

## BUILD BETTER - ENFORCE SYSTEMS USING POLICIES' EVALUATION

Ileana-Sabina CHIABURU\*

### Abstract

*Within the transformations of systems, government procurement could be used as a lever when addressing the challenge of fair access to goods and services in times of crisis as COVID-19. To find adequate solutions and raise the capacity for a quick response in public administration, the European methodological framework stipulates that evaluation must play an important role. The hypothesis is that developing a system of public policy evaluation should be a priority. The main research question is: how does policy evaluation contribute to better planning, results, and future development? To respond to that I investigated using mixed methods like interviews held under the Chatham House rule, questionnaires with closed and open answers, literature and documents review, also open databases of OECD, EU DG Growth, and others. I concluded with a proposal for a design of an evaluation unit, built at a theoretical level, in a contracting authority.*

*Keywords:* crisis, equity, policy evaluation, public procurement, systems.

### Introduction

Within the transformations of systems (Renger *et al.*, 2017; Patton, 2021), government procurement (Gates *et al.*, 2021) could be used as a lever when addressing the challenge of fair access to goods and services for all citizens (European Commission, 2022) in times of crisis, in environments that are still dependent on fossil fuels and non-renewable resources, as the actual context determined by the war in Ukraine shows. Meanwhile, human health, social cohesion (Beyer and Scott, 1984), the discrepancies between North and South (Reynolds and Holwell, 2010), urban and rural livelihoods, or digitalized and traditional societies grow.

The need for adaptive management (Schmidt *et al.*, 2017) was underlined by the pandemic context which has raised new emerging barriers in the interaction between evaluators. Some authors consider that „*systems thinking provides a*

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*theoretical rationale for defining the system boundaries, components, and relationships” and that „systems evaluation theory (SET) is used in evaluating modern-day systems. SET consists of three steps purposively sequenced with each being a prerequisite for the success of the next step” and of the public managers. To be able to adapt to these transformations public policymakers must respond to current challenges and perpetuate the solutions that can be adapted to future contexts.*

For a better understanding, to find adequate solutions, and raise the capacity for a quick response in public administration, the European legislative and methodological frameworks stipulate that evaluation must play an important role. At the decision-making level, in the European Union, evaluation is used to establish if principles like transparency, accountability, responsiveness, and learning are respected in the public intervention cycle, as an important tool for improvement.

After my previous professional experience in a central government agency (2017-2018), I found out that this is also a necessity for the Romanian Public Administration to decipher the organizations and their system’s tangled network, or the ‘covered by tones of papers’ idea of accountability thou the lack of knowledge, and use of institutional memory could be observed. Later on, while doing research for my dissertation, I discovered that the public procurement evaluation was still considered a niche, and the systemic point of view was poorly represented. That is how this study was launched as a part of the doctoral thesis.

The hypothesis stipulates that developing a system of public policy evaluation to be able to do systemic evaluation is a priority, and the Public Procurement System, analysed as a spinal axis of the public administration is the best point to start with. Program or project evaluation is not sufficient to explain complexity.

The main research question is: *‘how does policy evaluation contribute to better planning, results, and future development?’* from which derives the second and the third research questions: *‘do we have the capacity to do systemic evaluations?’* and *‘how does this capacity can be improved?’* where the complex environment of public procurement, the constant technological changes, the crisis caused by the Covid 19 pandemic, and climate change are the main themes.

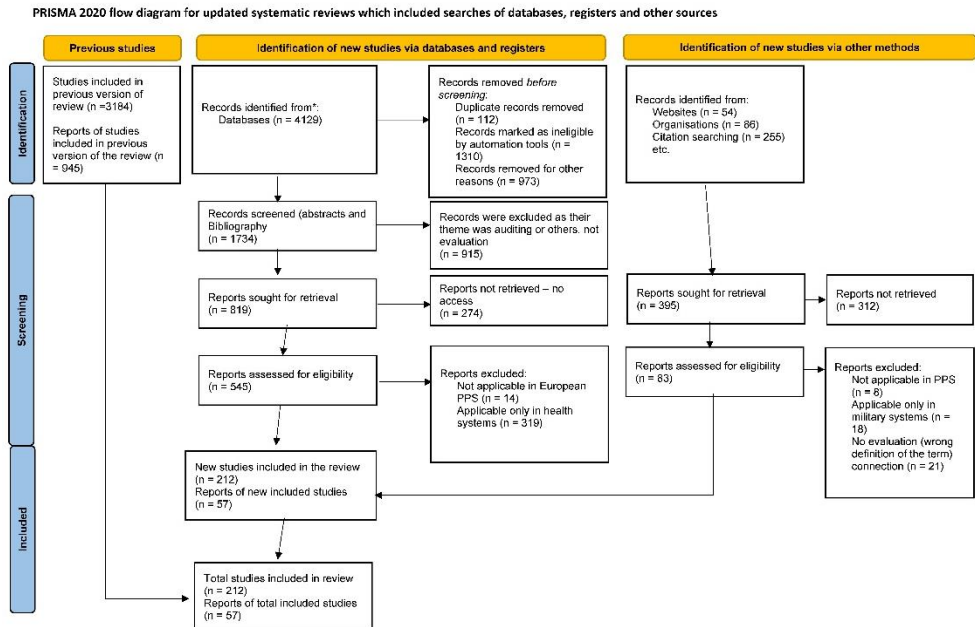
## **1. Literature review**

For the systematic review of the literature, the key terms used were ‘transformative’, ‘policy evaluation’, ‘evaluation use’, ‘evaluation systems’, and ‘public procurement’, in research that was conducted at the beginning of the year 2021 and actualized in May 2022, in English and Romanian languages.

In the first stage, the concepts were analysed in relation to public administrations and public procurement, in academic databases like Google, Scopus,

JSTOR (the new beta tool - Constellate)<sup>8</sup>, Clarivate-Web of Science, Taylor & Francis, SAGE, Elsevier, International Bibliography of the Social Sciences, and in the specialized databases of the peer-reviewed publications of the American and the European Evaluation professional associations (AEA and EES).

**Figure 1. The PRISMA Diagram for the literature review**



Source: Author's representation of the selection following the given diagram model

Also, a new search was conducted after reading the lists of references of the publications found in the first step, and the terms in Spanish were added. A chronological selection from the newest to the oldest published articles resulted in a large number of academic articles and books (more than 4.000) that were published between 1970 and 2021, which were introduced into the personal Mendeley library.

The second phase (in 2022) consisted in applying the PRISMA<sup>9</sup> selection rules for the literature review, according to criteria and a total of 212 academic articles and books and 57 reports were selected for further analysis.

In the third phase new framing criteria: 'generations of evaluation' (Cerckez, 2012), and authors who could represent most of these generations, were introduced.

<sup>8</sup> JSTOR. (2022). Constellate Tool. Dataset ID: 09186405-2845-0fb6-f86f-e75d220e16f5. <https://constellate.org/builder/?unigrams=behavioral%2C+evaluation%2C+trust%2C+>

<sup>9</sup> PRISMA Diagram for the systematic literature review, retrieved from <http://www.prisma-statement.org/>.

After analysing the number of citations of the papers, it was obvious that each generation of evaluation has a ‘titan’ whose work inspired the other researchers in the field at some point in time. Others have influenced the development of the evaluation field since its inception and continue to be active in the present, adapting themselves and their work to new conditions and technologies and transforming the evaluation field following the idea that *„today’s evaluators cannot live in the past, of course; we live in the moment. But we must not forget our past. (...) The gift is knowing that the present will soon pass and the way we embrace it has the power to change everything”* (Patton, 2021).

Among them, an outstanding representative of the new generations of evaluation researchers, and one of the founding fathers of the evaluation theories at the same time, as framed by Cerkez in the previously mentioned book, is Michael Quinn Patton, the author of some basic essential works in the field of evaluation: books such as *Blue Marble Evaluation* (2020), a framework for developing, adapting, and evaluating major systems change initiatives while involving complex networks of stakeholders, *Utilization-Focused Evaluation*, or *Developmental Evaluation: Applying complexity concepts to enhance innovation and use* and other important studies. He identifies five specific complex situations where an evaluator can use the developmental evaluation:

1. during the early development of an innovation that will have complex applications (such as SICAP /SEAP, the electronic systems of the Public Procurement System in Romania, interconnected on the European System) or when a substantial change of systems and strategies takes place,
2. for sudden changes and crises,
3. in a complex dynamic political environment,
4. when initiatives that have been effective in a single context, need to be implemented in a new environment and in a new context,
5. as continuous support to adapt initiatives in a technologically changing environment.

But, in any of these situations, the evaluators must have the possibility to adapt the designs, have immediate access to data, and collect new data that can be analysed in a short time. Contracting external evaluators is a process that takes time, and time is the key element when the crisis emerges and enters the vicious cycle of public procurement. This is an argument to build internal specialized units.

In his article *Evaluation Use Theory, Practice, and Future Research: Reflections on the Alkin and King AJE Series* (Patton, 2020), our attention is oriented to the other two parents of evaluation theories, across the first to the sixth evaluation generations: Alkin and King and the importance of using criteria in the evaluation actions.

Of course, as a starting point, many other important researchers, theorists, and practitioners are using Patton’s research to develop designs and implement his guiding studies. Hallie Preskill and Shanelle Boyle used Patton’s principles in their

work: *A Multidisciplinary Model of Evaluation Capacity Building*, an important framework that was used in this study for the mechanism under construction. Later, in 2014, Labin published her article *Developing Common Measures in Evaluation Capacity Building (ECB): An Iterative Science and Practice Process about ECB's important role in improving program outcomes*. In the study, the author „identifies a number of existing ECB measurement tools and maps (...) and clarifies consensus as well as facilitates selection of instruments and indicators for researchers and practitioners (...). The findings suggest that the organizational outcomes of ECB include doing and using evaluations, planning future evaluations, and evaluating as part of staff jobs” (Labin, 2014), a necessary base for this study and a strong foundation for a transformative evaluation design in public administration, having the features of the sixth generation of evaluation.

Therefore, as the reviewed literature shows, evaluation is an important tool for evidence-based decision-making and program management.

Researchers are developing evaluation systems adapted to public administrations, where the learning function is used to enhance organization and program performance by using the ‘learning agenda’ as an internal document that identifies an agency’s priority research questions, developed by agency evaluators alone or with the help of external research partners like academia.

Identifying questions like these helps the component of a system to focus its evidence-building resources on the most important challenges. Sometimes learning agendas are a list of research questions, while others proceed one question at a time. That is why learning agendas are useful tools to strengthen a culture of evidence-based decision-making within public central and county agencies and policy evaluation contributes to better planning, results, and future development.

Is it sufficient? Do we understand the causality and can be merit attributed to policies and their implementors? „The evaluative knowledge is more likely to be used if evaluations address relevant questions, rely on robust analytical design, produce evidence in a timely manner and effectively communicate it to the relevant stakeholders and beneficiaries” (Martinaitis *et al.*, 2019). There are only a few studies published since 2002 which analyse in-depth the inter-systemic and sub-systems relations and none of it considers the complexity of the public procurement systems and the effects of the decisions made at its level on other systems, including socioeconomic and environment ones. This study fills the mentioned gap.

## **Methods**

The mentioned authors also cover the possible steps of an analysis and the need for the use of criteria against which evaluation is being done, to contribute to increasing the capacity and the speed of response. I apply the model to study the case of the Romanian Public Procurement System, as it fit the description of this research when evaluated as a spinal of the public administration complex system.

So, the study was done against criteria like transparency, resilience responsiveness, receptivity, added value, sustainability (UN SDGs), and efficacy. To analyse the institutional and organizational structures, and the instruments that the public administration needs to be efficient, I used mixed methods, mainly qualitative ones, as the quoted authors recommend.

A plus to mixed methods (Creswell and Creswell, 2016) is the use of the Chatham House Rule<sup>10</sup>, a British-specific consolidated tool, accepted by scholars as an instrument for Grounded Theory and not only, but not often utilized by the evaluators, though it proves to be very useful when qualitative data cannot be obtained in standard interviews because of the bureaucrats' and political management' fear of repercussions in the public organization, or generated by the political party they root in.

Active observation and earlier activity in a site, a central contracting authority, part of the system, semi-structured interviews, and questionnaires with closed and/or open answer questions, on a sample of 60 % of the central ministerial contracting authorities and 30 % of county contracting authorities, as well as the Chatham House method, were applied at the management level, to research the legal, and the political context, the evaluand, in order to build the logical model of problems'- outcomes' trees (van den Berg *et al.*, 2019). The data were analysed against the criteria for the transformational evaluation design.

## **2. The design of the transformation evaluation**

The analysis was conducted from a systemic-view point, at the level of systemic organizational structures, system processes, and the institutional environment in which the goals are developed. The type of evaluation is „ongoing”, and the evaluative approach is the ‘intervention theory’ to evolve in a ‘transformative system theory’ (Patton, 2020).

The role of the evaluator is emphasized in the transformational system, underlying the fact that it is not the measurement of results and impact that are the main goals, but robust records on the evaluand („*the program or the system that is being evaluated*” according to the definition given by Wheeler in „Teacher Glossary”, 1992) in the actual context, according to the five phases of public procurement as described by The World Bank and the four Pillars of the Organization for Economic Cooperation & Development (OECD, 2016).

The main scope is the development of the Public Procurement System (PPS) evaluation capacity, following a topical analysis. 2016 OECD's Report ‘*Evaluation Systems in Development Cooperation: 2016 Review*’ describes „*the role and management of evaluation in development agencies, ministries, and multilateral*

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<sup>10</sup> Chatham House. (2021), Chatham House Rule. London. Retrieved from <https://www.chathamhouse.org/about-us/chatham-house-rule>.

*banks. It provides information about the specific institutional settings, resources, policies, and practices of DAC Evaluation Network members, and includes specific profiles on each member's evaluation system” (OECD, 2016, p. 24).*

## **2.1 The Evaluand - Current Architecture of the Public Procurement System in Romania**

From a systemic view, as it was designed in the Strategy for Public Procurement 2015-2020, the National Public Procurement System (PPS) in Romania's organizational components are:

1. The Inter-Ministerial Committee & The General Secretariat of the Government (SGG), to which ANAP is subordinated.
2. The National Agency for Public Procurement (ANAP), „a specialized body of the central public administration, with legal personality, subordinated to the General Secretariat of the Government” according to the official site and has the role of regulating, coordinating, and monitoring the system<sup>11</sup>.
3. The Contracting Authorities at the central, county, and local levels. They plan, initiate, implement and analyze the procurement contracts, defined by 98/2016 Law, art. 4 as: „the central or local public authorities and institutions, as well as the structures in their composition that have delegated the capacity of authorizing officer and that have established competences in the field of public procurement”
4. The Authority for the Digitization of Romania (ADR), manages and operates the Electronic System of Public Procurement (SEAP/SICAP).
5. The National Council for Solving Complaints (CNCS) – an „*independent, non-judicial entity with an administrative-jurisdictional activity of solving in the first instance of appeals against public procurement procedures*”. The role of the review and remedies sub-system is to ensure the practical application of public procurement law, and that breaches of the law (intentional or unintentional) are corrected. A well-functioning sub-system for reviewing public procurement and corrective measures is in the interest of all stakeholders: economic operators and contracting authorities/entities, as well as the general public.
6. The Courts of Appeal, have „alternative jurisdiction to settle disputes concerning public procurement procedures”.
7. The Romanian Court of Accounts (CCR) verifies the way of awarding public procurement contracts after signing.

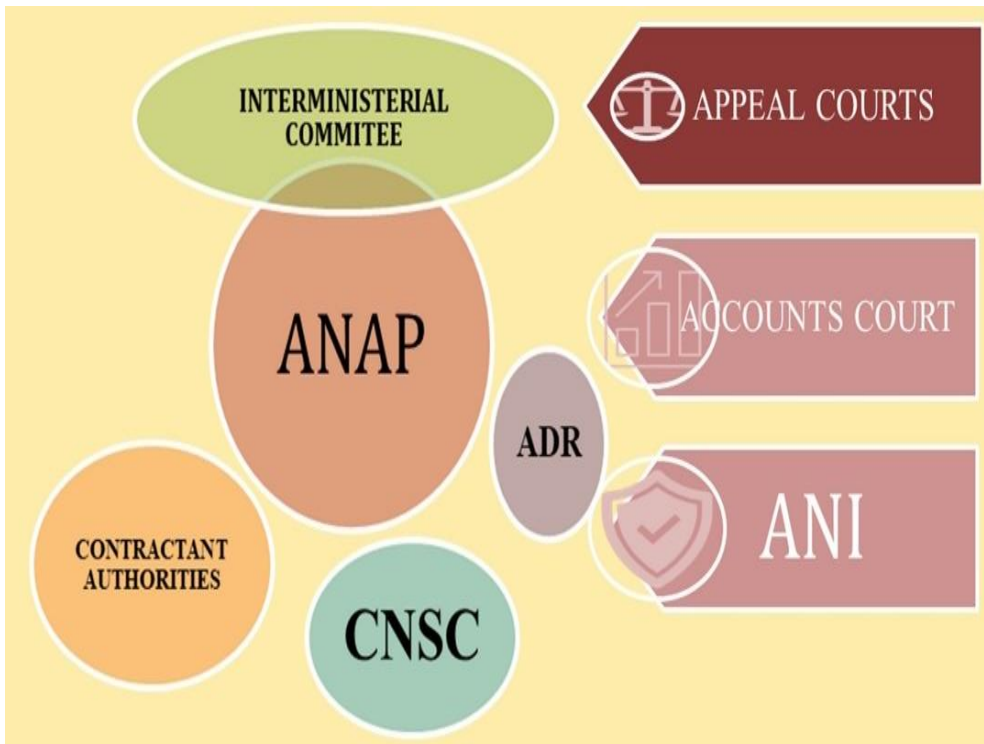
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<sup>11</sup> ANAP. Agenția Națională a Achizițiilor Publice (2021). Metodologia de evaluare a impactului în domeniului achizițiilor publice a unui proiect de act normative, (retrieved from <http://anap.gov.ro/web/wp-content/uploads/2015/12/Metodologie-de-evaluare-a-impactului-pentru-site-004.pdf>).

8. The National Integrity Agency (ANI) verifies conflicts of interest in public procurement and manages the PREVENT system (integrated IT system to prevent and identify potential conflicts of interest).

The national PPS is a part of the European Union Procurement System through the electronic component, at the operational level, an interconnected structure of the Global Procurement System. It is also integrated into the European legal procurement context.

**Figure 2. The Romanian PPS**



*Source:* own representation of the PPS as described by the PP Strategy 2015 – 2020

Who evaluates this system? What are the system's limits? Is it well defined in the Strategy? Aren't the appeal courts parts of the Justice System in Romania? To be able to respond to these questions I chose the in-depth study of its nucleus.



## 2.2. The legal and the political context and the actual problems (why section)

With the increase in globalization, public procurement systems (PPS) have undergone substantial changes. The World Bank updated the methodology for evaluating them in 2014 and published the new key steps in public procurement, at a time when public procurement was becoming the „*main instrument for unlocking economic growth at the European level*”.

According to Article 1 of Directive 2014/24/EU of the European Parliament and of the Council of 26<sup>th</sup> of February 2014 *the award of public contracts by or on behalf of the authorities of the Member States must respect the principles of the Treaty on the Functioning of the European Union (TFEU), namely the free movement of goods, freedom of establishment and freedom to provide services, as well as the principles deriving therefrom, such as equal treatment, non-discrimination, mutual recognition, proportionality, and transparency* (European Parliament, 2014).

Directives 23, 24, and 25/2014 were transposed into the national legislation applicable in the field of public procurement in 2016, through Laws 98, 99, and 100, in accordance with the National Strategy in Public Procurement (SNAP). The Strategy represented a „*crucial stage in order to reform the Romanian public procurement system*” as it was establishing „*a common vision, at a key moment*”, proposing „*actions that define the Government's policy on reforming the national PP system in 2015-2020*” (ANAP, 2015).

After the approval of the Strategy and the issuance of laws 98, 99, 100, and 101/2016, the primary legislation has undergone no less than 20 changes until the date of the present evaluation process, raising questions about the stability and predictability of the legal framework which also contributes to the decrease of the administrative capacity, performance and even good governance of the system as a whole. For the beneficiaries to be able to follow these changes, the Legislative Guide for public procurement was issued.

The Remedies Directives are addressed to the Member States to develop new robust and effective systems of redress, which are based on the general principles, the most important step being the establishment of the review body.

To the legislative changes were added other types of reforms, such as the incremental change at the hierarchical and subordination level of the central regulatory organization of the Romanian PPS, when in 2019 ANAP moved from being subordinated to the Ministry of Finance, to the subordination of the General Secretariat of the Government.

Still, no specific laws or initiatives that regulate the evaluation of public interventions have been adopted and developed (Toderaş and Iacob, 2020). The capacity to evaluate systems or to execute intermediary or ex-post evaluation does not exist though the Romanian evaluation field has known important developments in the past two decades. Toderaş and Iacob (2020, p. 456) described this evolution in a

relevant analysis published in the 17th chapter of ‘The Institutionalization of Evaluation in Europe’.

They wrote that the use of evaluation is a recently introduced practice as a result of the reforms undertaken within the central public administration in the early 2000s” and when „rigid and centralized planning of public intervention prevailed. Therefore, although the term evaluation was used, it was rather understood as control, verification, and reporting. During the first years of democratization of the Romanian society, the vision related to the implementation of public interventions gradually began to change towards a pluralistic, deliberative and participative approach.

In academia, study programs at the master’s and doctoral level, and voluntary organizations for professional evaluation (VOPEs) like the Association for Development of Evaluation in Romania (ADER) participate and advocate for the implementation and the use of evaluation.

Thus, within the Department of International Relations and European Studies of the School of Political Studies and Administrative Sciences (SNSPA), can be attended the courses of the master program „Evaluation of European Public Policies and Programs (EPPPE), and at Babeş-Bolyai University (UBB), Faculty of History and Philosophy has a „Master’s degree program in Evaluation of European public policies and programs”. Also, one of the study domains of the Doctoral School of SNSPA, coordinated by prof. dr. Iordan Bărbulescu is the „European Policies Evaluation”, within the political sciences field.

There are many Romanian evaluation specialists who have completed these courses and who cannot „de facto” practice the profession for which they are very well trained. One of the reasons, is the one related to professionalization and the inclusion of the profession „public policy evaluator” in the International Standard of Occupations - ISCO-08, as shown by the research so far. This is not only a national problem as the name of the standard shows. The International Evaluation associations like AEA or EES worked on this aspect in the past five years. Still, the evaluators work as independent consultants or public servants, they do programs or projects evaluation, but there is no system evaluation planned or executed.

Even more, they have to present their consultancy offers on criteria imposed by other public servants who do not know the evaluation rules in public procurement auctions. Nine of the twelve interviewed specialists mentioned that the requested criteria fit the third generation of evaluation characteristics.

Since March 2020 the states had to respond to unplanned demands and needs and allow certain procedures to be modified. One example is remote work that involved skills in digitalization, available technology, and access the data from other devices. ANAP has implemented these measures, and, as one former Agency

President said in an interview, „it was not a difficult step, and our personnel did not encounter any difficulties to adapt to the new rules”.

The 2021 Government at Glance Database of OECD shows that Romania, an invited country in this organization, will receive large amounts of EU funds in the following period from:

1. Cohesion Policy which stands for the European Social Fund, European Regional Development Fund, Cohesion Fund, and support for the European Territorial Cooperation. Total allocation over the period 2021-2027 at current prices is expressed as a percentage of 2020 GDP and RF Grants refer to the maximum grant allocations from the Recovery and Resilience Facilities over the period 2021-2026, which is expressed as a percentage of 2020 GDP.
2. the cumulative execution of the EU funds is expressed as a percentage of total allocations.

**Table 1. European funds allocated to EU countries**

Country	Cohesion policy (current prices)	RRF Grants (current prices)
<b>OECD EU</b>	6.265070849	3.406380371
<b>CZE</b>	10.18168618	3.321996777
<b>POL</b>	14.35164144	4.571317407
<b>ROU</b>	13.88743132	6.507227349
<b>SVK</b>	14.03741261	6.881084613
<b>HUN</b>	16.56968199	5.296178209
<b>LVA</b>	15 7223678	6 818025933

Source: OECD Database 2022 – Government at glance. Public Procurement. April 2022

As the data shows, an important percent of these sums allocated to Romania will be spent following the public procurement procedures, a plus reason to rethink „the niche” category of PP systems<sup>12</sup>.

By their definition *the term public policies refer to all the activities (public programs, projects, public interventions, etc.) carried out by the central specialized public administration in order to solve the identified public policy*

<sup>12</sup> OECD Economic Surveys: Romania 2022 - © OECD 2022. Executive summary - Figure 2, 5. Romania will receive large amounts of EU funds. Version 1 - Last updated: 28-Jan-2022. <https://stat.link/v1iqd0>, <https://stat.link/45n28p>

*problems and to ensure the necessary developments in a certain field*<sup>13</sup>, and more than ‘14 % of GDP is spent in the public procurement process by which governments purchase goods, services, and works from the private sector — which „amounted to \$11 trillion out of global GDP of nearly \$90 trillion in 2018 (World Bank – Bosio and Djankov, 2020).

To be able to evaluate the programs, as stipulated by law, the organizations must contract external evaluators in public procurement auctions, resulting in the vicious circle where the two systems collide at present, against each other, or better said where the missing internal evaluation system shows its future possible utility. So, the professionalization of the evaluator’s job is an urgent and necessary step further. The need was underlined by evaluators, politicians, bureaucrats, and private company representatives alike, in their open responses to the questionnaire.

Further analysis showed yet another causality link, negatively affecting the environment: the lock-in effect presented in „Study on the effect of captivity (lock-in) in sensitive sectors in the field of public procurement, IT and medical equipment/devices”, which was published on the website of the Competition Council in 2020, signalling important problems about inefficient spending and not only. The lock-in referred to serious negative outcomes of public procurement contracts in the mentioned fields, but the impact on the environment when the lock-in effect appears was also ignored. It mentioned thou that some problems could have been prevented in a systemic evaluation, in all procurement phases.

Among them is planning the procurement of medical disposals which will be stored after the first malfunction, because the contract did not stipulate sustainability criteria or because the seller did not respect the agreement. After the needed time according to the accounting laws, the dispositive would go into a common landfill or just fill the storage. Meanwhile, the patients did not beneficiate from the necessary treatment because the equipment „was there” and they could not buy new ones. Such results are not noted in audits for accountability.

This is just a small part of the problem that could be solved after transforming the evaluation. Imagine that there are thousands of IT equipment pieces like a printer, which are replaced because the cartridge is emptied, that will be treated like garbage as soon as that happens. Still, the lock-in strategy is one of the most used marketing strategies by private companies, and stakeholders in the PPS, are trapped, from the refilling tubes of pens to the chargers of laptops or other smart devices or to other types of equipment and necessary devices in their field of activity.

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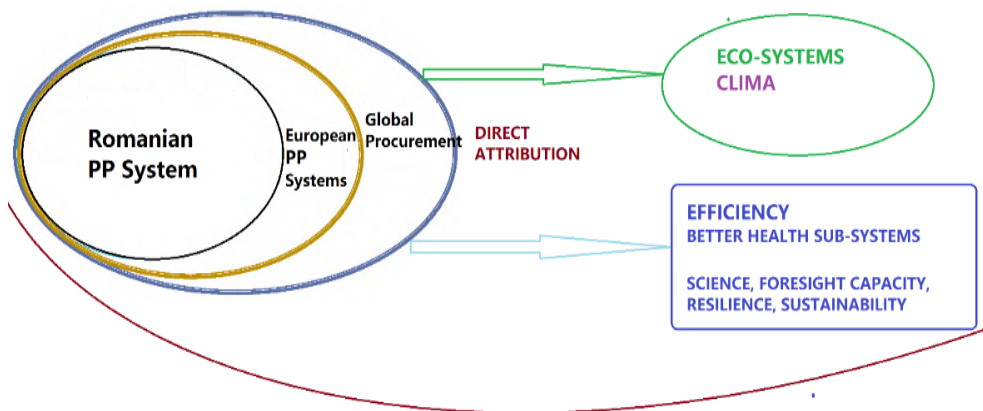
<sup>13</sup> Secretariatul General al Guvernului. (2009). *Ghidul de monitorizare și evaluare a politicilor publice* (retrieved from <http://sgg.gov.ro/docs/File/UPP/doc/manual-monitorizare-si-evaluare-politici-publice.pdf>).

### 2.3. Beneficiaries

The system beneficiaries, a part that was not described in the PP Strategy, include the cognitive sub-mechanisms that are also stakeholders of the evaluation who, as previously demonstrated, do not accept participating in pseudo-evaluations to increase the control means, which were just added to those already there like CAFs, internal audits, ministerial audits, Court of Accounts Audit, and other. Aioanei (2016), as mentioned by Toderas and Iacob (2020, p. 452), underlined the fact that among the „factors that contribute to the relatively low use of the evaluation findings are the quality of the evaluation studies and the interest of the stakeholders regarding the evaluative process”.

At individual levels, they are small parts going through different phases of the process. „Phase transitions and emergence convey a sense that qualitative change can take place in constructs that have quantitative identities” (Morell, 2021) as PPS is supposed to have.

**Figure 3. Users of evaluation of PPS**



Source: Author's representation of the users of evaluation of PPS

In 2021 - 2022, the policy proposal for the interconnectivity of the Public Administration in all its internal components and beneficiaries in the governmental cloud started heated debates, as in its Substantiation Note was stipulated that it will have ‘no expected impact on social, and environment systems’, not even a positive one, according to this document with no ex-ante evaluation executed by the experts in the field. It is not hard to imagine what a new crisis could determine in this special official version of the individual, not connected cloudy system.

But is it always about accountability? What about institutional knowledge when unplanned changes occur, for example, the change at the political level – a new Government or a new governing party?

From 2017 till the present, Romania has had seven changed governments, each one bringing a new Governance Program, so continuity and coherence principles were absent. It caused changes in the first and second management layers in the ministries and agencies. A new government program also determines the modification of the Annual Public Procurement Plan, as it is the fundament of all procurement operations, and the procurement processes could be affected also. Accessing and re-analysing the artefacts: physical (papers, large numbers of dossiers), no digital archives were available in some organizations (quantitative data to be collected in future studies), but mountains of papers on desks, corridors, etc. that can be observed, are the second effect of such change.

The three politicians (one former minister, and two former state secretaries) interviewed under the Chatham House rule, accepted that an independent evaluation department would have been helpful when they took the lead of the organization, not only after they leave their offices for accountability purposes, but that is also the unliked part.

The obstructed connections describing the system and the necessity of information and use of knowledge, involving the scientists in the internal activity of the public administration are other important problems.

## **2.4. Solutions – The proposal (the how section) – What is needed? How to do it?**

*„Setting up systems to encourage the use of development evidence, in turn, requires looking at a different type of evidence – research on how people learn”,* said Charlotte Watts, director for research and evidence in the Foreign, Commonwealth & Development Office in ‘Evidence-informed development – starting with the man in the mirror | Take II’ in April 2022 webinar. To be able to look from a different perspective to increase the use of the findings and to have better public policies we do need more than an audit.

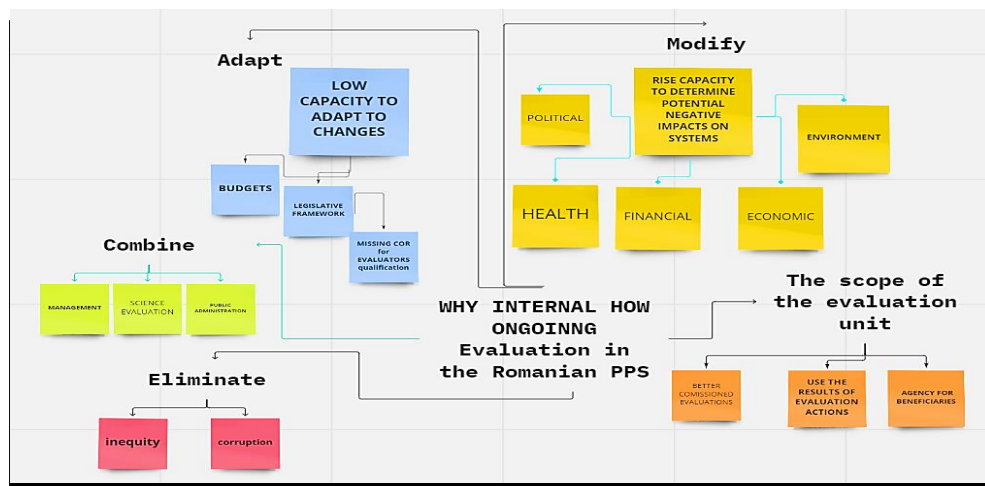
The Problems/the Objectives Trees must be continuously actualized the main needs/objectives/processes levels so several (1 to `n`) of unforeseen needs/objectives/processes will be reflected in time sequences in future studies and avoid the lock-in of the project, an obstacle in transformative evaluations.

The proposed Evaluation Unit was inspired by the structural form of the Kalman (1960) filter in statistics, a general tool to combine the information in the presence of uncertainty, analysing the legislative, political, economic, and social context. The structure was considered a needed step further to connect the public administration-the scientists- and the management of public organizations.

An independent internal evaluation unit equals, as demonstrated in the previous chapter, having the capacity to assess the organization’s PP activity in the

framework of system processes in a design that investigates how the actual results could change future endeavours, including the green procurement targets. This unit was designed to function as a double filter with high analysis ability in ongoing processes, following the Gutman (Marshall and Borthwick, 1974) scale adapted by Alkin and King (2017, p. 438) and reviewed by Patton (2020).

**Figure 4. Solutions to problems in policies evaluation**



*Source:* Author's representation of the problem-solutions trees resulted after consulting the specialists on a collaborative platform: miro.com

It follows the Evaluation Capacity Building Model (Preskill and Boyle, 2008):

1. the first phase: building the architecture of the internal evaluation pilot unit in The General Secretariat of the Romanian Government, considering its capacity to determine incremental changes
2. the second phase: ways and reasons to strengthen the evaluation capacity and better integration in EU systems.

The developed evaluation capacity has the mission for the entire Romanian PPS to help touch the milestone where the different levels and organizations support each other to adapt and have the capacity to respond to incremental and/or unexpected change, as a resilient a responsive mechanism of a system. The possible outcomes are:

1. At individual-level – developed skills and competences

1.1 Institutional factors in the SGG-PPS architecture: regulations, laws, resources, norms, and procedures, for highlighting the context and processes at the organizational level.

1.2 continuous monitoring of the capacity indicators for a sustainable in-time assessment of the system.

1.3 planning the implementation strategy.

1.4 engaging in the construction of the EC strategy of persons within the government who have experience and skills in evaluation, through adequate recruitment, qualification, and professional development process, as well as allocating the necessary resources for the training and qualification process.

2. At the organizational level - the framework and the managerial structures:

2.1 The results of the evaluation will be integrated into the decision-making process: policy alternatives, the best ways of implementing and achieving results, and identifying lessons on strategies that have proven their effectiveness.

2.2 managers understand that evaluation is an important resource that will help them increase their performance and improve the way they manage their results.

2.3 verification procedures have been established aimed at ensuring thoroughness in taking over and implementing the evaluation recommendations, in the process of exploiting the knowledge and integrating them into the decision-making process.

2.4 procedures have been established for collecting the results of the evaluation and the lessons learned from the evaluation so that managers and politicians have at their disposal the necessary organizational memory and artefacts.

3. At the systemic network level (inter-organizational) - the link between PPS organizations - private organizations through networks, procedures, and partnerships

3.1 better coordination through the system evaluation network - meant to ensure sufficient consistency in the way in which external works/services/products and evaluations are commissioned, contracted, managed, and executed within SAP and in general, in the public sector.

3.2 evaluations take place as an integral part of the legislation, procurement policies, or regulatory activities.

3.3 An assessment culture has been developed at the SAP level that is based on high professional standards, autonomy, learning from accumulated experience, and socio-economic policies based on evidence obtained from scientific research.

4. At the societal level - evaluative thinking is well-framed in civil society and the public sector.

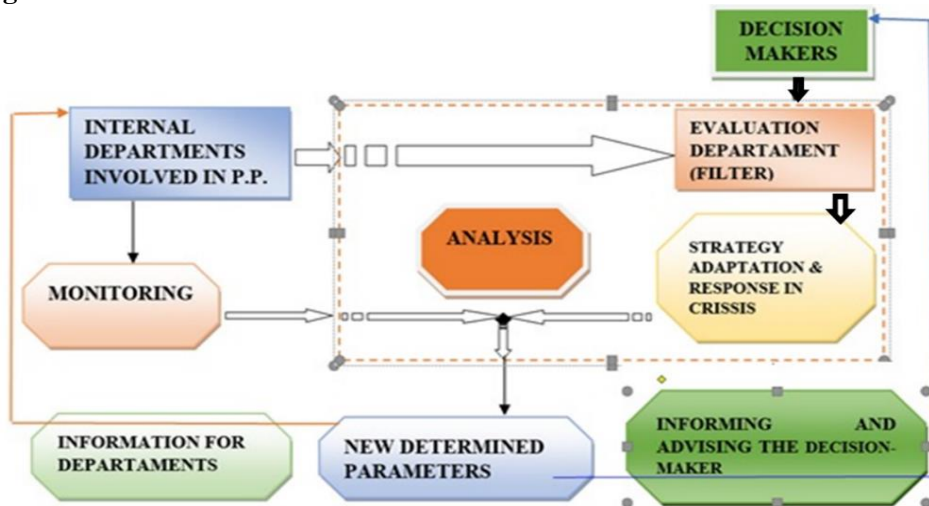
4.1 An open and systematic dialogue takes place between politicians and evaluation specialists, to allow the identification and analysis of public policy priorities and their evaluation.

After the analysis of the organizational charts of the components of the Romanian PPS, and the legal context, taking into account the ability to determine in the network of the regulatory agency isomorphism (researched in a previous, unpublished study for ANAP), it resulted that it may be recommended to build a pilot unit in SGG, following the model of the Central Evaluation Unit of the Romanian Ministry of Investments and European Projects.



Subsequently, all the other organizations of PPS will develop similar units interconnected as a network. The network can be supervised by evaluation experts of The European Commission and/or, as an invited member of OECD, by their facilitators.

**Figure 5. The Evaluation Unit**



Source: Author's representation after the Kalman filter in statistics

For a transformational evaluation mechanism to be able to respond to the needs of systems, stakeholders, shareholders, and the segment of society the procurement projects address, or beneficiaries, in general, and their diverse concerns related to investment, planning, and the design and management, criteria are must-have conditions. In the end, these studies should identify where the intervention is expected to transform inputs, activities, and products into results, integrated into systems, to create a shared vision for understanding the long-term objectives and how to achieve the transformation by creating a learning experience because according to the OECD definition, „*capacity building is the process by which individuals, groups, organizations, institutions, and societies increase their ability to perform functions, solve problems and touch the objectives, and to understand and address their development in a broader and sustainably context.*”

For this purpose, an assessment of the evaluation capacity of the General Secretariat of the Government was executed at the end of 2021 and the beginning of 2022, (SGG.E sample) when three semi-structured interviews were held under the Chatham House Rule. The experts agreed that the ground could not be evaluated as favorable when we talk about policy evaluation, but there are many measures taken for improvement and transformation. Still, instead of ex-ante evaluations, for example, some laws have only the ‘substantiation note’ as a fundament.

The paragraphs about monitoring and evaluation are there as requested by procedures not with the purpose to actually contribute to better policies' said one of the interviewed persons. (SGG interviewed person 1, 2021)

'Requested by procedures' means contracting external evaluation, through public procurement procedures, which *„often encounter significant delays, implicitly the start of evaluation exercises. The quality of evaluation reports is variable, both in terms of methodological robustness and the reliability of the achieved results.”* (Toderas and Iacob, 2020) This image of the attitudes against the evaluation describes why the actions are rather understood as control, verification, and reporting.

If we talk about policies implemented from national funds, I imagine how hard would be to initiate and commission an evaluation activity. I do have hope, though. Maybe the measures stipulated in the National Plan for Recovery and Resilience will have more success. An internal evaluation unit might be a solution that contributes to cutting the delays in the process of evaluation of procurement operations, as long as we don't talk about another tool of control and tonnes of papers for reports, answered another. (Minister interviewed person 2, 2021)

The missing point in following the procedural steps only 'as requested' becomes obvious and appears in policies that will have a big impact on the systems. For example, the public debate regarding the Romanian governmental cloud (The General Secretariat of the Government) vehiculated the principles of *„scalability, resilience, high performance, strength and security, cost-efficiency”* in the 'substantiation note' as expected outcomes and impact in systems and on other policies. The document was published on the official websites of The General Secretariat of the Government and the National Agency for Digitalization of Romania in 2020. As any evaluator knows, those principles are criteria against which the policy is evaluated. One would imagine that in the digital era, the interconnection of the digital and environmental systems was agreed upon by all shareholders, stakeholders, and beneficiaries. Well, the investigation proved that this is not a universal truth.

A policy proposal for the interconnectivity of the Public Administration in all its internal components and beneficiaries will have 'no expected impact on social, and environment systems' in this artifact. Not even a positive one, if we see this document this is still debated after two years, having other motivations than the missing ex-ante evaluation executed by the experts of this field. It is not hard to imagine what new crisis could determine in this special official version of the individual, not connected cloudy system.

**Figure 6. Ex-ante missing evaluations an example in a system component**

2 <sup>2</sup> . Impact asupra întreprinderilor mici și mijlocii	Nu este cazul					
3. Impactul social	Nu este cazul					
4. Impactul asupra mediului	Nu este cazul					
5. Alte informații	Nu este cazul					
<b>Secțiunea 4</b>						
<b>Impactul financiar asupra bugetului general consolidat, atât pe termen scurt, pentru anul curent, cât și pe termen lung (5 ani)</b>						
- mii lei -						
Indicatori	Anul curent	Următorii ani				Media pe 5 ani
1	2	3	4	5	6	7
	2020	2021	2022	2023	2024	

Source: Author's representation Screenshot of the 2020 Governmental Cloud Policy Proposal public on SGG and ADR sites

To test the hypothesis, the data was collected using a questionnaire (12 experts, 2022) with closed and open answers at the 'EE – Experts in Evaluation Romania' Nine of the volunteers pointed in the same direction, in the triangulation process, but this result cannot be extrapolated. The questionnaire is still open for responses as only 50% of the experts responded at the moment and its results will be integrated into future studies. The results show that 75% of them agree when the utility of this structure was questioned, and less than 30% see it as possible in the next two years, disregarding even the chances offered by the National Resilience Plan.

**Table 2. Relevant primary data collected using the questionnaire**

Question	Response	%
Do you think that the evaluation of public policies contributes to the positive transformation of society and the environment in which it carries out its daily activities?	Yes	100
Is the lack of a legislative framework a problem for the professionalization of the public policies evaluator profession in Romania?	Yes	100
Five issues causing the sub-development of public policy evaluation in Romania:	evalophobia, self-sufficiency, lack of interest, politicization, mimicry	the open answer, qualitative method,

		string variables
5 solutions to solve these problems would be:	the reform, professionalization, diversification, dissemination	the open answer, qualitative method, string variables
In the context of Romania's invitation to the OECD and according to the measures included in the National Plan for Recovery and Resilience, the evaluation must ...	intensified, diversified, be utilized	the open answer, qualitative method, string variables
Please describe in five short sentences the current state of development of public policy evaluation in Romania	<p>The practice of conducting public policies is precarious the failure to use evaluation. stuck in the early stage of the development of the culture of evaluation the evaluation has developed around interventions financed by European funds, practically not used at its true value - but to tick off the fulfillment of the requirements of EU regulations. culture of evaluation based on mimicry, the innovation and diversification initiative is volatile. The evaluation generates a fear of highlighting failures and that is why policymakers and those at the administrative level avoid resorting to this tool.</p>	The open answer, qualitative method, string variables
Please describe in five short sentences how you see the development of the public policy evaluation in Romania in the next 3 years	<p>not optimistic about improving parallel structures are created (see at the level of the PM Chancellery) and new organizational systems are being tested, but they only abuse the concept without producing anything specific. The reforms provided for in component 14 of the NRRP (The European Commission, 2022) would have the potential to boost the use of the evaluation, but first of all the public</p>	The open answer, qualitative method, string variables

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policy structures within ministries, agencies, and public authorities (those UPPs) should be revitalized. Disinterest and mimicry of reforms The European Commission will probably use its transformative power to demand much more in this direction, conditioning the Romanian authorities to evaluate much more (see country reports within the European Semester).

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*Source:* Primary data collected using the questionnaire

From the political decision-making level interviews and questionnaire, two sets of string variables were analysed without using Artificial Intelligence or other types of programs. The results were used in the triangulation of the qualitative data collected using the literature review and the quantitative data collected using the questionnaire.

## **Conclusions and limitations**

As demonstrated, the Public Procurement System stands as a common axis to all fields of Public Administration organizations at the central and county level. Developing an internal evaluation system in PPS is considered by the experts and researchers an important step in the institutional transformation that Romania needs and that was stipulated and approved in the Romanian National Recovery and Resilience Plan.

It must not be 'adapted' to imitate some of the pseudo-evaluations (Caputo, 2017) we meta-evaluate at present, but according to the need for evaluation and the use of its results by different key actors to support the principles of accountability, transparency, and knowledge use that can increase resilience.

Most of the decision-makers responsible for developing the evaluation capacity are aware that inside the developed system numerous elements will interact and that they must support each other to help increase the administrative capacity in general, and of Public Procurement System in particular, all members within departments or interdepartmental units, norms, procedures and protocols, personnel or human resources policies, and information technology systems.

The subject of disagreement is the independence of the unit in relation to the politically appointed managers and the fear of responsibilities and increased tools of control and power that cannot be manipulated using the usual pressures.

In each organization of the Public Procurement system, the internal evaluation unit and the external facilitators as partners could use evaluation as a double bridge between political decision-makers and public servants corpus on one side, and

between these public servants and the external beneficiaries, on the other side by developing a useful research agenda that could inform those stakeholders.

Projects might use low-cost, rapid experimentation to test operational improvements, data analysis transformed into real-time information to provide relatively quick insights from existing data, program evaluations to learn what works, also reviews of evidence from prior studies to draw on what's already known and can be adapted in future contexts.

More, the delimitation between the attribution and the contribution of the programs that might affect the same sample of beneficiaries while implemented from different funds at the same time would be a plus to increase the speed of completing them as they depend on what data and internal and external resources that are available to carry out the research.

These results cannot be extrapolated as the questionnaire is still open for responses.

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