

TRADE POLICIES AND PRACTICES BY MEASURE

(2) Measures Directly Affecting Imports

(xvi) Government procurement

63. Law 295 of 1966 regulates government purchases. Under this law the Government Supply Commission (*Comisión de Aprovisionamiento del Gobierno*) oversees (evaluates and approves) all purchases by the Government. The Commission is within the Government Supply Directorate (*Dirección General de Aprovisionamiento del Gobierno*) in the Ministry of Finance. Purchases by State enterprises are not covered by this law.

64. Despite the existing regulatory framework for government procurement, in practice ministries and government agencies apply their own purchasing guidelines and conduct their transactions directly. The autonomous State enterprises and institutions also handle their purchases directly according to their internal regulations.

65. Existing legislation requires government procurement exceeding RD\$1,000 (around US\$80) to be open to public bidding, and be announced in the local press. In practice, however, government agencies do not use open public bidding procedures (in some cases, tendering invitations are sent to usual suppliers). The Central Government places announcements for tender in the local press for projects financed by international institutions. In cases involving the acquisition of products and the execution of construction projects financed entirely with government funds, the Government usually invites bids, although deadlines appear to be too short for foreign suppliers who do not have local agents.<sup>1</sup>

66. According to Government authorities, there are no preferences for domestic suppliers. Foreign enterprises wishing to participate in public bids have to be associated with domestic enterprises. This type of association has been frequent in the construction sector and public works.

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<sup>1</sup>Bureau of National Affairs (1993).