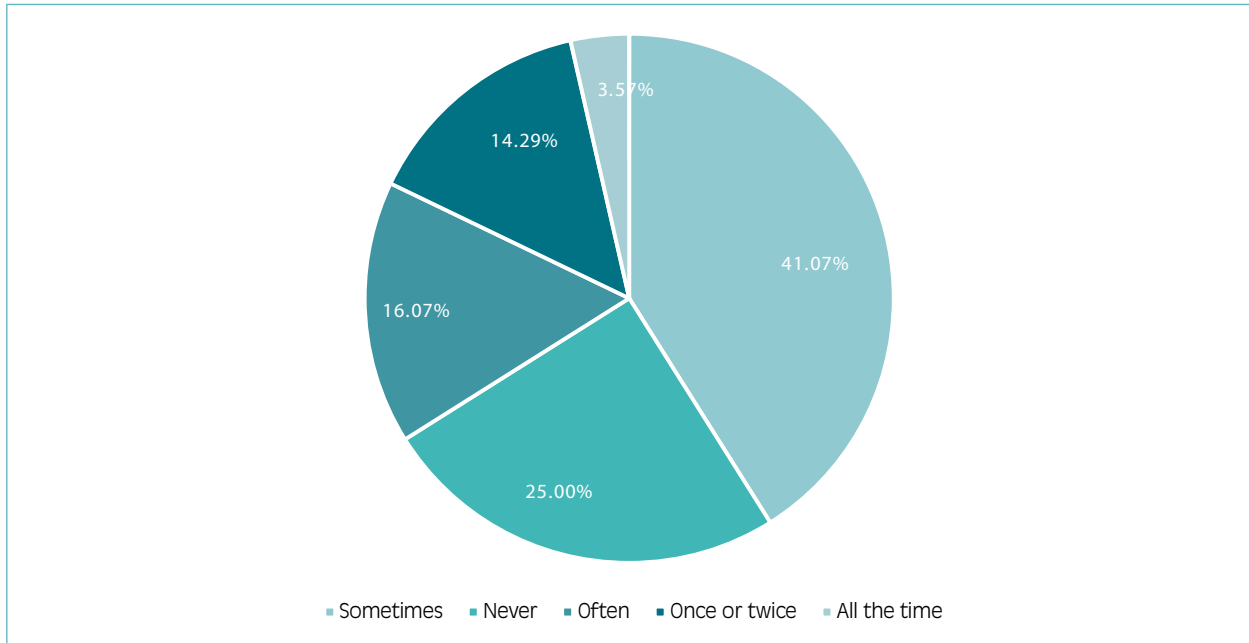
Graphs 3 and 4 show how often students in rural and urban areas, respectively, give their feedback on the meals they receive every day.

Graph 3. Feedback frequency for students in rural areas



Source: Compiled by author from survey findings

Graph 4. Feedback frequency for students in urban areas

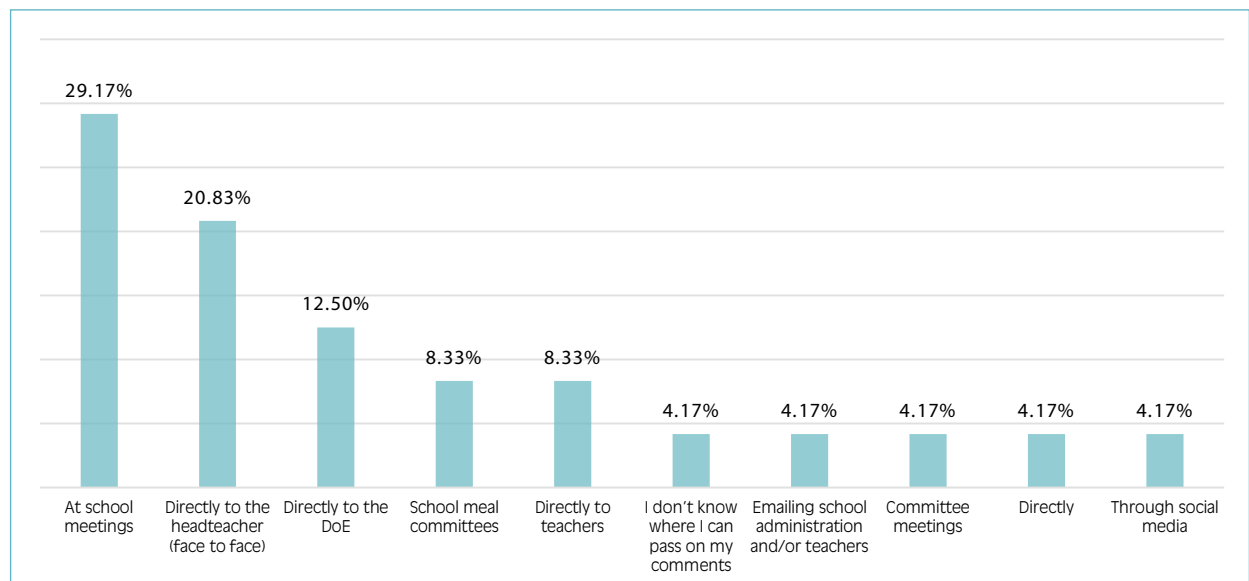


Source: Compiled by author from survey findings

The findings show that more than 60% of students in both rural and urban areas give regular feedback on the meals they receive every day by means of the various channels of communication. ‘Regular feedback’ is taken to encompass ‘Sometimes’ (41%), ‘Often’ (16%), and ‘All the time’ (5%).

Graph 5 shows the findings of surveys carried out at DEIs in rural areas to identify the channels of communication most commonly used by parents, teachers, and headteachers to make comments and give feedback on daily school meals provided by the SMP Open Contracting Initiative. It indicates that in rural areas, most informants (other than students) use school meetings to give their feedback on the SMP Open Contracting Initiative (29%).

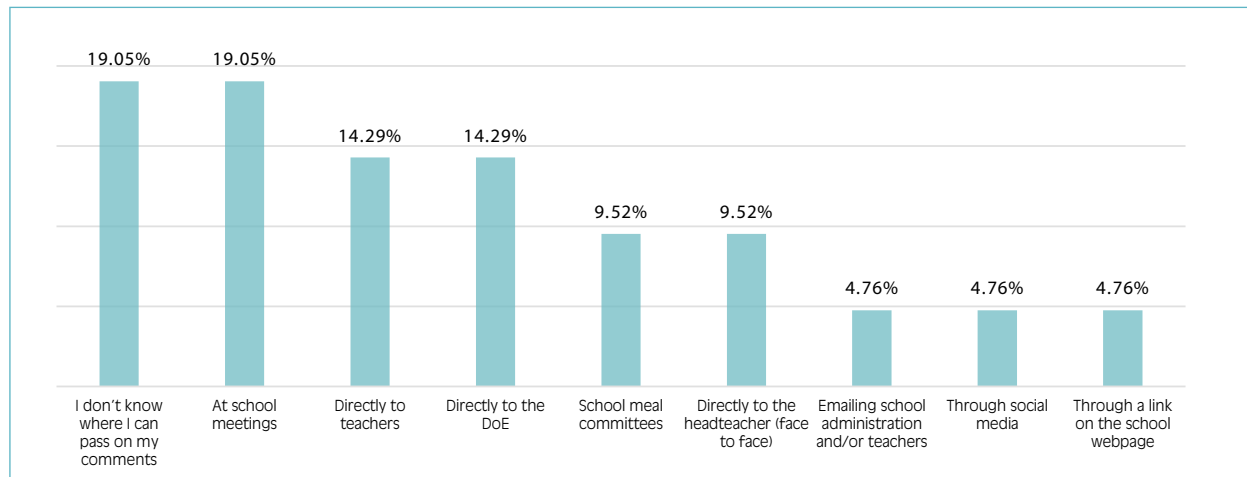
Graph 5. Channels of communication for parents, teachers, and headteachers in rural areas



Source: Compiled by author from survey findings

Graph 6 shows the findings of surveys carried out with parents, teachers, and headteachers in urban areas concerning this initiative.

Graph 6. Channels of communication for parents, teachers, and headteachers in urban areas

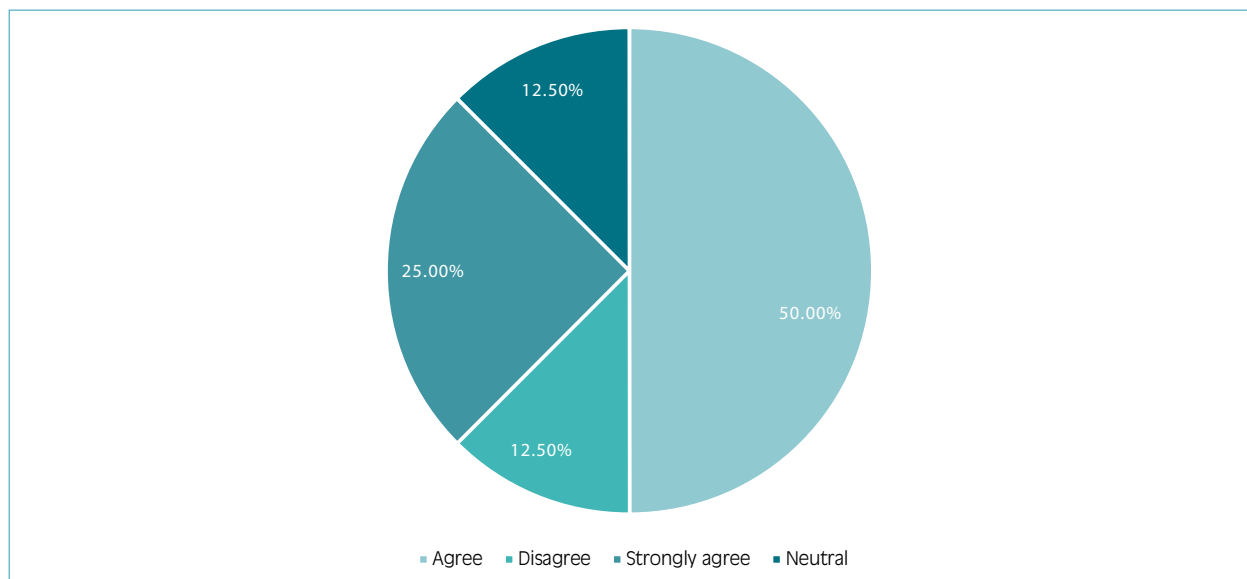


Source: Compiled by author from survey findings

It can be seen from Graph 6 that in urban areas, 19% of the parents, teachers, and headteachers surveyed do not know where they can give their feedback on the SMP Open Contracting Initiative. However, school meetings, directly with teachers, directly with the DoE, school meal committees, and directly with the headteacher account for nearly 81% of the channels of communication used by parents, teachers, and headteachers to give their feedback on this initiative at each DEI. Parents, teachers, and headteachers in both rural and urban areas use the same channels of communication most frequently.

Finally, the survey findings presented in Graphs 7 and 8 show the degree to which teachers and headteachers at each DEI agree with the feedback on the SMP Open Contracting Initiative.

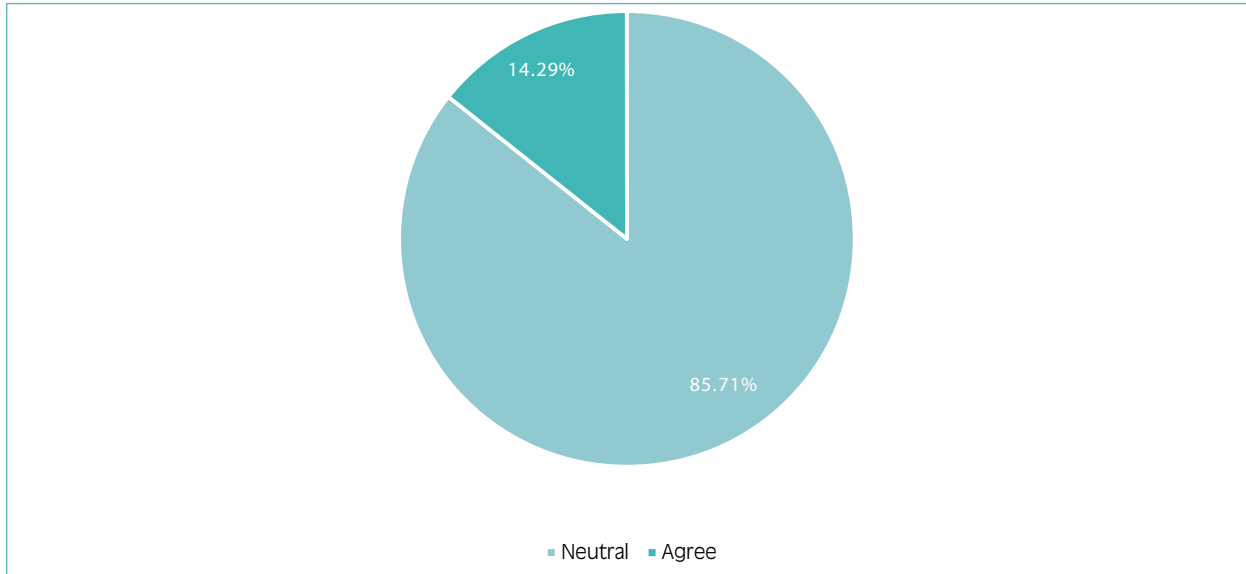
Graph 7. Teachers' and headteachers' agreement with feedback in rural areas



Source: Compiled by author from survey findings

Graph 8 shows the corresponding findings for urban areas, where some 85% of teachers and headteachers concur.

Graph 8. Teachers' and headteachers' agreement with feedback in urban areas



Source: Compiled by author from survey findings

The SMP Open Contracting Initiative uses several channels of communication (Claudia Puentes, online questionnaire, December 2019) for information on the initiative's performance:

1. Vis-à-vis citizens (three channels):

- Oversight of the SMP Open Contracting Initiative.
- The Capital District Complaints and Solutions System (Sistema Distrital de Quejas y Soluciones).
- The DoE's Citizen Services Office (Oficina de Atención al Ciudadano).

2. Vis-à-vis suppliers (two channels):

- The central technical team holds meetings to examine different issues that have arisen and put forward ideas for improvement to ensure that the programme runs smoothly.

These meetings are held by the DoE as part of its oversight obligations. The overseer reports on all aspects of the provision of school meals, including technical, administrative, legal, and financial aspects, as well as any points put forward by the DoE team for the SMP Open Contracting Initiative in response to events. Although the suppliers do not attend these monthly meetings, the DoE can call internal meetings with suppliers if and when necessary.

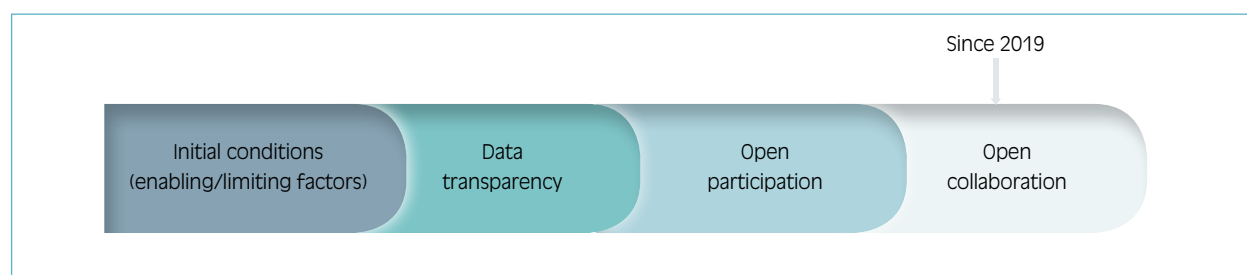
- The SMP Open Contracting Initiative team meets and sets out the agenda for the meetings. Minutes are taken by the overseer. Following the commitments agreed at each meeting, oversight provisions are established and checks set up to monitor the process as it is carried out, with progress reported on at the next meeting. The series of minutes taken by the overseer are filed in the archive for the tender in question.
- Overseers are in direct contact with suppliers and DEIs, where they monitor and check up on the different issues that arise on a daily basis as the programme is being carried out. Overseers meet with suppliers twice monthly to present the results of their findings into technical, administrative, legal, and financial aspects of the programme.

Following the initial pilot scheme run by CCE in alliance with the DoE, working groups were set up to try to understand why suppliers were not participating in certain processes. In addition, a series of well-attended meetings gave parents the chance to demand that school meals meet students' nutritional requirements (Nicolás Penagos, personal communication, November 2019).

2.2 Evolution of the SMP Open Contracting Initiative

After being launched in 2015, the SMP Open Contracting Initiative has gone through several phases. *Figure 8* shows the evolution of the initiative, and indicates its current phase:

Figure 8. Evolution of the SMP Open Contracting Initiative



Source: Author

Since it was launched in 2015, the SMP Open Contracting Initiative has evolved as follows:

2015

- CCE and the DoE form an alliance by signing Agreement 2958 of 2015 to carry out a pilot scheme to draw up a DAI to carry out the SMP Open Contracting Initiative.

2016

- CCE and the DoE sign Agreement 4050 of 2016 to join forces to implement the necessary procurement processes to draw up a DAI to carry out the SMP Open Contracting Initiative.
- The World Bank publishes its audit of the pilot scheme.
- Public tenders launched:

LP-AMP-129-2016. The Price Framework Agreements to source food for the SMP Open Contracting Initiative covered 11 food groups: (1) milk and other dairy drinks, (2) cheeses, (3) ice cream and lollipops, (4) packs of cereal, (5) compound preparations, (6) fruit nectar and juice from concentrate, (7) soya protein drink, (8) desserts, (9) nuts, (10) fruit and vegetables, and (11) water.

LP-AG-130-2016. A DAI to store, pack, and deliver school meals was drawn up for assembling meals in 30 areas in 19 localities in Bogotá (excluding Sumapaz).

2017

- Adjudication and delivery of the DAIs published at the end of 2016.
- LP-AG-153-2016 process planned, published, and adjudicated to store, pack, and deliver school meals.
- New food sourcing process planned based on the findings of a technical study.

2018

- Publication, adjudication, and launch of the CCENEG-005-1-2018 process.

2019

- Implementation of the CCENEG-005-1-2018 process and planning of new processes for 2020.

The SMP Open Contracting Initiative aims to offer solutions to recurring issues in Colombia, such as ensuring that children remain in the official education system, reducing school dropout rates, and offering high-quality supplementary meals. In addition, twice-yearly meetings enable the educational community (students, parents, headteachers, teachers, and managers), oversight bodies, and DoE collaborators to assess the community's comments and feedback and identify opportunities for improvement to strengthen service delivery and improve the design of DAIs (DoE, public meeting report, May 2019).

This research considers that the SMP Open Contracting Initiative is currently at the open collaboration phase, given that CCE is currently drawing up the third generation of DAIs to source food and to store, pack, and deliver meals. Over the last five years, the process has been strengthened by working with the community to identify opportunities for improvement and by making the most of ongoing learning to obtain better results, to national and international acclaim.

Table 4 contains testimonials from different participants in the SMP Open Contracting Initiative in Bogotá.

Table 4. Positive feedback from participants in the SMP initiative

Participant	Feedback
Dipsa Food (supplier)	The procurement model is very useful as it lets companies bid directly without any need for intermediaries or third parties, which makes the whole process transparent all the way through to tenders being awarded, which is what really matters to us.
Productos Alimenticios El Recreo SAS (supplier)	As a supplier, what I like about this model is its transparency, and as a citizen, I think guaranteed transparency in procurement processes is vital to ensure taxpayers' money isn't being wasted or misused. I have complete confidence that these resources are now being allocated through a model that, as I see it, leaves no room for bad practices.
Mountain Food (supplier)	It's a very positive initiative in that it creates a level playing field for all SMP bidders. In the past, these resources ended up in the pockets of cartels who rigged prices and added extra costs. This procurement mechanism ensures there is complete transparency, leaving no room for monopolies or favouritism when awarding contracts, as well as guaranteeing a fair price for products for both contracting parties.
UT MS-360 (supplier)	The CCE's demand aggregation mechanism opened up new procurement perspectives. This used to be a closed bidding process for public tenders with unsatisfactory forms of delivery, technical hurdles that limited the entry of new operators, and, above all, great uncertainty about the duration of contracts: for 280-day periods, Bogotá used to award 90-day, 100-day or 120-day contracts and then add on extensions; the current mechanism allows for longer contracts, for up to two years, which means businesses can make major capital investments backed by the banks. The result is that tenders for school meals programmes, like the one in Bogotá, are now awarded on the basis of merit, rather than creating barriers to merit.
CCE	According to CCE director general, José Andrés O'Meara Riveira, this process has boosted competition by opening it up to a wider range of bidders and has enabled purchasers to overcome annual budgetary hurdles to acquiring goods and services for the SMP (DoE website, June 2019).
DoE	This highly successful model has won plaudits within Colombia and worldwide since it was implemented in 2017. It cuts out intermediaries, stamps out restrictive practices, and opens the process up to a wider range of specialist suppliers to source food and to store, pack, and deliver school meals, leading to greater administrative efficiency throughout the procurement process (DoE website, June 2019). According to the secretary of education for the Capital District, Claudia Puentes Riaño, Bogotá currently has the largest SMP operation in Colombia – ahead of cities such as Medellín, Cali and Barranquilla – providing healthy, nutritious, balanced school meals to students every single day of the school year. Thanks to this new procurement model, last year Bogotá was able to deliver 728,000 school meals and more than 181,000 breakfasts and lunches every day. This year it is delivering more than 700,000 meals every day (DoE website, June 2019).

Source: Author

As part of operating and monitoring the programme, DEIs participating in the SMP Open Contracting Initiative run an additional participatory process in which technical teams trial potential new food items with students and gauge students' level of satisfaction with the programme in general and the food items in particular. The findings of these surveys reveal that 95% of students are happy with the programme in general, and 90% are happy with the food items in particular. Further participatory processes have been set up to teach students about food production and assembly plants to give them a greater understanding of where the food they receive through the SMP comes from.

In addition, as part of the oversight process for the SMP Open Contracting Initiative, citizens and oversight bodies take part in accountability mechanisms, such as the Complaints and Solutions System, the Citizen Services Office, and consumer checks. Thanks to these channels of communication, daily monitoring of the operation reveals aspects of the programme that can be improved immediately (DoE, meeting attended by the author, February 2020).

These kinds of strategies have played a key role in the successful implementation of the SMP Open Contracting Initiative. Thanks to the findings of consumer checks and the Complaints and Solutions System, unpopular food items have been withdrawn, delivery frequency has been improved, and new food items have been added to ensure that students receive healthy, nutritious meals (Claudia Puentes, online questionnaire, December 2019).

In terms of design and implementation, when drawing up DAI documents, it was essential to involve all actors every time that technical details and menus were checked, and to carry out surveys with students, teachers, and parents to obtain concise, up-to-date information on aspects to be improved when preparing new DAIs. The goal was always to gather information to ensure continuous improvement so that the SMP Open Contracting Initiative can uphold the same quality standards that have led to its success to date.

Table 5 compares the procurement system before and after implementation of the SMP Open Contracting Initiative.

Table 5. Before and after comparison of the SMP Open Contracting Initiative

Before the SMP Open Contracting Initiative	After the SMP Open Contracting Initiative
SMP suppliers in Bogotá were logistics operators.	Procurement processes are divided into two separate stages: (1) sourcing food; and (2) storing, packing, and delivering meals.
Negotiations were with the final link in the supply chain (intermediaries) rather than with food producers.	Food is purchased directly from producers and/or manufacturers through the DAI for sourcing food.
The procurement process took between two and three months.	During the Secondary Operation, orders are placed on the TVEC with different suppliers to meet the DoE's food requirements. The procurement process takes under eight days.
Tenders were awarded to one single supplier.	Open competition, with a range of bids.
Tenders were awarded directly without any competitive processes.	During the Main Operation, price floors and ceilings are set.
Extra costs were incurred when purchasing food.	When selecting suppliers in the Secondary Operation, the DoE can purchase high-quality food at fair prices.

Source: Author

The research has revealed high levels of trust between the different actors involved in the SMP Open Contracting Initiative process. Since 2015, great efforts have been made to join forces and work together to strengthen the initiative.

There was common agreement among the actors that the SMP Open Contracting Initiative has won national and international acclaim as a successful, innovative, and transparent model. It successfully tackled the challenge of improving data and procurement processes for the provision of school meals by setting up a trans-

parent open contracting process based on solid market research that made it possible to identify fair market prices for each food item.

In addition, the publishing of open data led to a significant increase in the number of suppliers: from 13 in 2016 to 53 in 2017 (46 of which sourced food and 7 of which stored, packed, and delivered meals). In 2018, there were 49 suppliers (44 of which sourced food and 5 of which stored, packed, and delivered meals).

The participants in the procurement process were asked to give their perspective on the effectiveness of the SMP Open Contracting Initiative in Bogotá. Their responses revealed that the following progress had been made:

- Improved monitoring and oversight of the process by the overseer and central team of the SMP Open Contracting Initiative, from food production through to logistics operations and delivery to the DEIs.
- Budget savings for the DoE of COL\$62 billion in Secondary Operations from April 2017 to September 2019, leading to greater efficiency and more effective public spending.
- Opportunities for improvement identified at meetings with citizens and/or public hearings held as part of the accountability process for local and district administrations.
- Positive results in terms of strengthening and improving internal administrative processes within the DoE, given that tenders which used to take between two and three months to be awarded are now being processed through purchase orders on the TVEC within eight days.
- Oversight reports published on SECOP II now make it possible to follow implementation of the entire DAI, including information such as the total value of purchase orders placed on the TVEC for both sourcing food and storing, packing, and delivering meals in Bogotá; which suppliers have received the most orders for each DAI; oversight reports; modifications to the DAI; breaches of contract; and supervening incapacities, fines, and sanctions incurred by suppliers.

However, hidden risks and obstacles still remain even with the improved SMP Open Contracting Initiative in Bogotá. Unwelcome political pressure, corruption, collusive bidding, and weak institutions are all areas where there is need for further progress if hard-won gains are not to be lost. It is also important to ensure continuity in public policies whenever there are changes in government or the civil service to ensure that each new political appointee builds on the work done by their predecessor (Maria Teresa Palacio, online questionnaire, November 2019).

Although no cases of corruption in the SMP Open Contracting Initiative have been detected at district level, there have been several developments at national level: (1) fiscal oversight processes have been launched by the Comptroller General of the Republic, including investigations into current and former governors and mayors; (2) criminal investigations by the Office of the Prosecutor General into different suppliers are under way in 35 regions of the country; and (3) disciplinary actions have been taken by the Office of the Public Prosecutor.

It should be noted, however, that at district level, Resolution 46587 of 5 July 2018 authorised the Office of the Superintendent of Trade and Industry to bring a list of charges against 10 suppliers, a business association in the food industry, and 18 individuals for running a business cartel designed to rig the results of 21 SMP procurement processes in the Capital District over the last ten years. Unfortunately, current regulations governing the procurement process only allow businesses and people under investigation for collusive bidding to be excluded from procurement processes once they have been found guilty of any charges and had sanctions imposed on them.

It is clear that the SMP Open Contracting Initiative has caused and still causes huge tensions with those actors who used to monopolise the school meals market and who are now seeking to regain their former privileged position at any cost with nothing more than their own benefit in mind. This is an issue that needs to be addressed by institutions.

3 Study of the current reporting and accountability models

The Colombian Constitution of 1991 stipulates that state and government administrations are required to undertake certain reporting and accountability activities and are entitled, in turn, to receive reports through civic participation mechanisms, as part of the oversight process. For the SMP Open Contracting Initiative, the accountability process is linked to reporting on management of the procurement process and delivery of public resources, which also involves aspects of fiscal accountability.

In one of its rulings, the Colombian Constitutional Court made the following observations: ‘In a participatory democracy, the right to access information (Article 20 of the Colombian Constitution) constitutes an indispensable tool for exercising the fundamental political right to participate in the process of overseeing political power (Article 40 of the Colombian Constitution) and underpins the effectiveness of the principle of political responsibility (Article 133 of the Colombian Constitution), as well as materialising the principle of making information publicly available as an overarching principle that should govern all administrative activity (Article 209 of the Colombian Constitution)’ (Corte Constitucional, 2002).

Access to information plays such a key role in reporting and accountability that the Transparency and Access to Public Information link is one of the main links on the DoE website (https://www.educacionbogota.edu.co/portal_institucional/transparencia). The Management, Oversight, and Auditing section of the website contains reports on the SMP Open Contracting Initiative in Bogotá, which is the main mechanism for giving interested parties direct access to information about the initiative, as shown in *Figure 9*.

Figure 9. Transparency and access to public information on the DoE website



Source: DoE website II

Sharing information on the different aspects of the SMP Open Contracting Initiative process with the public, parents, and potential suppliers is an essential part of the procurement process for this initiative. All the data are clearly published on the platform in a readily understandable format. As part of this transparent pro-

cess, market failures detected during the planning process were made publicly known (Sophie Brown; Georg Neumann, 2018). This helped increase media coverage of the initiative, publicised the rules for taking part in the process, and drew attention to the steps being taken to remedy the failings detected.

Another form of public information provided within the framework of civic oversight and accountability is the data published on SECOP II, which enables real-time monitoring of all information created by state bodies relating to the procurement process, from planning and drafting to delivery and implementation, and through to post-contract actions.

Colombian state bodies are required to guarantee transparent and timely access to information to ensure proper financial and administrative oversight of the resources allocated and the costs incurred through public procurement processes. In recent years there has been a move to implement a reporting and accountability model designed as a mechanism to 'underpin and boost transparency in the public sector, demonstrate the concept of government responsibility and public service, and provide access to information. In addition, accountability is an expression of social oversight, in that it lets citizens request information, ask for explanations, evaluate process management, and judge the degree to which their needs are being met' (Consejo Nacional de Política Económica y Social, 2010: 13).

The Statutory Act 1757 of 2015 contains a number of provisions concerning the right to democratic participation. Section 4 thereof sets out a series of basic reporting and accountability concepts, as well as the principles, aspects, and stages that should be taken into account, as shown in *Table 6*.

Table 6. Reporting in the Statutory Act 1757 of 2015

Principles	Aspects	Stages
Continuity	Information	Preparation
Permanence	Language understandable to citizens	Training
Openness	Dialogue	Publishing information
Transparency	Incentives	Call for bids and delivery
Wide availability and clear visibility		Monitoring

Source: Compiled by author from Articles 49 and 56 of Statutory Act 1757 of 2015

With this in mind, the Administrative Department of Public Service issued a definitive accountability manual defining accountability as 'the obligation of bodies in the executive branch and public servants at national and lower levels and in the judicial and legislative branches to inform, enter into dialogue with, and give clear, specific, and effective replies to requests and comments by interested parties (citizens, organizations, and stakeholders) on processes carried out, including the results of their action plans and their steps to respect, guarantee, and protect rights' (Departamento Administrativo de la Función Pública, 2019).

In a similar vein, the Administrative Department for National Statistics has said the following: 'Public administration accountability is a space for liaison between public officials and citizens: it aims to create transparency, build trust between government and citizens, and guarantee social oversight of public administrations, as well as provide input for adjusting projects and action plans for their successful realisation' (Departamento Administrativo Nacional de Estadística, n.d.).

Within the framework of open government in Colombia, the requirement for accountability has put the principles and essentials of open contracting into practice by obliging state bodies to publish all their procurement activities in a uniform format on the permanently accessible SECOP platforms, thus enabling all citizens and interested parties to follow procurement processes in real time.

Although, in accordance with Act 1150 of 2007 and Decree 1082 of 2015, there has always been an obligation to publish all the documents that form part of open contracting processes, the use of SECOP II has made this information available far more readily and has done away with any discretion civil servants might have had

with regard to which information to publish, as well as how and when. As previously explained, for the SMP Open Contracting Initiative, information was made publicly available from the beginning of the planning stage and included identified market failures. As a result, in addition to having access to tender specifications and related documents, stakeholders were also alerted to these shortcomings.

As far as the SMP Open Contracting Initiative is concerned, the country's national public procurement agency (CCE) and its strategic ally in structuring the DAIs for this initiative (DoE) are the bodies responsible for reporting to citizens and oversight bodies. In the words of one of the interviewed informants, 'SMP accountability takes place in two institutions, with the DoE focused on reporting on programme delivery and CCE reporting on procurement planning, since both bodies are obliged by Colombian law to carry out their respective accountability activities, a major part of which includes the work covered by the SMP' (J. Vernaza, personal communication, 20 November 2019).

Bearing in mind the role played by the active participants in the SMP Open Contracting Initiative in Bogotá and the different reporting stages required in Colombia, the following actors can be identified as Responsible (R), Accountable (A), Consulted (C), and Informed (I), as shown in the RACI matrix in *Table 7*.

Table 7. RACI matrix

	DoE	CCE	Schools	Citizens	Oversight bodies
Preparation	R	R	C	I	I
Training	A	R			
Publication of information	R/A	R	I	I	I
Calls for bids and delivery	R/A		I	I	I
Monitoring	R	R	R	R	R

Source: Author

To get a better understanding of the RACI matrix, it is important to consider the nature of the actors featured in it, such as the DoE. As described throughout this case study, the DoE's responsibilities include implementing school feeding policies in the Capital District by means of the SMP Open Contracting Initiative, for which it teamed up with CCE. Citizens are not only expected to play an active role in the programme, but are also at the receiving end of the state's positive and negative decisions. Another key role is played by the oversight bodies, which are responsible for 'overseeing certain state activities and adding external oversight to existing internal oversight of the various branches of power in hierarchical administrations, which makes for better evaluation of the achievements, failures, and infringements arising from said activities' (Departamento Administrativo de la Función Pública, n.d.).

The informants interviewed for this study on the SMP Open Contracting Initiative in Bogotá identified a two-fold reporting and accountability system: on the one hand, the obligation of state bodies to report to and inform citizens of their administrative and fiscal actions; and, on the other, the programme oversight carried out by citizens, beneficiaries, and oversight bodies in general.

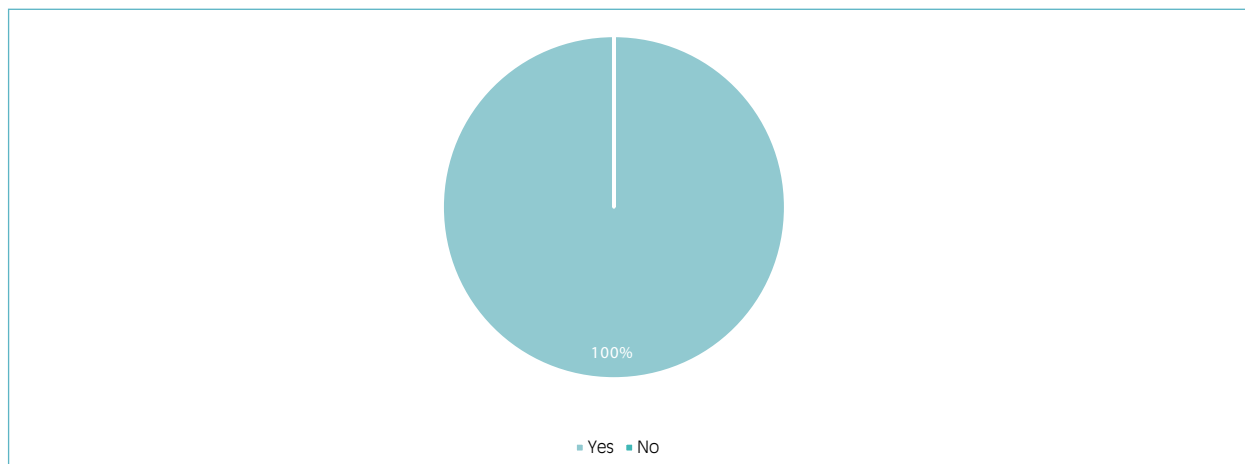
Civic oversight can be understood as 'a means of civic engagement with public affairs by means of oversight, criticism, monitoring, evaluation, deliberation, and social sanction, conditional on the autonomy and independence of the social actors and social powers available to produce consequences' (Ministerio de Tecnologías de la Información y las Comunicaciones, n.d.). In the SMP Open Contracting Initiative in Bogotá, this mechanism can be seen at various points of the procurement process. Citizens and any other interested parties have the opportunity to make comments and observations on requirements and structure at the planning and selection stage, and may make suggestions for improvement by means of messages or petitions and even by directly taking the floor at one of the different meetings or hearings held. During and after the implementation stage, citizens may use a variety of channels of communication set up by the DoE to register their complaints and make requests, observations, and petitions. These are then processed through the official Capital District Com-

plaints and Solutions System, and the relevant data are posted on the civic oversight board, which makes it possible to analyse the data from citizens' petitions to tackle the main problems, respond to petitions, and improve procedures and services.

The 10 informants who answered semi-structured questionnaires on the initiative see reporting as a means for oversight bodies to monitor how policies are being implemented.

Graph 9 shows informants' perspective on accountability within the SMP Open Contracting Initiative.

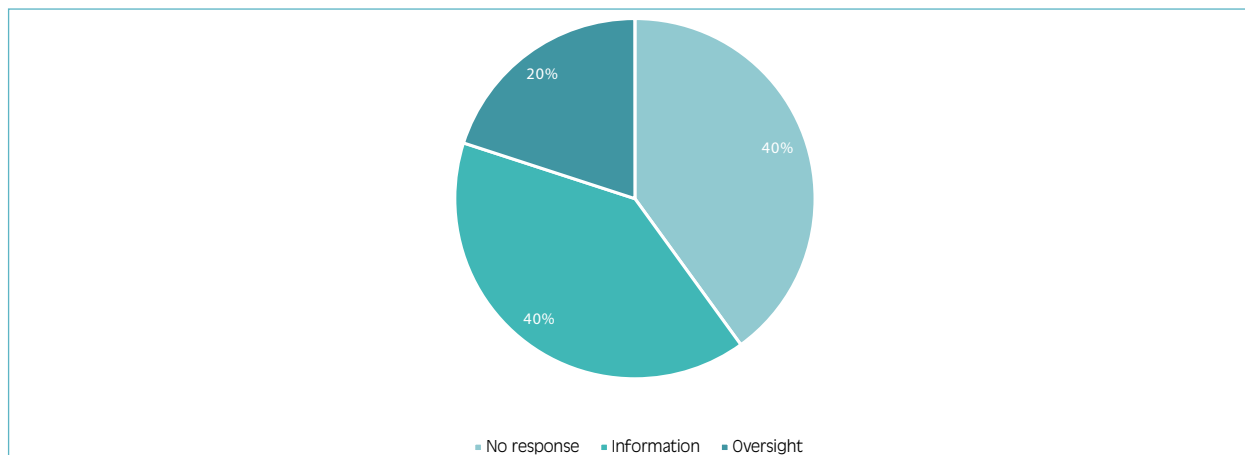
Graph 9. Perspective on reporting



Source: Compiled by author from semi-structured interviews

This graph shows that all informants recognise that the initiative includes a reporting scheme.

Graph 10. Informants' perception of the purpose of reporting on the initiative.



Source: Compiled by author from semi-structured interviews

Informants already knowledgeable about accountability within the initiative consider that reporting results can best be disseminated through three main mechanisms: (1) reports by state bodies made available to all interested parties by various means; (2) publication of oversight reports on the tender and monitoring of the different SECOP platforms; and (3) public meetings held specifically for these kinds of programmes.

The first mechanism of publishing reports is generally part of the annual reporting process undertaken by each state body. In the specific case of the SMP Open Contracting Initiative in Bogotá, the DoE posts its annual management reports on its institutional website, where they are freely available to all interested parties. Each

annual report includes a section on implementation of the SMP, including figures and data on meals and beneficiaries (Secretaria de Educación del Distrito, 2018a). A second, far more detailed annual report by the DoE's internal control department focuses specifically on the SMP and contains a section with compliance checks on meal delivery, risk controls and indicators, and procedures for registering complaints and making suggestions for improvement (Secretaria de Educación del Distrito, 2018b).

The second reporting mechanism follows from the regulations governing public procurement processes and the principles of transparency and public availability that apply to all state bodies' procurement activities.

In accordance with Act 1150 of 2007 and Decree 1082 of 2015, the state body charged with overseeing compliance with the tender is required to publish the relevant information on the SECOP platform. All such reports for the SMP Open Contracting Initiative can be viewed at <https://community.secop.gov.co/Public/Tendering/OpportunityDetail/Index?noticeUID=CO1.NTC.429205&isFromPublicArea=True&isModal=true&asPopupView=true>. These reports include details of each supplier's monthly compliance with the conditions stipulated in the tender and any potential breaches of contract. These reports are prepared exclusively by CCE using the information it receives on a regular basis from the DoE and the different schools in the Capital District.

The third mechanism of public meetings is set out in Articles 7.1.1 and 7.2.2 of Resolution 29452 of 2017 concerning the Technical-Administrative Guidelines, Standards and Minimal Conditions for the SMP (Ministerio de Educación Nacional, 2017). In accordance with these articles, and as affirmed by informants at CCE and the DoE, 'two annual public meetings are held to set out the work done by the body in terms of the SMP and to assess results in areas such as the range of students reached, food quality, and actions carried out to ensure provision, as well as reporting on the procurement processes for the DAIs to source food and deliver meals, and on the association agreement to provide school breakfasts and lunches, among others' (Claudia Puentes, personal communication, 11 December 2019).

In addition to informing all interested parties of the state of implementation and progress made, these meetings also offer a space for students, parents, teachers, and other actors 'to give their opinion and provide feedback on how the SMP has been implemented and discuss opportunities for improvement' (Andrés Mancipe, personal communication, 12 November 2019).

As an integral part of the reporting and civic engagement process, these public meetings are a forum for the educational community (students, teachers, supervisors, headteachers, and parents), oversight bodies, the DoE, and any members of the general public who wish to take part. These meetings also provide an opportunity for communicating results from the previous period. The 2019 public meeting report from the DoE covered the following aspects of the SMP Open Contracting Initiative, among others:

- Joint work by CCE and the DoE on aspects of transparent and inclusive procurement.
- The MoE's work on monitoring the programme and implementing the reporting guidelines set out in the area of school meals.
- Investment figures and actions, and range of students reached.

Although these reporting and accountability mechanisms are not the direct result of implementation of the SMP Open Contracting Initiative in Bogotá, the fact that the programme is an open contracting process with different means of focusing information for the general public was hugely important in getting information on the programme's structure and means of delivery across to as many stakeholders as possible. Working together with other organizations is an effective way of improving the initiative's market niche. One clear example is the process launched by the Office of the Superintendent of Trade and Industry (SIC), the body responsible for supervising, monitoring, and overseeing compliance of competition rules in Colombia, which found that companies intent on thwarting the process 'were conniving to boycott fruit tenders in an attempt to force the DoE

and CCE to announce a new tender with a budget of COL\$22 million, an increase of almost 50%. According to the SIC, the higher prices would have led to fruit shortages for around three months for more than 80% of public schools benefitting from the SMP in Bogotá, and would have blocked market access to other suppliers not involved in this presumptive collusive practice' (Sophie Brown; Georg Neumann, 2018). This investigation led to proceedings that imposed fines of more than COL\$2.4 billion on six companies, according to the SIC (2019). This is just one form of sanctions that can be imposed in a procurement process involving public funds. The Colombian body of law and the public procurement system stipulate a range of contractual, penal, and fiscal sanctions for those found guilty of committing a crime or who contravene disciplinary standards and the right to fair competition.

Furthermore, it is clear that in cases such as these, citizens and beneficiaries of the SMP Open Contracting Initiative in Bogotá should play a key role in identifying areas for improvement. Continuous communication and feedback are at the heart of the reporting process, in addition to the public meetings. The petitions, complaints, claims, and requests received (116 in 2018 and 89 in 2019) are not only used by the DoE to draw up recommendations for improvement, they serve as a direct channel of communication between citizens and the administration, and make it possible to compare statistics on recurring subjects. Responses to petitions, complaints, claims, and requests are addressed directly to the person who lodged them. Organizations in Colombia generally process the petitions, complaints, claims, and requests they receive internally, make the necessary improvements, and take the steps required in cases of irregularities, as well as forward any petitions, complaints, claims, and requests that do not fall within their remit to the competent body or organization.

However, improvements need to be made to the system of reporting back to citizens, users, and end beneficiaries of the SMP Open Contracting Initiative in Bogotá who make suggestions, complaints, and/or recommendations. These actors need to know what effect their feedback has had, what action has been taken to remedy any failings they have drawn attention to, what discussions were held on how to incorporate their recommendations into the initiative, how their suggestions have been put into practice, and ultimately how useful their feedback has been for the country's food policies in general and the beneficiaries of the initiative in particular.

4 Analysis of short-, medium-, and long-term impact

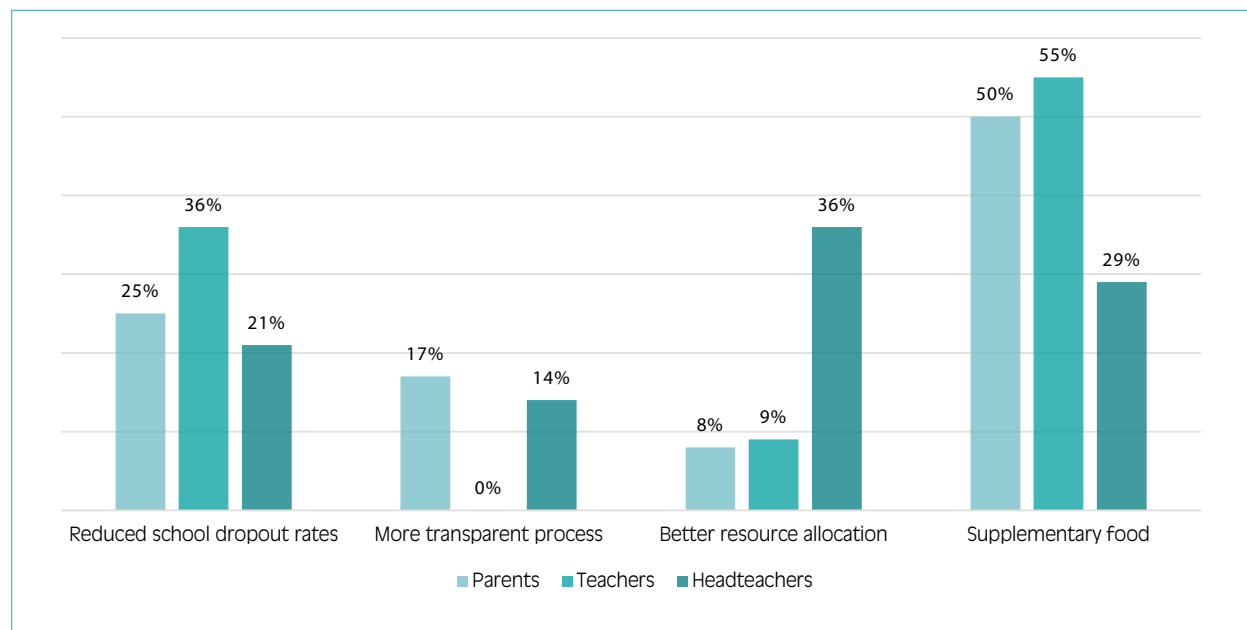
Implementing open contracting strategies in Colombia has meant modernising public administrations not only in terms of developing and strengthening information technologies in the field of procurement, such as the SECOP II platform, and operating contracts with public resources on the TVEC platform, but also by promoting greater access and wider availability of information and creating active civic engagement mechanisms to benefit the target population.

According to informants at school level, the SMP Open Contracting Initiative in Bogotá made the greatest impact in the following areas:

- For parents, the key point was the provision of supplementary food, followed by reduced school dropout rates and greater transparency in the procurement process. For these actors, the least important point was how the DoE allocates public resources for the programme.
- For teachers, the most representative aspects of the programme were linked to the advantages it offers to beneficiaries in terms of supplementary food. They also highlighted the fact that the SMP Open Contracting Initiative led to a fall in school dropout rates and agreed that the initiative resulted in improved allocation of resources.
- For headteachers, better allocation of resources and providing students with supplementary food were the main public benefits of the SMP Open Contracting Initiative.

Graph 11 summarises the aforementioned points.

Graph 11. Perception of the public benefits of the SMP Open Contracting Initiative



Source: Compiled by author from surveys

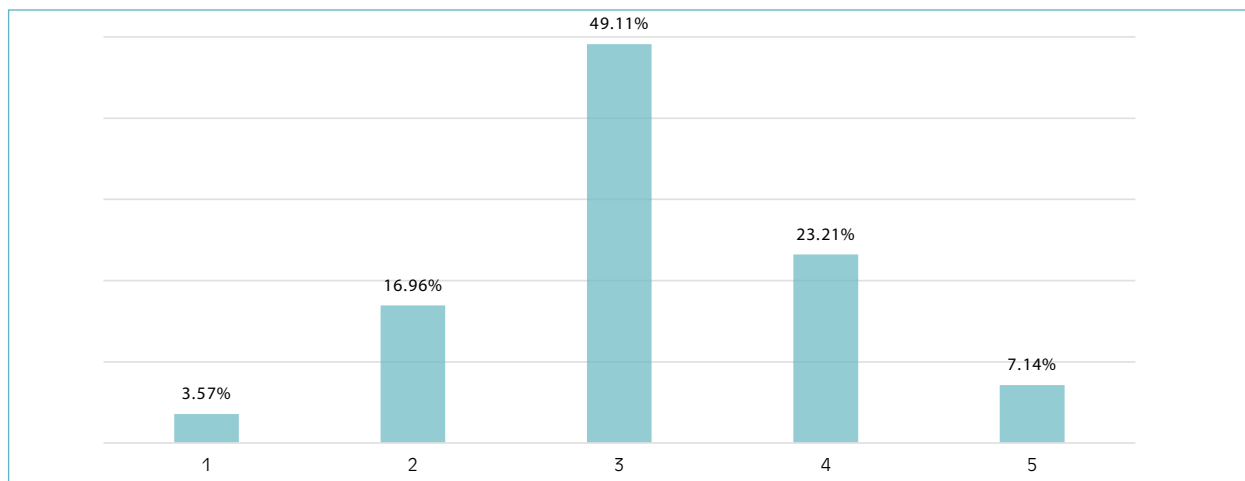
Graph 11 shows that informants at school level placed greatest value on the programme's social benefit, followed by its incitement for students to remain in school, which is in itself a key public policy goal; it is an ef-

fective strategy to promote students' all-round development while they – the programme's target population – remain in the official education system.

As the direct beneficiaries of the SMP Open Contracting Initiative in Bogotá and the end consumers of the school meals, students stressed the importance of receiving high-quality food in a variety of forms. Their observations are summarised in *Graphs 12-15*.

Students in rural areas were asked to rate school food quality on a scale of 1 to 5, where 1 is 'Very poor' and 5 is 'Very good'. The findings are shown in *Graph 12*.

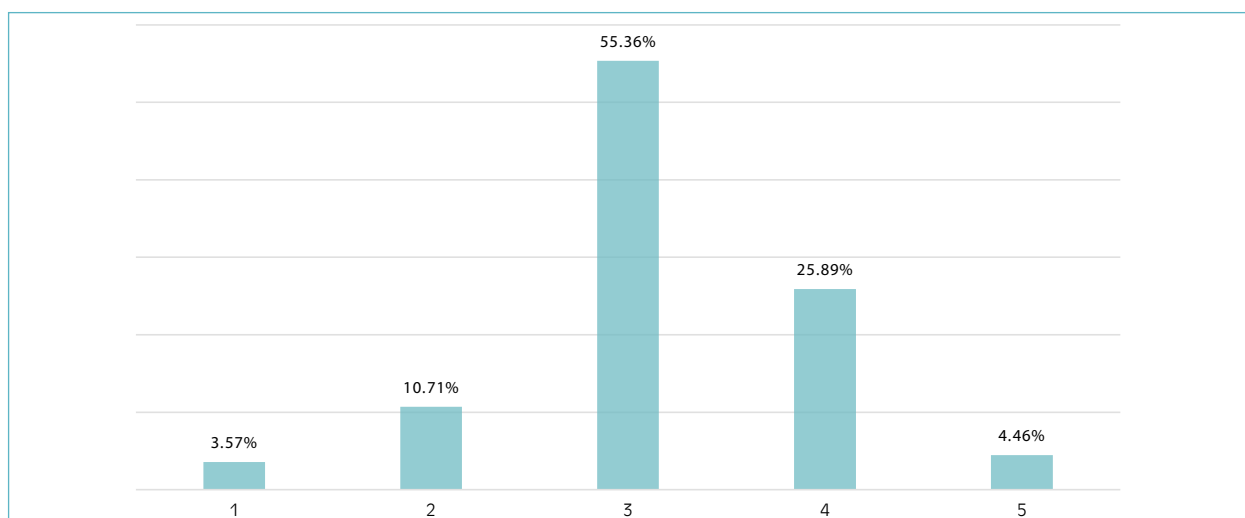
Graph 12. How rural students rated the quality of school meals



Source: Compiled by author from surveys

The findings show that 79.46% of students in rural areas rated the school meals as being of reasonable quality and very good quality (3 to 5). *Graph 13* shows the corresponding findings for students in urban areas.

Graph 13. How urban students rated the quality of school meals

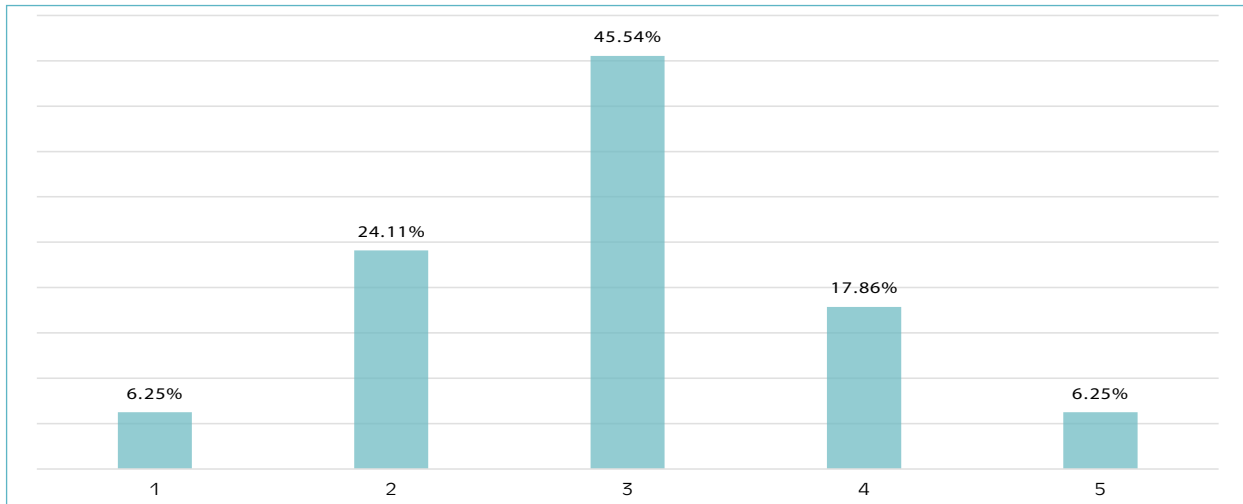


Source: Compiled by author from surveys

This graph indicates that 85.71% of students in urban areas rated the school meals as being of reasonable quality and very good quality (3 to 5).

Students were also asked how satisfied they were with the variety of meals provided. *Graph 14* shows the findings of surveys carried out with students in rural areas, on a scale of 1 to 5, where 1 is 'Not at all satisfied' and 5 is 'Very satisfied'.

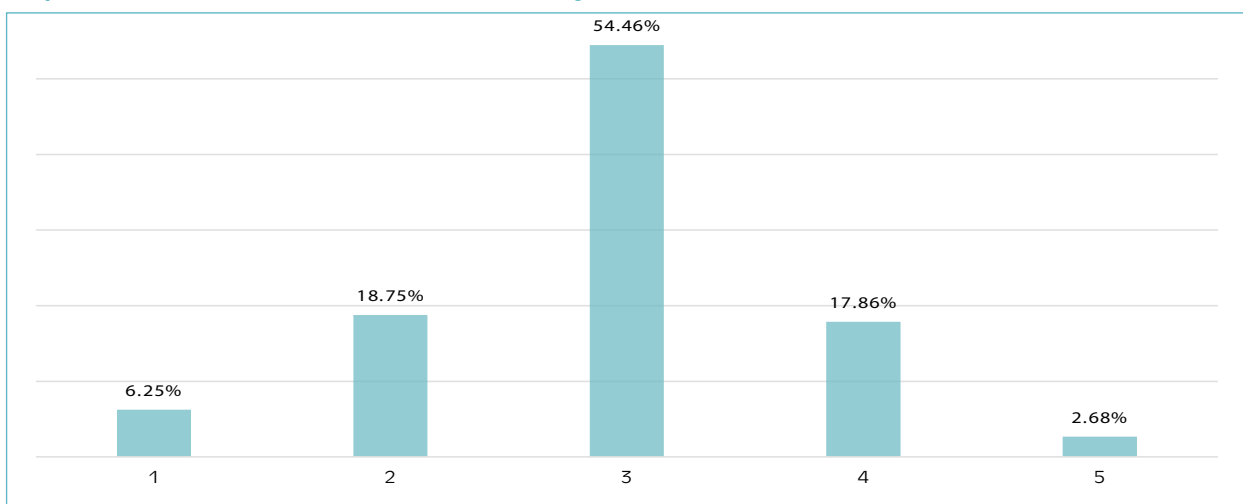
Graph 14. Rural students' satisfaction with the variety of school meals



Source: Compiled by author from surveys

In rural areas, 69.65% of students said they were between reasonably satisfied and very satisfied (3 to 5) with the variety of school meals. *Graph 15* shows the corresponding findings for students in urban areas.

Graph 15. Urban students' satisfaction with the variety of school meals



Source: Compiled by author from surveys

In urban areas, 75% of students said they were between reasonably satisfied and very satisfied with the variety of school meals (3 to 5).

Suppliers identified the following benefits brought about by implementation of the SMP Open Contracting Initiative in Bogotá:

- Increased cash revenue as a result of being contracted directly by the state body awarding the tender. In the past, contracts used to be awarded to intermediaries, which not only added extra costs but also led to delays in suppliers being able to recoup their outlay (Luz Marina Rojas, Dipsa Food; Carlos Galeano Rueda, El Recreo S.A.S., personal communication, 2019).

- More transparent participation in procurement processes, with clear price-based rules on competition and objective adjudication criteria, such as recognition of experience in the industry and food quality, which immediately leads to more effective procurement processes (Luz Marina Rojas, Dipsa Food, personal communication, November 2019).
- Along the same line, the representative of Mountain Food agreed that implementation of the SMP Open Contracting Initiative in Bogotá had led to greater transparency and better use of resources, which in turn made it possible to expand the range of students covered by the programme and allocate more resources to other social projects.
- Direct links to producers, now that there is no need to deal with poorly performing intermediaries.
- Increased direct job creation and workforce professionalisation to meet the high standards required. The strategies put in place by food producers and suppliers under the SMP Open Contracting Initiative lead to greater benefits for students, as more highly qualified staff are assigned to the task of preparing and monitoring the meals to be delivered (Luz Marina Rojas, Dipsa Food, personal communication, November 2019).
- Standardisation of school food quality and service provision. As part of the strategy agreed by CCE and the DoE, the open contracting process followed national standards stipulating the following conditions for all DAIs: (1) the goods and service to be acquired must have uniform technical characteristics; and (2) there must be a range of bidders in the market (Article 2, Paragraph 2 of Act 1150 of 2007; Decree 1082 of 2015).

Following MoE parameters and directives, the DoE set out a series of technical guidelines and minimum conditions to be met by each meal served to students through the SMP to ensure that children and young people's minimal calorie and nutritional requirements were met.

As a result, CCE was able to lay down market conditions, minimal prerequisites for bidders, and common prices for the procurement process, as well as placing greater value on additional technical factors such as more nutritious food.

The results and impact of the SMP on the provision of meals to students at DEIs in Bogotá encouraged other CTBs to approach CCE with an eye on drawing up DAIs to implement the programme in their own area. However, issues such as a lack of political will, changes in government, and findings of investigations and audits by the oversight bodies meant that these projects had to be suspended at the structuring stage.

Nevertheless, given the clear need to create mechanisms to remedy the failings in service provision and tackle the high school dropout rates, the Colombian Government drew up the 2018–2022 National Plan and designed two medium-term measures to replicate the successful DAI model implemented by CCE and the DoE.

4.1 A new SMP Open Contracting Initiative

The new SMP will seek to promote the highest levels of transparency and continuity throughout the school year by creating additional access routes and implementing new measures to reduce school dropout rates for all students aged 6–17. This will take more resources, which will be allocated to the programme. As part of its actions to achieve greater equality in the education sector, the Colombian Government resolved to increase the budget for the SMP and increase the number of eligible students, as shown in *Table 8*.

Table 8. National Development Plan investment in the SMP

Programme	Indicator	Baseline	4-year target
Scope and quality of preschool, primary, and secondary education	Students eligible for the new SMP in urban areas	5,300,000	7,000,000
Scope and quality of preschool, primary, and secondary education	Students eligible for the new SMP in urban areas	1,780,000	1,780,000

Source: Compiled by author from the National Development Plan

The reformed SMP aims to boost strategies to extend the scope of the programme by focusing attention on areas of greatest need, strengthening the role of regional authorities in the programme, and optimising resources within a framework of transparency, quality assurance, and service continuity.

The Colombian Government recognises that if the strategies are to be successful in the medium term, implementation should take place within the following framework:

- More funding and optimised management, use, and monitoring of resources by increasing investment from the country's budget and identifying local sources of finance, as well as setting out criteria for distributing resources and implementing project timelines to ensure service provision throughout the school year and to boost local productive potential.
- Greater transparency through strengthened social oversight in families and communities, in tandem with the oversight bodies, as well as training and empowering actors to mitigate the legal and administrative obstacles facing the procurement process.
- Effective tools to carry out studies of the industry, create procurement guidelines, and set up supplier databases. This means providing training and technical assistance to regional and local bodies to enable them to attract the widest range of bidders and to run procurement processes under proper market conditions, including taking steps to combat collusive or anticompetitive practices.
- Strengthened role of regional authorities and greater recognition of the pluricultural nature of the country, by equipping the SMP with the tools needed to adapt to different regional operating conditions and to the different rural and ethnic conditions of the target population.
- Inspection and oversight guidelines to ensure provision of a service that meets the highest health, safety, and hygiene standards.

Given that these strategies are currently at the implementation stage, it has not yet been possible to obtain further details from the Colombian Government or identify the means envisaged to put them into practice.

4.2 Creation of a special administrative unit for school feeding: *Alimentos para Aprender*

Legislation implementing the National Development Plan (Act 1955 of 2019) stipulated that by 2020 a body should be set up under the MoE charged with setting and implementing school feeding policies with the following objectives: (1) strengthen the programme's funding strategy; (2) promote transparency throughout the procurement process; (3) extend its scope and ensure continuity; (4) assure food quality and safety; and (5) put forward operating models to strengthen the role of regional authorities. This led to the setting-up of a special administrative unit for school feeding named *Alimentos para Aprender* (Food for Learning), as shown in *Figure 10*.

Figure 10. Special administrative unit for school feeding



Source: MoE

In order to assess the value of implementing open contracting strategies in education in general and in the case of the SMP in particular, the Colombian Government announced that this new body would come into operation on 1 March 2020, charged with strengthening the government's strategy to reduce school dropout rates and thus ensure that students remain continuously at school throughout the compulsory schooling period of the official education system. At a summit meeting, the President of the Republic told the country's governors that this strategy aims to promote transparent procurement, effective funding, expanded coverage, guaranteed service continuity, high-quality, safe school meals, and robust operating models that strengthen the role of regional authorities in this field (Ministerio de Educación Nacional, 2020).

Alimentos para Aprender is designed to put students centre stage and focuses on meeting their needs and strengthening their rights. It requires well-designed, transparent mechanisms to ensure students' access to education, together with strategies to keep students in education, based on preventive processes and by creating indicators that detect early warning signs in the SMP operation.

Finally, in conclusion, *Table 9* shows the areas of agreement shared by the interviewed authorities and actors with regard to the impact of the SMP Open Contracting Initiative in Bogotá.

Table 9. Impact of the SMP Open Contracting Initiative in Bogotá

	Quality and coverage	System accountability and leadership roles	Immediate and short-term results linked to transparency and civic participation	Medium-term results (implementation of the initiative in more municipalities or departments)
Students	Yes		Yes	
Teachers	Yes		Yes	
Hedteacheress	Yes	Yes	Yes	Yes
Parents	Yes		Yes	
DoE	Yes	Yes	Yes	Yes
CCE	Yes	Yes	Yes	Yes
Suppliers	Yes	Yes	Yes	Yes
Civil society	Yes	Yes	Yes	Yes

Source: Compiled by the author from surveys and semi-structured interviews

Based on these excellent results, CCE and the DoE are currently implementing the CCE-973-IAD-2019 and CCE-974-IAD-2019 procurement processes to source food and store, pack, and distribute school meals for the SMP in Bogotá.

5 ● Conditions for success and improvement strategies

Implementation of the SMP Open Contracting Initiative in the education sector has had major repercussions on online government mechanisms, anticorruption measures, representations of information on spending, and public education policies. As a result, when designing strategies to widen scope and achieve higher quality in education, governments tend to be increasingly guided by the principle of effective, transparent public spending.

In the Colombian Government's budget for 2019, the MoE was allocated COL\$41.4 trillion, which accounted for some 20% of the country's total budget (Presidencia de la República de Colombia, 2018).² For the same year, COL\$1.3 trillion were allocated to the SMP at national level. The Capital District of Bogotá – a CTB with its own budget, separate from the national budget – set aside more than COL\$471 billion to attend to 725,024 SMP users every day and delivered over 205.9 million school meals during the duration of the DAI (CCE, 2019).

In Colombia, the fight against corruption, the establishment of clear guidelines for effective expenditure, and the proper use of public resources has led to the implementation of several procurement models, accompanied by participatory and accounting mechanisms and awareness-raising tools. As more and more state projects and programmes achieve tangible results, public acceptance rises and they serve as successful examples of how to break down negative stereotypes surrounding public procurement.

The SMP Open Contracting Initiative in the Capital District of Bogotá has won not only national praise from the MoE but also international acclaim for its transparent, competitive procurement processes, which are now viewed as a model of good practice for others to follow. In 2018, it won the Inter-American Award for Innovation in Effective Public Management from the Organization of American States (OAS) and the International Transparency Award from the Open Contracting Partnership.

The SMP Open Contracting Initiative in Bogotá has been a resounding success, and with suppliers now being selected for the next two DAIs to continue the programme, this model is now judged to be in a stable phase, and an effective, proven means of providing school meals.

Following the major achievements in implementing innovation strategies and engaging a range of actors in the programme, the main opportunities for improvement now lie in making a greater effort to let students know what effect their feedback has had on the programme. A number of students who had taken part in food trials run by the DoE technical team before each procurement process didn't feel that their comments on what products they would like to see in their school meals had been taken on board. It should be pointed out here that the menu and components of school meals are deliberately chosen by nutritional experts to ensure that children and young people receive a healthy, balanced, nutritious diet.

As seen previously in *Graphs 3* and *4*, more than 60% of students in both rural and urban areas give regular feedback on the meals they receive. However, the perception of students in rural areas is that their comments are taken on board only 50.9% of the time, as shown in *Table 10*.

²The Colombian Government's total budget for 2019 was COL\$201 trillion. Its budget for 2020 was COL\$271 trillion.

Table 10. Rural students' perception of feedback

Reply	Number	%
Never taken on board	50	44.64%
Sometimes taken on board	47	41.96%
Taken on board half the time	6	5.36%
Don't know	5	4.46%
Often taken on board	3	2.68%
Always taken on board	1	0.89%
Total	112	100%

Source: Compiled by author from surveys

Table 11. Urban students' perception of feedback

Reply	Number	%
Never taken on board	54	34.8221%
Sometimes taken on board	39	41.96%
Taken on board half the time	7	6.25%
Don't know	6	5.36%
Often taken on board	5	4.46%
Always taken on board	1	0.89%
Total	112	100%

Source: Compiled by author from surveys

In order to improve students' perception that their feedback will be taken into account, the DoE should hold meetings to ascertain students' perceptions, analyse the information provided, and show students how their comments have been incorporated into new strategies. In that way, the beneficiaries of the SMP will feel included in the process of designing their meals, which is an important point, given that the technical specifications of the food products that make up the meals are assessable criteria in the procurement process.

The SMP Open Contracting Initiative in Bogotá should serve as the springboard for expanding the initiative nationwide, as a means of tackling some of the country's most pressing issues, such as inequality, inefficiency, corruption, and other challenging conditions detected during provision of the programme. However, both the MoE, as the executive body for public education policies, and the country's municipalities and departments, which are responsible for ensuring the tender is delivered, face a number of major challenges affecting the initiative and programme:

1. Asymmetric information and poor-quality data: local and national authorities lack key data for SMP service provision, including the number of students per educational centre and school shift, age groups, and daily servings, among others, which leads to a series of unknowns and variations during delivery of the tender.
2. Mismatch between tendering and budgetary cycles: the school year runs from the last week of January through to November, meaning that the procurement process has to be put out to tender the previous year. However, in Colombia, state bodies allocate resources for the year in question following the budgetary cycle, which means inviting tenders by fractions, which leads to greater administrative burdens and has a negative impact on economies of scale.

3. Poor planning and choice of the direct tender method,³ which has a negative impact on competitiveness and transparency and therefore on price and quality. This goes against the core principle governing the planning of procurement activity in Colombia, which is to take procurement processes out of the discretionary hands of authorities and ensure that results meet the needs of the administration and end beneficiaries.

In addition to asymmetric market information, data quality, and the mismatch between tendering and budgetary cycles, there are also a number of other limitations and challenges facing educational authorities seeking to replicate the success of the SMP model in Bogotá throughout the rest of the country:

- The specific conditions in the different regions, departments, and municipalities in Colombia, given the country's enormous cultural diversity (different ethnic groups, indigenous population, Rom, Raizal, and Palenque) and geographical diversity, including hard-to-reach rural jungle communities. Poor roads and other access routes hamper efforts to establish a single parameter for the technical specifications of the food products to be delivered and to set out the conditions for selecting contractors. The recommendation is to establish nutritional parameters in accordance with the uses and customs of each region, and set reference prices that take account of the seasonal nature of products, the conditions for transporting food, and any safety and security considerations applicable to the area in question.
- Suppliers' limited installed capacity and a lack of bidders in the market. Not all departments and municipalities in Colombia have suppliers with sufficient installed capacity or the necessary industrialised or semi-industrialised food industries and production mechanisms to meet the needs of their student populations, given that the degree of industrialisation and economic development varies enormously nationwide. A number of products, including dairy produce and assembled products such as sandwiches and wraps, need to be refrigerated, something which cannot be guaranteed in every region in the country, given the different climatic conditions and the varying availability of public services, such as a reliable electricity supply.
- Objections to processed food. In keeping with their own customs, some communities in certain regions of the country do not eat packaged food or food with preservatives or additives. The SMP delivery method in such cases should be on-site preparation or even provision of raw food for the community to prepare themselves as they see fit.
- Violence and armed groups. The five-decade-long internal armed conflict in Colombia has led to clashes involving many illegal armed groups, including paramilitary groups, guerrilla groups, and crime syndicates, which have taken control of various areas of the country, causing the population to flee and often cutting off access, making state intervention impossible and leading to a deterioration in social conditions.

The following hurdles also have to be overcome before an SMP Open Contracting Initiative can be rolled out nationwide:

- Lack of training. The public procurement system and strategic sourcing models at the heart of the tendering process, and which are embedded in all the DAIs, call for specialist knowledge and an interdisciplinary team, as well as technical and legal expertise in the use of state IT platforms, such as SECOP II and TVEC.
- Suppliers' lack of economic and operational muscle. As mentioned above, resources for carrying out the SMP account for a sizeable proportion of public spending, and potential bidders must therefore have sufficient economic muscle to deliver the contracted service. However, the SMP in the different regions still operates

³ - Article 2 of Act 1150 of 2007 sets out the different methods by which state bodies managing public resources in accordance with the General Statute of Public Procurement are to carry out their tendering processes to award winning bids, including the following provisions: (1) Public tender, which sets out the general rules for selecting contractors, unless another method with its own conditions is used. The selection criteria for this method are technical and economic. (2) Abbreviated selection: this method is used (a) when the state body wishes to acquire goods and services with uniform technical characteristics, (b) if the budget for the tender is relatively small, (c) for tenders to provide healthcare services, and (d) when the tender has been declared void, that is, when no bidder has been awarded the tender put out under the previous method, among others. The main selection criteria are economic. (3) Merit-based selection process: this method is used to select consultants, auditors, and projects where the differentiating selection criteria are the technical conditions. (4) Minimum-bid selection process: when the estimated budget for the procurement process is 10% of the lesser amount in the state body's budget. (5) Direct tender: this method is used by state bodies in the following cases: (a) emergency situations, (b) loan tenders, (c) inter-administrative tenders, (d) goods and services in the defence industry, (e) tenders to carry out scientific and technological activities, (f) tenders for fiduciary services, (g) when no range of bidders exists in the market, (h) to provide professional and management support services or to carry out artistic work that can only be done by certain people, and (i) renting or acquiring real estate.

under an outsourcing model involving subcontractors, which limits suppliers' direct experience and operating capacity along the production chain.

- Infrastructure failings at DEIs and lack of equipment to serve meals to students.
- Limited or non-existent internet connection. Many municipalities and regions in Colombia do not have a good enough internet connection to use the online tools for open data public procurement processes such as SECOP II and TVEC.

Some of these challenges are not only a barrier to rolling out the initiative nationwide, but might also threaten the continuity of the project in Bogotá. Every single one of the main informants in the case study interviews and surveys thought that there was room for improvement in how the SMP Open Contracting Initiative was structured and carried out. In addition, all the informants agreed that the main challenges to replicating the initiative nationwide were training issues (70%), changes in government that lead to policy shifts (20%), and the quality and frequency of information and feedback provided by state bodies to citizens, beneficiaries, and oversight bodies (10%).

Another issue is a lack of awareness of how the SMP works and which actors are involved, which leads to oversight bodies asking state bodies and suppliers for data or actions that lie outside the scope of the initiative and beyond the terms and conditions of the tender. Confusion regarding how SECOP II and TVEC work results in actions being requested that simply create more unnecessary administrative steps and duplicate the published information.

Another negative external factor is collusion, that is, restrictive agreements between competitors that directly affect a public procurement process. Article 47, Paragraph 9, of Decree 2153 of 1992 defines collusive practices as agreements that aim to affect procurement processes by rigging bids or setting unfavourable terms, with the following consequences: (1) limited competition, with few bidders in the procurement process, which should be governed by the principles of equal opportunities and transparency; (2) additional monetary and transactional costs borne by the state in its dealings with poorly performing contractors; (3) information asymmetries in the market, which increase the prices of goods, projects, and services and decrease quality; and (4) negative impacts on social well-being through the loss of market efficiency as a result of unjustified increases in the profits of the colluding bidders (Superintendencia de Industria y Comercio, 2013: 1).

Furthermore, there is a need to rethink reporting and accountability strategies to ensure that students, parents, teachers and the general public, oversight bodies, and other interested parties are aware of what impact their feedback has had. It is not enough to simply set up channels of communication between different actors; stakeholders have to be able to see how these channels are being used and what positive or negative effects their feedback has. Reporting mechanisms should allow for permanent contact with producers and suppliers and enable shortcomings in provision to be detected in good time, and better training for key actors to be provided when necessary. In the long term, as and when this initiative is expanded to other areas of the country, these actors will have to pass on valuable information and become strategic allies of the state bodies implementing the programme.

One of the main improvement strategies for CCE, the DoE, and the MoE has to be to engage with the end beneficiaries of the programme (students), as well as parents, teachers, and the general public to ensure that the programme takes account of their interests, needs, and concerns and then reports back to them on how their feedback has been incorporated into the design of new strategies.

In addition, in order to attract the widest possible range of bidders for tenders, incorporate the needs of the target population, and obtain the greatest market advantages, the actors at central level – mainly the new Alimentos para Aprender agency, the MoE, and CCE – should hold training days on key issues, such as the new SMP guidelines, open contracting mechanisms, the use of IT tools, procurement process requirements, and the implementation of innovation strategies within the framework of the SMP Open Contracting Initiative.

6 ● Conclusions and recommendations

In 2015, CCE and the MoE began examining a range of difficulties and problems arising from the increasing number of students who were skipping or dropping out of school, along with the pressing issue of child malnutrition. In addition, oversight bodies had detected a number of irregularities in SMP tenders in many cities and departments across the country: state bodies were awarding contracts directly to a handful of suppliers rather than through competitive processes, which led to extra purchasing costs

The SMP in rural and urban areas in the Capital District of Bogotá faced a number of these major problems: tenders were concentrated in the hands of just a few suppliers, there was no competition between the different market actors, the quality of the meals needed improving, and there was clear evidence of collusive practices. As well as having a negative impact on students, these conditions went against the general public interest, hampered the mission of the DoE, and contravened the principles of transparency, objective selection, plurality, efficiency, and responsibility. It was therefore necessary to rethink the procurement process and identify mechanisms for tackling these issues.

The Colombian Government's push for open contracting policies led to the creation of online tools for publishing information and carrying out transactions (SECOP and TVEC), which underpinned the drive for greater promotion, openness, and transparency in the SMP Open Contracting Initiative in Bogotá. The decision to run the SMP process in Bogotá on the SECOP II platform enabled all interested parties, actors, and oversight bodies to follow the whole process first hand and have direct, real-time access to all the necessary information to understand and monitor the process closely. This process subsequently led to valuable post-implementation feedback.

The strategic alliance between CCE and the DoE made for a more effective procurement procedures as a result of splitting the SMP process in two: sourcing food on the one hand, and storing, packing, and delivering school meals on the other. In this way, they were able to take advantage of economies of scale afforded by the use of specialist firms, cut out intermediaries between producers and end beneficiaries, widen the range of suppliers, regulate food prices by setting price floors and ceilings, increase the quality of food products, and put up barriers to anticompetitive practices, resulting in a more rational and effective use of resources allocated to the SMP Open Contracting Initiative and savings for the Capital District.

The SMP Open Contracting Initiative in Bogotá is now at the growth stage on the open contracting scale, given that the third generation of DAIs to source food and to store, pack, and deliver school meals is currently being designed jointly with CCE, building on five years' experience and incorporating the opportunities for improvement and learning identified by the community so as to obtain even better results than those that have already won national and international acclaim.

After this initiative was implemented, the number of suppliers rose substantially from 13 in 2016 to 53 in 2017 (46 of which sourced food and 7 of which stored, packed, and delivered meals). In 2018, there were 49 suppliers (44 of which sourced food and 5 of which stored, packed, and delivered meals). These figures reveal the key role that reliable and transparent publication tools played in successfully putting a comprehensive open contracting initiative into practice by taking into account the vision of internal and external actors.

Information at the different stages of the procurement process was shared with the public in a clear, readily comprehensible manner on the SECOP platform.

Thanks to the overarching principle of transparency that governed the whole SMP Open Contracting Initiative in Bogotá, the public were made aware of the market failures that had been detected at the planning stage,

leading to clear rules of engagement focused on overcoming these shortcomings. Information on the public procurement process is published on the SECOP II platform, run by CCE, as part of the reporting and public oversight process, from planning and drafting through to means of delivery and on to the post-contract stage, and which allows for real-time monitoring of the information that bodies create and publish on it.

As a result, the SMP Open Contracting Initiative helped strengthen the procurement process and operation in Bogotá, leading to greater monitoring by overseers and the SMP central team, from food sourcing and logistics operations to final delivery of meals to the children and young people at all the DEIs in both rural and urban areas. Through the involvement of state bodies such as the National Institute for Drug and Food Surveillance (Invima), the Ministry of Health, and the Department of Health for the Capital District, sanctions were imposed in response to numerous failings detected in the production and distribution of school meals.

In budgetary terms, between April 2017 and September 2019, implementation of this procurement model saved the DoE COL\$62 billion in Secondary Operations, leading to greater efficiency and effectiveness in public spending.

The main aim of the SMP Open Contracting Initiative is to provide solutions to recurring problems in Colombia, such as reducing the number of students skipping or dropping out of school and providing them with high-quality meals. All students in both rural and urban areas in the Capital District of Bogotá receive the same school meals, thus ensuring equal conditions for end beneficiaries of the SMP process.

However, despite the many achievements and acclaimed progress made in the design of the public procurement process and implementation of this open contracting strategy within the framework of the SMP in the Capital District of Bogotá, there still remain many opportunities for improvement for public procurement processes in particular and for public policies in Colombia in general. These include greater involvement of the programme beneficiaries – students, teachers, and parents – who have first-hand experience of the particular requirements of the target population. There needs to be greater recognition of the importance of feedback in reducing social inequalities and fostering decision making for continuous improvement. The DoE should make a greater effort to ensure that students, teachers, parents, and other actors who take the time to leave comments and make suggestions for improvement get to hear what impact their feedback has had and what changes it has led to in the programme, so that these actors feel their voices are being heard and their comments and opinions are being taken on board.

In the future, regardless of any changes in central or regional government that occur over the course of the electoral cycle, it is essential that the public policies that delivered the nationally and internationally acclaimed achievements of the SMP Open Contracting Initiative in Bogotá be maintained and that opportunities for improvement continue to be identified to strengthen the programme.

In addition, if this initiative is to be successfully replicated nationwide, the following actions should be taken to overcome the main obstacles described throughout this case study: (1) there should be better training in the public procurement system and the strategic supply models that now form part of the procurement process and are at the heart of all the DAIs: these call for specialist knowledge and an interdisciplinary team, as well as legal expertise and technical knowhow in the use of state IT platforms such as SECOP II and TVEC; (2) all actors and participants involved in the SMP Open Contracting Initiative should have greater awareness of and access to information, not only by making information publicly available to them and engaging them in the tendering processes, but also by ensuring that there is proper monitoring and oversight of government programmes; (3) greater attention should be paid to the specific conditions in the country's different regions, departments, and municipalities: Colombia has a rich cultural and geographical diversity, including hard-to-reach rural jungle communities, but poor roads and other access routes hamper efforts to establish a single parameter for the technical specifications of the food products to be delivered; and (4) certain communities' objections to pro-

cessed food should be taken into account when designing school meals, in respect of the different customs practised in different regions of Colombia.

In consequence, despite the many successes of the SMP Open Contracting Initiative in Bogotá, it will not be an easy task to roll this programme out nationwide, given the particular characteristics of the operation in the Capital District, including the use of processed foods in school meals, although procurement processes could certainly be published on e-procurement platforms such as SECOP. However, given that most school meals in Colombia as a whole are prepared on site, the main challenge for replicating this successful initiative will be to adjust the model to the specific requirements of each particular region by analysing operational structures to see how the range of suppliers might be increased in each and every procurement process.

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The case study

This case study developed as part of IIEP-UNESCO Research Project 'Open Government: Learning From Experience' analyses how the open contracting model used to implement the School Meals Programme (SMP) in the Capital District of Bogotá, Colombia, enabled all interested parties and oversight bodies to have direct, real-time access to all the necessary information to understand and monitor the whole process closely.

It shows how the SMP Open Contracting Initiative helped strengthen the procurement process, leading to greater monitoring of food sourcing and logistics operations to final delivery of meals to children. It also describes how sanctions were imposed in response to the numerous failings detected in the production and distribution of school meals.

It concludes on the importance of greater involvement of programme beneficiaries – students, teachers, and parents. And it recommends making greater efforts to ensure that citizens who take the time to leave comments and make suggestions for improvement get to hear what impact their feedback has had and what changes it has led to.

The author

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