

SUPERVISING AGENCY OF THE GOVERNMENT **PROCUREMENT**

REGULATION OF ORGANIZATION AND FUNCTIONS TITLE I GENERAL DISPOSITIONS

Article 1°. General dispositions

The Regulation of Organization and Functions - ROF of the Supervising Agency of the Government Procurement - OSCE, it is a normative document, of institutional management, which determines the organization, general functions, dependences, hierarchic levels, responsibilities and the relations of the organs that shape it.

The area of information of application of the present Regulation, are understood to all the integral organs of the OSCE.

Article 2°. Normative references

When in the present Regulation of Organization and Functions the word Law is mentioned, it will be understood that it refers to the Law of the Government Procurement; the reference to the OSCE will be understood it is the Supervising Agency of the Government Procurement; the reference to " The Court " will be understood that it alludes to the court of Contracting of the State; the reference to the "SEACE" will be understood it is the Electronic System of the Government Procurement; and, the reference to the "RNP" will be understood it is the National Record of Suppliers. Likewise, when an article is mentioned without referring to any norm, it is recounted to the present Regulation.

Article 3°. Juridical nature

The Supervising Agency of the Government Procurement- OSCE, is a public organism of specialized technician assigned to the Department of Economy and Finance, with juridical personality of public law and contains a budget sheet.

Article 4 °. Functions of the Supervising Agency of the Government Procurement - OSCE:

These are the functions of the Supervising Agency of the Government Procurement- OSCE:

- 1) To promote the accomplishment of agile, opportune, efficient, transparent and economic purchases on behalf of the entities of the State, with the purpose that they would fulfill the strategic and operative aims, bearing in mind the environment and the human development;
- 2) To design and to promote mechanisms of orientation, training and information for the servants, civil servants, suppliers of the State and the public in general using public contracting;
- 3) To approve Standardized Bases that will be of obligatory use for the entities of the State;
- 4) To guard and to promote the fulfillment and diffusion of the Law, his Regulation and complementary procedure and to propose the modifications that are considers to be necessary;
- 5) To issue Boards in the matters of competition, providing that they fulfill the aspects of application of the Law and his Regulation;

- 6) To solve the matters of competition in last administrative instance;
- 7) To supervise and to control, a selective and / or random form, the processes of contracting that are realized under the protection of the Law and its Regulation;
- 8) To administer and to produce for the National Record of Suppliers (RNP), as well as any other instrument necessary for the implementation and operation of the diverse processes of contracting of the State;
- 9) To develop, to administer and to produce an Electronic System of the Government Procurement (SEACE);
- 10) To administer the Only Catalogue of Goods, Services and Works;
- 11) To organize and to administer arbitrations, in conformity with the regulations that are approved for such an effect;
- 12) Umpires are designate to resolve the objections being the same ones as the arbitrations that are not submitted to an arbitral institution, in the way established in the Regulation;
- 13) To absolve consultations and to issue pronouncements on matters of their competition. The consultations for these Entities will be free;
- 14) To impose sanctions to the suppliers inscribed in the National Record of Suppliers (RNP) that do not comply with these dispositions of the Law, their regulations and its complementary procedure;
- 15) To make them aware of the General Controllershship of the Republic, the chaos in which transgressions are observed in the regulation the public contracting, provided that there should exist reasonable indications of economic prejudice to the State or of commission of crime;
- 16) To suspend the processes of contracting, in which as consequence of the exercise of, functions are observed transgressions to the regulation of public contracting, providing that there should exist reasonable indications of economic prejudice to the State or of commission of crime, realized by the General Controllershship of the Republic, without prejudice of the attribution of the Holder of the Entity who realizes the process, of declaring the nullity of trade of the same one;
- 17) To promote the Inverse Auction, determining the technical characteristics of the goods or services that will be provided across this modality and to establish institutional annual goals with regard to the number of specification sheets of the goods or services to being contracted;
- 18) To decentralize its functions in the organs of regional scope or place of agreement to what establishes the present Regulations;
- 19) To propose strategies and to realize studies destined for the efficient use of public resources and the reduction of costs;
- 20) To execute in conjunction the collection of the financial resources to which is made reference in the article 59 ° of the Law and 78 ° of the present Regulation; and,

21) Other that assigns the regulation to them.

TITLE II ORGANIC STRUCTURES

Article 5°. For the fulfillment of the ends and aims of the Organism Supervisor of the Contracting of the State-OSCE, is composed by the following organs:

- 1. HIGH DIRECTION**
 - 1.1. Managerial advice
 - 1.2. Executive Presidency
 - 1.3. General secretary

- 2. ORGAN OF INSTITUTIONAL CONTROL**
 - 2.1. Tribunal of the Government Procurement

- 3. ORGAN OF JUDICIAL DEFENSE**
 - 3.1. Procurators Office

- 4. Tribunal of the Government Procurement**
 - 4.1. Tribunal of the Government Procurement
 - 4.2. Secretariat of the Tribunal

- 5. ORGANS OF ADVICE**
 - 5.1. Office of Juridical Advising
 - 5.2. Office of Planning, Budget and Cooperation

- 6. ORGANS OF SUPPORT**
 - 6.1. Office of Administration and Finance
 - 6.2. Office System

- 7. ORGANS OF LINE**
 - 7.1. Direction of Administrative Arbitration
 - 7.2. Direction of the SEACE
 - 7.3. Technical Normative Direction
 - 7.4. Direction of Institutional Services
 - 7.5. Direction of Supervision, Taxation and Studies

CHAPTER I ON HIGH DIRECTION CHAPTER I MANAGERIAL ADVICE

Article 6 °. The Managerial Advice

It is the maximum organ of this Entity. It is integrated by three members designated for a period of three years by means of a Supreme Resolution, countersigned by the Secretary of the Treasury and Finance.

By means of a Resolution from the Advice the internal regulation of functioning will be approved.

Article 7 °. Functions of the Managerial Advice.

The functions and attributions of the Managerial Advice of the OSCE are the following ones:

- 1) To approve Boards for the execution of its competition, providing that they refer to the aspects of application of the Law and its regulation;
- 2) To approve the Internal Regulation of Functioning.
- 3) To approve the documents, such as institutional management , Regulation of Organization and Functions, the Picture of Assignment of Personnel and the Pay scale;
- 4) To propose strategies of institutional management;
- 5) To propose the strategies destined to promote the efficient use of the public resources and the reduction of costs as for contracting of the State;
- 6) To approve the institutional plans, strategic aims and to evaluate its fulfillment;
- 7) To approve limits of management of its disconnected organs, as well as to authorize the opening or closing of the same;
- 8) To approve boards that establish limits of the internal activities and of the procedures followed before the OSCE;
- 9) To designate the President's post of the Court between the members of the public contest and the named Supreme Resolution;
- 10) The Presidents' charges of Room Designate Court between the members chosen by public contest and the named Supreme Resolution;
- 11) To approve the Specification sheets of the goods or services being contracted under the modality of Inverse auction,
- 12) To approve the Bases Standardized as being used necessarily by the Entities of the State;
- 13) To delegate, mainly, with the Executive President the functions that he reminds, with exception of those that the regulation expressly prohibits.

Article 8 °. Grounds of Removal, vacancy and cessation

In conformity with the article 62 ° of the Law, the members of the Managerial Advice will be able to be removed of their post by supreme resolution countersigned by the Department of Economy and Finance.

Survivor constitutes grounds for vacancy, the serious lacking of, permanent physical disability or moral disability. It is considered to be a serious lack:

1. To take advantage of the post to obtain personal gains or in favor of third parties or to incur any other grounds of dismissal as foreseen in the regulation that regulates the labor regime of the private activity;
2. The unjustified absence to the meetings of Managerial Advice to three (3) consecutive meetings or five (5) alternated ones in one year calendar;

3. To be condemned to an exclusive sorrow of the freedom for fraudulent crime, or to have developed in incapable in accordance with the Code of ethics and its regulation which gravity deserves dismissal.
4. To have incurred some case of negligence, incompetence or immorality, due accredited.
5. To have broken a duty established in the code of ethics and its Regulation gravely deserves the dismissal.

The vacancy in the post also takes place by resignation or by strike, someone who's incompatibilities or prohibitions established in the normativity applicable to the public sector.

CHAPTER II EXECUTIVE PRESIDENCY

Article 9 °. Executive Presidency.

The Executive President is the maximum executive authority, designated with Supreme Resolution restrained by the Department of Economy and Finance, for a period of three (03) years. In case of vacancy, the person who takes the place will be appointed for the period left to be replaced. He will act as the Holder of the sheet, as well as the legal representative of the entity.

Article 10 °. Functions of the Executive President.

The functions and attributions of the Executive President are the following ones:

- 1) To call and to preside at the meetings of the Cabinet;
- 2) To supervise the institutional and administrative march,
- 3) To formulate and to direct the institutional and administrative politics;
- 4) To designate the confident employees and top executives, as well as to name public servants, in conformity with the procedure that turn out to be applicable;
- 5) To propose the institutional plans and strategic aims;
- 6) To approve the plans of training and well-being of the personnel of the OSCE;
- 7) To approve the institutional budget of opening, the financial statements and other financial and economic documentation that corresponds to them;
- 8) To approve the communications related to the application of the regulation of contracting of the State and the internal activities of the OSCE;
- 9) To arrange actions of control to the institutional management and the administration of the resources of the Entity;
- 10) To propose the holder of the sector, the labor and politic wage of the OSCE;
- 11) To propose the corresponding instances, the approval of the documents, such of institutional management ; the Regulation of Organization and Functions, the Picture of Assignment of Personnel and the Pay scale;
- 12) To propose the Boards to be approved by the Managerial Advice;
- 13) To propose the Standardized Bases being approved by the Managerial Advice;
- 14) Issue Resolutions on matters of its previous competition review and the report issued by the Office of Juridical Advising;
- 15) To promote the fulfillment and the diffusion of the law, regulation and complementary procedure;
- 16) To propose the modifications that it considers to be necessary to the regulation in the matter of its competition;
- 17) To suspend the processes of contracting when transgressions are observed by the regulation of public contracting, providing that there should exist reasonable indications of economic prejudice of the State or of commission of crime;

- 18) To raise the suspension of the processes of selection when it is applicable;
- 19) To designate the umpire or umpires who will integrate the Arbitral competent Court to solve the controversies that arise in the execution of the contracts regulated by the regulation of contracting of the State.
- 20) To designate the conciliator or conciliators who will have to his post the conciliations specialized in the stage of execution of the contracts regulated by the regulation of contracting of the State.
This designation and the one mentioned in the clause 19, will show it is in conformity the arrangement by the Board that for such an effect is issued, it must conform to the Managerial Advice;
- 21) Resolve the objections interposed against conciliators or umpires, of conformity with the regulation of the contracting of the State;
- 22) To solve the observations not received by the special committees and the resources of appeal that are formulated in the processes of contracting realized by the OSCE;
- 23) To entrust the Presidency of Court and of the Rooms, providing that it is a question of legitimate absence, vacations or license of the holder;
- 24) To design the strategies destined to promote the efficient use of the public resources;
- 25) To send the administrative acts that corresponds to them;
- 26) To coordinate meetings with the Members of the Court or other organs of the OSCE, to unify the criteria of interpretation of the regulation of public contracting;
- 27) Inscribe the agreements of institutional collaboration;
- 28) To delegate total or partially, the attributions that corresponds to them with exception of what is indicated by the Law; and,
- 29) Others: that the regulation of the matter assigns to them;

CHAPTER III GENERAL SECRETARY

Article 11 °. General Secretariat

It is the maximum administrative organ, in charge of the coordination with the organs of the Entity and inter institutionally with national and international entities. It adds to his post the office of the Executive Presidency of the OSCE and the Institutional Image.

The General Secretariat depends hierarchically on the Executive Presidency.

Article 12 °. Functions

The General Secretariat has the following functions:

- 1) Coordinates with the Executive Presidency the topics of its competition;
- 2) To represent the Executive President of the OSCE in official acts;
- 3) To replace provisionally the Executive President of the OSCE in case of impediment or absence;
- 4) To take part in the meetings as technical secretary of the Managerial Advice, taking records of the agreements and / or acts of Directory
- 5) To realize the functions of technical secretary of the Managerial Advice;
- 6) To elaborate, to propose, to evaluate, to check, and / or the Managerial Advice, as well as to normative documents or of management that are submitted to his consideration;
- 7) To Coordinate with the Executive Presidency, the planning, programming, execution and supervision of the safe actions and national defense and support technical relations with the Headquarters of Politics and Strategy of the Defense Department;
- 8) Integrates the College of Administrative Arbitration of the SNA-OSCE that proposes the Executive Presidency of the OSCE topics of conciliators or umpires, for the designations that should be effected in conformity with the regulation of contracting of the State;
- 9) To coordinate the participation of the institution in processes of integration in which a chapter is negotiated on state contracting;

- 10) Academics Promote the participation of the OSCE in events and international integration that they develop in the frame of the forums of commercial international integration;
- 11) To administer the inter institutional agreements of collaboration;
- 12) To establish and to supervise the policies of institutional image, coordination of press and institutional communication;
- 13) To elaborate plans and programs of communication and image that spread the activities of the OSCE, as well as, the policies of communications, information, protocol and others of analogous nature;
- 14) To coordinate with the Offices and Directions of the OSCE, the strategies of information and institutional image;
- 15) To certify the documentation issued by the OSCE;
- 16) To propose the design and update the contents of the institutional portal;
- 17) To elaborate the boards and communicates of orientation on the matters of his competition; and,
- 18) Others that are assigned him.

CHAPTER II ORGAN OF INSTITUTIONAL CONTROL

INSTITUTIONAL

Article 13 °. Office of Institutional Control (OCI)

It is the organ entrusted to drive, program me, execute and evaluate the actions of control, of conformity with the procedure of the National System of Control, as well as to execute the internal later control and the governmental external control.

The chief of the Office, depends functionally and administratively of the General Controllershship of the Republic.

Article 14 °. Functions

The functions of the Office of Institutional Control the following ones:

- 1) To exercise the internal later control for the acts and operations of the OSCE on the base of alignments and fulfillment of the Annual Plan of control;
- 2) To audit effects of the financial and budgetary statements of the OSCE, as well as the management of the same ones, in conformity with the guidelines that the General Controllershship of the Republic indicates. Alternatively these audits will be able to be contracted by the OSCE and by companies of external audit, and by subordination to the regulation of the matter;
- 3) To execute the actions and activities of control for the acts and operations of the OSCE that the General Controllershship of the Republic arranges, as well as those who are needed by the President of the OSCE;
- 4) To effective preventative control without binding character, to the organ of higher level of the OSCE, with the intention of optimizing the supervision and improvement of the processes, practices and instruments of internal control, without it generating prejudgment or opinions that are compromising the exercise of its function, or route the later control;
- 5) To send the resulting reports of the actions to the General Controllershship, as well as to the President of the OSCE and of the Sector when it corresponds, in conformity with the dispositions on matter;
- 6) To act of trade, when in the acts and operations of the OSCE, they warn of reasonable indications of illegality, of omission or of breach, informing the President of the OSCE in order that he should adopt the pertinent corrective policies;
- 7) To receive and to attend to the denunciations that are formulated by the civil servants, a public and civil servants that act and operation the way the OSCE realizes, granting them the steps that correspond to its merit and supportive documentation;

- 8) To formulate, to execute and to evaluate the Annual Plan of Control approved by the General Controllership, in agreement with the limits and force dispositions;
- 9) To effect the follow-up of the corrective policies that the OSCE adopts, as result of the actions and activities of verifying control, his effective materialization the follow ups of the judicial processes and administrative officers derived from the actions of control;
- 10) To support the commissions that the controllership designates for the execution of the activities of control in the area of the OSCE. Likewise, he will collaborate for disposition of the General Controllership, in other actions of extreme control, for operative reasons or something special;
- 11) To check the fulfillment of the legal dispositions and the hospitable regulations applicable to the OSCE, or the part of the organs, organic units and personnel of these;
- 12) To formulate and to propose the annual budget of the OCI for its corresponding approval for the OSCE;
- 13) To take part in the preparation of the documents of management of the OSCE;
- 14) To expire diligently with the others, citations and requirements that the General Controllership of the Republic formulates, and;
- 15) Other functions or functional objects that the General Controllership that the Republic establishes.

CHAPTER III ORGAN OF JUDICIAL DEFENSE

Article 15 °. Office of Attorney's office

It is the organ that exercises the representation and judicial defense of the OSCE before the jurisdictional organs in the civil, penal, labor, arbitral and special processes, in which it acts as plaintiff, claimant or civil national part, as well as before the Attorney General's office.

The Office of Attorney's office depends hierarchically on the Executive Presidency.

Article 16 °. Functions

The functions of the Office of Attorney's office are the following ones:

- 1) To formulate, to execute and to evaluate the plans of the Public Attorney's office;
- 2) To exercise the judicial representation of the OSCE and to assume its defense in the processes in which one acts as plaintiff, defendant, claimant or civil part;
- 3) Initiate the civil, penal, labor, constitutional, arbitral actions and others that the President of the OSCE authorizes;
- 4) To take part in the judicial, administrative, arbitral or different processes, in defense of the interests of the State, when such processes affect the resources and goods of this one;
- 5) To effect the follow-up of the different judicial processes, related to the development of the actions affected by the organs of the National System of Control, which defense is exercised directly by the OSCE;
- 6) To inform permanently the President of the OSCE about the situational condition of the judicial processes;
- 7) To produce annual report informing the Advice of Juridical Defense of the State on the movement of the judicial processes and to propose the procedure that it considers pertinent as for judicial defense;
- 8) To direct and to effect the follow-up of the coercive collections in coordination with the Office of Administration and Finance;
- 9) To propose to the High Direction, the actions or alternative measures conducive to the defense of the OSCE, before the Attorney General's office and the Judicial Power;
- 10) To expire with the dispositions contained in the internal procedures, as well as the legal assigned orders; and,
- 11) Others functions assigned.

CHAPTER IV

SUBCHAPTER I

Tribunal of the Government Procurement

Article 17 °. Tribunal of the Government Procurement

It is the collegiate organ entrusted to solve, in the last administrative instances, the controversies that arise between the Entities, the participants and the bidders during the process of selection, as well as the entities and independent experts apply the sanctions of temporary or definitive incapacitation to the suppliers, participants, bidders, contractors, as correspond in every case, for infraction of the dispositions of the law its regulations and other complementary procedures.

The Tribunal is autonomous and independent in the emission of its resolutions and pronouncements, without prejudice of depending administratively on the Executive Presidency of the OSCE.

It is at the expense of the President who depends administratively on the Executive Presidency of the OSCE.

Article 18 °. Functions

The functions of the Tribunal of Contracting of the State are the following ones:

- 1) To solve in the last administrative instances, the administrative resources interposed against the administrative acts, derived from the processes of selection, when it corresponds to it in conformity with the established Law and its Regulation;
- 2) To impose sanctions of incapacitation, temporary or definitive, to take part in the processes of selection and to contract with the State, in conformity what is arranged by the regulation of the matter;
- 3) To solve the resources of reconsideration interposed by the Tribunal in an administrative sanctioning procedure;
- 4) Bidders and contractors Order, when it corresponds, the incorporation of suppliers, participants, in the Record of Disqualified from contracting with the State of the National Record of Suppliers, in conformity with what is arranged with the regulation of the matter;
- 5) To solve in last administrative instance the conflicts which might determine the competition in the solution of controversies and challenging;
- 6) To arrange the publication of the pronouncements that correspond in conformity with the force in regulation;
- 7) To dictate the pertinent measures for the fulfillment of its resolutions and pronouncements;
- 8) To put in knowledge of the General Controllershship of the Republic, the cases in which it observes transgressions to the regulation of public contracting, providing that there should exist reasonable indications of economic prejudice to the State or of commission of crime;
- 9) To put in knowledge of the Attorney General's office, the chaos in which it detects indications of illicit penal assignments for the civil servants or persons who give services in the entities of the exercise in his functions, participants, bidders, suppliers, contractors or independent experts, as the case may be;
- 10) To put in knowledge of the institutions , supervisors or auditory the cases in which it detects indications of negligence or breach of contract committed by the persons naturals or juridical authorized by those;
- 11) To put in knowledge of the Executive Presidency of the OSCE the measures realized by the Tribunal, as arranged in the literal ones 8), 9) and 10) of the present article;

- 12) To propose procedure and procedures orientated to improving the activities of the Tribunal;
- 13) To guard over the ideal condition of the processes that they find in the Room of the Tribunal, under responsibility; and,
- 14) Others: that corresponds to them in agreement to its nature.

Article 19 °. Rooms of the Tribunal

The Tribunal of Contracting of the State is shaped by Rooms, which conformation and number is established by Supreme Decree.

The members of the Tribunal are chosen by Public Contest and designated by Supreme Resolution. The President's charges of the Tribunal, Presidents of every room and the distribution of the members that compose them, are established by the Managerial Advice between the members chosen and designated in the form previously chosen.

The post of the member is exercised in full-time and of exclusive form. The members rely on technical legal assistants, they depend on the Presidency Tribunal and they offer assistance specialized to the members in the exercise of their functions.

Article 20 °. Functions of the Presidency of the Tribunal

The functions of the President of the Tribunal of Contracting of the State are the following ones:

- 1) To call, for at least every two months to a session of Full Room and when its considered to be necessary;
- 2) To summon Public hearings,
- 3) To check the quorum for sessions in Full Room and any necessary the adoptions of the agreements taken in this session;
- 4) To arrange the execution of the agreements adopted by the Full House and of being necessary its publication in the Official Newspaper The Peruvian, The SEACE and in the institutional portal of the OSCE; those who would constitute criteria that sit precedent the obligatory observance;
- 5) To assign the processes that will be of knowledge of every House, and inside it the vocal referee;
- 6) To supervise the performance of the organs of the Tribunal and of its personnel, in agreement with the goals, standards of performance and procedures established by the Executive Presidency of the OSCE;
- 7) To assure the knowledge of the Executive Presidency of the OSCE, with the periodicity that it determines, on the situation of the matters of the Tribunal and the cases that have been an object of pronouncement;
- 8) To approve internal Regulations on the application of sanction and the administrative procedures of its competition;
- 9) Others that are assigned to it,

Article 21 °.-Full House

The Full **House** of Tribunal of Contracting is the meeting of the members that integrate the Tribunal; the installation will have to observe the minimal necessary quorum, which will be the half more one of the members.

In the Full **House** the members there adopt precedents of obligatory observance, besides agreements that are of interest for the functioning of the Tribunal.

Article 22 °. Precedents of obligatory observation

The Tribunal will establish criteria of obligatory observance on the basis of the Agreements of the Full **House**, derived from the meetings of Full **House**. The above mentioned criteria must be established in an express way and with general character, interpreting the sense of the regulation on contracting of the State.

The **House** will have to declare in concordant with the criteria of obligatory observance, established by means of the Agreements of Full **House**, the same ones that are published in the Official Newspaper the Peruvian and in the institutional portal of the OSCE.

The Rooms of the Tribunal will not be able to issue pronouncements that counter avenge the criteria established by means of agreements of Full Room.

The resolutions that imply the need to modify the criteria established in the Full Room, will be submitted before to the consideration of this one, in agreement with the procedures established in the documents of management that are issued for such an effect.

Article 23 °. Grounds of Removal, vacancy and cessation

In conformity with that arranged in the article 65 ° of the Law, the members of the Tribunal will be able to be removed of their post by serious lack, permanent physical disability or long term moral disability. What is considered to be a serious lack:

1. To take advantage of the post to obtain advantages in the regulation that regulates the labor regime of the private activity;
2. The unjustified absence of a Member of the Tribunal to three (3) consecutive meetings or five (5) alternated ones in one calendar year ;
3. To be condemned to an exclusive sorrow of you her liberate for fraudulent crime, or 5 have developed in incapacity, for the grounds foreseen in the beginnings 4),), 6), 7) and 8) of the article 44 ° of Civil Code;
4. To have incurred some case of negligence, incompetence or immorality, due accredited,
5. To have broken a duty established in the code of ethics and its Regulation which great gravity that deserves the dismissal.

A vacancy of the post also takes place due to resignation or for strike actions from someone of the incompatibilities or prohibitions established in the rules applicable to the public sector.

The post of Member of the Tribunal ends, definitively, on having reached the age of seventy years.

SUBCHAPTER II SECRETARY OF THE TRIBUNAL

Article 24 °. Secretariat of the Tribunal

The Secretariat bridle supports technically, legally and administratively the Tribunal for the fulfillment of its functions. It is at the expense of a Secretary who depends directly on the Presidency of the Tribunal.

Article 25 °. Functions of the Secretariat of the Tribunal

The functions of the Secretariat of the Tribunal are the following ones:

- 1) To administer the procedures that surrender to the knowledge of the Tribunal and of its Rooms,
- 2) To offer technical, legal and administrative support to the Tribunal and to its Rooms, realizing the necessary coordination's with other organs of the OSCE;
- 3) To be present at the Tribunal during meetings, taking the corresponding minutes;
- 4) To protect and to guard over the ideal condition of the processes that they find in the File of the Tribunal, and its responsibilities;
- 5) To centralize, to analyze, to elaborate and to support updates of the statistics of the Tribunal in a reliable and opportune way, for the capture of decisions of the Executive Presidency;

- 6) To produce the statistical information and indicators of efficiency and efficiency of the internal, administrative processes and of management;
- 7) To report in his opportunity to the Division of the National Record of Suppliers, respect of the sanctioned suppliers, as soon as the well versed sanction should have remained spoiled or administratively firm;
- 8) To certify the copies of the documents issued by the Tribunal; and,
- 9) Other that it assigns to it.

CHAPTER V ORGANS OF ADVICE

SUBCHAPTER I OFFICE OF JURIDICAL ADVISING

Article 26 °. Office of Juridical Advising

It is the organ entrusted to offer legal advice to the High Direction and other organs and organic units of the OSCE, in matters of juridical character.

The Office of Juridical Advising depends hierarchically on the General Secretariat.

Article 27 °. Functions

The functions of the Office of Juridical Advising are the following ones:

- 1) To offer legal advice to the Managerial Advisors, Executive Presidency, General Secretariat, organs and organic units of the OSCE;
- 2) 2) To issue legal opinions in the resources of appeal that should be resolved for any organ of the OSCE, with exception of the Tribunal of Contracting of the State,
- 3) 3) To check and endorse the Boards issued by the Managerial Advice, as well as the Resolutions and internal Boards that the Executive Presidency issues;
- 4) 4) To check and endorse the bases and the contracts that the OSCE celebrates;
- 5) 5) To check and endorse the agreements of inter institutional cooperation;
- 6) Integrates the College of Administrative Arbitration of the SNA - OSCE who proposes to the Executive Presidency of the OSCE short lists of conciliators or umpires, for the designations that should be effected in conformity by the regulation of contracting of the State;
- 7) 7) To give supported information to the Executive Presidency and other organs of the entity that are concerned with its legality, regulation dispositions and other procedure related to the activities of the OSCE;
- 8) 8) To compile; to systematize and to keep updated the legal dispositions of the processes of management that have incident in the functioning of the OSCE;
- 9) 9) To offer support to the Attorney's office in the legal aspects that they might need; and,
- 10) 10) Other functions assigned.

SUBCHAPTER II

OFFICE OF PLANNING, BUDGET AND COOPERATION

Article 28 °. Office of Planning, Budget and Cooperation

It is the organ entrusted to elaborate and evaluate the execution of the institutional plans and the budgetary process of the OSCE, as well as the activities of technical national and international cooperation. The Office of Planning, Budget and Cooperation depends hierarchically on the General Secretariat.

Article 29 °. Functions

The functions and attributions of the Office of Planning, Budget and Cooperation are the following ones:

- 1) To lead the processes of planning and budgeting, the coordination for such effects with all the organs and organic units of the institution;
- 2) To elaborate and to propose the lines of action and strategic aims in function to the limits raised by the Sector;
- 3) To propose to the High Direction the agenda for the formulation and evaluation of the Strategic Institutional Plan, in conformity with the limits raised by the Sector;
- 4) To offer Prepares couple the formulation of the Strategic Institutional Plan and The Operative Institutional Plan, considering the goals and indicators that allow to evaluate the achievement of the objectives established by the Executive Presidency in coordination with the organic involved units;
- 5) To develop the follow-up and the evaluation of the Strategic Institutional Plan and the Operative Institutional Plan, with special emphasis on the indicators that have been designed for such an intention;
- 6) To program me and to formulate the Institutional Budget of agreement to the regulation force;
- 7) To realize the follow-up of the programming of the revenue and the expense in relation to the institutional budget frame;
- 8) To evaluate the budgetary requests and to issue the respective certifications;
- 9) To harmonize the income and expenses of the Institutional Budget;
- 10) To evaluate the Institutional Budget;
- 11) To elaborate and to send to the states corresponding organisms, the information that the regulation indicates as for planning and budgeting;
- 12) To promote and to support the obtaining of national and international refundable and non refundable cooperation, across the public competent entities and in conformity with the legal disposition force.
- 13) To propose and to formulate studies to level of pre-investment, directly or across third parties, in agreement with the need of the OSCE, as well as to develop the actions of follow-up in conformity with the National System of Public Investment;
- 14) To promote the utilization of the technical and economic national and international available cooperation;
- 15) To advise and to rest to the High Direction and other organs of the OSCE, in the matters of its competition;
- 16) To propose procedures and procedures orientated to improving the activities of the Office;
- 17) To provide the information for the production of the Strategic Plan and the Operative Plan to all the organic units;
- 18) To coordinate the production of the Memory of the OSCE; and,
- 19) Other functions assigned.

CHAPTER VI ORGANS OF THE SUPPORT SUBCHAPTER I ADMINISTRAION OFFICE AND FINANCE

Article 30 °. Office of Administration and Finance

It is the organ of support in charge of the operation and functioning of the administrative systems of the OSCE. It adds to its post the execution budget, financial, countable and

patrimonial, as well as of providing the OSCE of the material and human resources of agreement to the needs and force procedure.

It depends hierarchically on the General Secretariat. For the development of its functional activities that possesses the following organic units:

- 1) Unit of Logistics and General Services.
- 2) 2) Unit of Finance
- 3) 3) Unit of Human Resources

Article 31 °. Functions

The functions of the Office of Administration and Finance are the following ones:

- 1) To plan, to organize, to direct and to supervise the logistic, countable, financial activities and of human resources of the OSCE.
- 2) To execute the politics and actions of personnel established by the High Direction.
- 3) To execute the annual budget of the OSCE.
- 4) To formulate and to evaluate the financial statements of the OSCE.
- 5) To administer the inventories of patrimonial goods of the OSCE.
- 6) To administer the bank accounts of the OSCE
- 7) To realize the actions of the collection of the contributions, fines and debts dependent on payment, according to the OSCE,
- 8) To approve the processes of contracting, the bases and to designate the special committees of the processes of contracting that the OSCE realizes;
- 9) To solve the orders of return of arbitral expenses, in conformity with the regulation of contracting of the State;
- 10) To sign and to control the execution of the contracts that the OSCE celebrates;
- 11) The guarantees and / or letters of Execute bails granted in favor of the OSCE.
- 12) To evaluate and to solve the return of rates for right of processing in the procedures followed before the OSCE;
- 13) To advise to the High Direction in matters of its competition; and,
- 14) Other that assigns them.

Article 32 °. Unit of Logistics and General Services

It is the organic unit entrusted to provide the material resources, goods and services that the organs of the OSCE need, in safe conditions, quality, opportunity and suitable cost.

The unit of Logistics and General Services depends directly on the Office of Administration and Finance.

Article 33 °. Functions

The functions of the organic unit of Logistics and General Services are the following ones:

- 1) To program me, to coordinate, to execute and to control the procedures of contracting and acquisition of goods, services, leases and execution of works that need the organs of the OSCE;
- 2) To supply the goods and services those are necessary for the functioning of the OSCE.
- 3) To offer the support to the Special Committees, entrusted the processes of selection that OSCE summons;
- 4) To formalize the decisions of grant of the good pro, adopted as the Special Committees, across the production and visitation of the corresponding contracts or with the emission of the orders of purchase or of service.
- 5) To control the fulfillment of the contracts that come from the acquisition of goods, rendering of services or the execution of the work.
- 6) Administer the activities of the integral securities, maintenance and general services.
- 7) Administer the storage and distribution of the goods..
- 8) Register, control and preserve the existing store and the inheriting goods as well as to carry out inventories of the same.
- 9) Keep updated and in force the municipal authorizations.

10) As well as what the Administrative and Financial Offices approve.

Article 34 ° Unit of Finance

It is the organic unit in charge of the programming, coordination, execution and evaluation of the processes of accounting, as well as of the managing and the centralization of the financial resources of the OSCE.

The unit of Finance depends on the Office of Administration and Finance.

Article 35 °. Functions

The functions of the organic unit of Finance are the following ones:

- 1) To program me, to coordinate and to execute the technical processes of the National System of Accounting;
- 2) To effect the countable record and to control the administrative and financial transactions, as well as the execution estimates of the OSCE, protecting the correct legal application and estimates of the expenditure;
- 3) To formulate the financial statements and countable records of the OSCE;
- 4) To check the conformity of the operations that they register and of the supportive information;
- 5) To elaborate the reports of the accounting and financial statements, for its reference to the competent organisms;
- 6) Book-keepers, process and provide the Office of Administration and Finance the information in its phases of commitment, earned, turned, determined and collected with the income and expenses of the OSCE;
- 7) To control and to effect the fulfillment of the tax debts;
- 8) To proceed with the payments of arbitrary or other arbitraries of municipal character;
- 9) To take part in the processes of inventory and update of the patrimonial records;
- 10) To proceed with the payment of travel allowances that the personnel of the OSCE need , authorized in commission of service;
- 11) To exercise the internal previous and competing control of the administrative operations;
- 12) To program me, to organize and to execute the application of the technical processes of Treasury, in agreement to the in force regulation;
- 13) To report actions over of the execution of the flow of budgetary funds and conciliation banks ;
- 14) To guard and to control the financial resources and values of the OSCE;
- 15) To handle the bank accounts of the OSCE;
- 16) To realize the arching of funds and values of the OSCE;
- 17) To guard the valued documents and funds of the OSCE,
- 18) To provide permanent information about the economic and financial situation to the Office of Administration and Finance;
- 19) To realize the actions for the collection of the contributions, fines and debts dependent on payment, corresponding to the OSCE, as well as to grant credits and to realize the collection of the same ones;
- 20) To program me, to organize, directs finance and to control the activities of analysis in conformity with the institutional budget; and,
- 21) Other functions that are assigns to them at the Office of Administration and Finance.

Article 36 °. Unit of Human Resources

The Unit of Human Resources is the organic unit entrusted to administer the human resources of the Entity and promoting training, development and well-being.

The unit of human resources depends directly on the Office of Administration and Finance.

Article 37 °. Functions

The functions of the organic unit of Human Resources are the following ones:

- 1) To glide, to organize and to execute the technical processes for the selection, contracting, induction, evaluation, displacement, promotion, ascent and cessation of the personnel of agreement to the in force regulation;
- 2) To propose and to administer the plans of internal training destined to the human resource of the OSCE;
- 3) To propose and to administer the plans of the well-being of the personnel;
- 4) To elaborate and to keep updated the analytical budget of personnel, the schedules of remunerations and pensions, as well as the programs of incentives, preventively of health and social assistance;
- 5) To elaborate, to propose, to update and to spread the Internal Regulation of Work;
- 6) To execute policies of control of assistance and permanency of the personnel;
- 7) To issue express pronouncement in disciplinary cases of agreement I Regulate Boarder of Work;
- 8) To guard and to update the information of the personal files;
- 9) To formulate and to administer the program of pre-professional and professional practices of the OSCE; and,
- 10) Other functions assigned to the Office of Administration and Finance.

SUBCHAPTER II

SYSTEM OFFICE

Article 38 °. System office

It is the organ of planning, organizing, supervising and evaluating the use and rational application of the in force technologies of information, support and communications, as well as of the optimization of the administered processes and improvement of the institutional management of the OSCE.

The system office depends hierarchically on the General Secretariat. For the development of its functional activities it possesses the following organic units:

- 1) Unit of Support and Communications
- 2) Unit of System development
- 3) Unit of Methods

Article 39 °. Functions

The functions of the System office are the following ones:

- 1) To plan and to organize the use and rational application of the in force technologies of computer science;
- 2) To supervise the activities related to the operation of the architecture of networks and communication, to the support of hardware and software, to the development of applications and to the constant optimization of the processes and procedures of the OSCE;
- 3) To direct and to rest on the production of manuals of procedure for the different organs of the OSCE;
- 4) To approve the methodologies and standards of development of the applications of software and of the design or process redesign for the OSCE;

- 5) To approve the plans of contingencies of communications and of support, as well as the plans of copies of support and of preventive and corrective maintenance of the equipments of calculation of the OSCE;
- 6) To propose the approval of the Presidency, the IT security policies and of use of the IT resources assigned to the users of the OSCE;
- 7) To promote the use of new IT technologies that allow the support of technological permanently updated platform:
- 8) To approve the requirements of systematizing;
- 9) To promote and to direct the processes of rationalization and modernization of the Institutional management.
- 10) To supervise the administration of the Center of Institutional Calculation, the best of voice and information.
- 11) To keep updated the information of the IT implemented systems; and;
- 12) Other functions that are assigned to them.

Article 40 ° Unit of Support and Communications

It is the organic unit in charge of the planning, organization and implementation of the architecture of networks and communications, to give support of hardware and software to the headquarters and decentralized sculleries.

The unit of Support and Communications depends directly on the System scullery.

Article 41 ° Functions

The function of the organic unit of Support and Communications ploughs are the following ones:

- 1) To define, to propose and proceed with the security policies of computer science of the OSCE;
- 2) To elaborate, to propose, to execute and to control the plans of maintenance and preventively and correction of the equipments of calculation, contingencies of support, copies of endorsed of information and that of contingencies of communications OSCE;
- 3) Plans, to execute and to control the activities referred to the installations, maintenance, support and optimization of the pedantic software of hardware assigned to the users OSCE;
- 4) To elaborate reports and statistics of the activities of support and maintenance of software, hardware, local networks and or remote;
- 5) To plan, to execute and to control the activities of installation, control and monitors of the communicators' networks;
- 6) To plan, to execute and to control the activities of installation, configuration, administration and supervision of the services of the network of voice of information of the headquarters and office decentralized, of the local networks and or remote and of the favorite equipments of the Centers of Calculation of the OSCE;
- 7) To plan, to execute and to control the activities of configuration, administration, supervision of the equipments of the telephone central office of the OSCE;
- 8) Helps the logical and physical model of information of the OSCE;
- 9) To administer and to optimize the handlers of database of the environments of production; and;
- 10) Other functions that the Chief of the System office assigns.

Article 42°. Unity of Development of Systems

It is the organic unity in charge of the planning, investing, design, and develop documentation and maintenance of the application of the software.

The unity of Development of Systems is dependent if the office of Systems.

Article 43°. Functions

The functions of the organic unit of Development of systems are as follows:

- 1) To define and to propose the methodology and standards of development of the applications of software for the OSCE;
- 2) To plan, to analyze, to propose, the requirements to develop and to implement systematizing;
- 1) To design, develop and to update the model of information and logician and physicist of the OSCE;
- 2) To realize the maintenance and documentation of the applications of software that are developed in the OSCE;
- 3) To administer and to optimize the handlers of database of the environments of development and reproduction;
- 4) To supervise the development and implementation of IT projects in the development of software that is entrusted to a third party;
- 5) To train the personal user in the utilization of the new systems developed in the OSCE;
- 6) To keep updated the information of the IT implemented systems;
- 7) To report to the Office of Support and Communications the production of its Plans of Contingencies; and;
- 8) Other that the Chief of the System office assigns to them.

Article 44 ° Unit of Methods.

It is the organic unit entrusted to elaborate, executing and supervising studies, analysis and investigations of the processes of methods at the expense of the OSCE, this way like of promoting and directing the processes of modernization of the institutional management and proposing the methodology for the design and redesign of the Institutional processes.

The Unit of Methods depends hierarchically on the system office.

Article 45 °. Functions

The functions and to attribute of the organic unit of Methods are the following ones:

- 1) To define and attribute of methodology and standards of design or process redesign for the OSCE.
- 2) To direct, to elaborate, to rest and to spread, once approved, the manuals of Procedures to the different units of the OSCE;
- 3) To elaborate, to execute and to supervise the studies of rationalization of structure organizational, elaborating the corresponding documents of institutional management;
- 4) To analyze, to design and to rest on the implementation of the processes of administered by the OSCE, with the purpose of improving constantly the quality of the services offered to the user;
- 5) To design, to update and to spread the standards of the codification, nomenclature, presentation and structure of forms, boards, regulations, instructive, primers, memorandum and any document used in the OSCE;
- 6) To elaborate, to document and to update the inventory of business institutional processes;
- 7) Other that the Chief of the System office assigns to them.

**CHAPTER VII
LINE ORGANS
SUBCHAPTER I
DIRECTION OF ARBITRATION
ADMINISTRATIVE OFFICER**

Article 46 °. Direction of Administrative Arbitration

It is the manager's organ of the related ones to the conciliation and administrative arbitration of the contracting of the State.

The direction of Administrative Arbitration depends hierarchically on the Executive Presidency of the OSCE.

Article 47 °. Functions

The functions of the Direction of Administrative Arbitration are the following ones:

- 1) To organize and to administer administrative arbitrations and in addition average from prevention, management and solution of controversies, in agreement to what it establishes the in force legislation;
- 2) To propose the procedure specialized in the matter of solution of controversies in the stage of execution of the contracts, in the frame of the motivation of the condition for the contracting;
- 3) To administer the Umpires' Record of the OSCE;
- 4) To install Arbitral Ad hoc Tribunals, of conformity with the regulation of Contracting of the State;
- 5) To assume the functions of Secretariat of the national System of Arbitration of the OSCE (SNA-OSCE), indicated in the Regulation of the National System of Arbitration of the OSCE;
- 6) To integrate the College of Administrative Arbitration of the SNA-OSCE that proposes the Executive Presidency of the OSCE topics of conciliators or umpires, for the designations that should be effected in conformity with the regulation of contracting of the State;
- 7) Takes part in the commission assessor who proposes to the Executive Presidency of the OSCE the relation of conciliators or umpires, for the designations that should be effected of conformity by the regulation of contracting of the State;
- 8) The legal reports elaborate the respect of the objections of umpires and conciliators, the requests of return of arbitral expenses, the transgressions to the Code of Ethics for the Arbitration in Contracting of the State and to the of Contracting of the State in relation to the solution of controversies in the phase of contractual execution, as well as the related reports;
- 9) To agree and to assume, previous evaluation, the functions of arbitral Ad hoc Secretariat when the parts or in fault of them, the umpires, request it this way;
- 10) To coordinate the production of boards, related to the means of solutions of controversies during the phase contractual execution in the regulation of contracting of the State;
- 11) To coordinate the production of board related applications of the regulation of contracting on matters of its competition;
- 12) To elaborate Communiqués on matters of his competition;
- 13) To elaborate the statistics related to the processes of solution of controversies, in the area of his competition; and,
- 14) Other that assigns them.

SUBCHAPTER II

DIRECTION OF THE SEACE

Article 48 ° Direction of the SEACE.-

It is the organ entrusted to administer and develop the operations that are realized in the frame of the Electronic System of Contracting of the State-SEACE, as well as to administer the catalogue of Goods, Services and works, as well as the National Record of Suppliers

The Direction of the SEACE depends hierarchically of to Executive President.

For the development of its functional activities the Direction of the SEACE possesses the following organic units:

- 1) Division of Platform
- 2) Division of Record

Article 49 °. Functions

The functions of the Direction of the SEACE are the following ones:

- 1) To administer the platform of the SEACE;
- 2) To offer attention, orientation and support specialized on the managing of the SEACE;
- 3) To propose functional modifications to the SEACE for its improvement;
- 4) To approve the requests of authorization to apply arranged in the Law and its regulation, with regard to the users that it does not have access to Internet in its Locality.
- 5) To administer the only Catalogue of Goods, services and Works;
- 6) To keep the virtual catalogue of updated convention framework;
- 7) Contractors Establish mechanism of update of the database of Record of Entities;
- 8) To propose to the Executive Presidency, the development of the procedures that it should be under its administration across the exposition of boards and other procedure that regulate matter of its competition;
- 9) To lead the processes related to the functioning of the national Record of Suppliers;
- 10) To solve the resources of appeal that intervene against administrative acts that are send to its organic units;
- 11) Studies Communicate to the Direction of Supervision, taxation the cases in which transgressions should be detected to the regulation of contracting in the processes that are registered in the SEACE or when supposed infraction demonstrates initially the veracity of the information documented or of declarations presented in the procedures followed in the national Record of Suppliers;
- 12) To evaluate, qualify and to approve the revenue, permanency, resignation and / or exit of suppliers of the National Record of Suppliers, determined standards for the evaluation,
- 13) To proceed with publication of the relation of sanctions with incapacitation to contract with the State,
- 14) To coordinate the production of boards, related to the application of the regulation of Contracting of the State, as well as to elaborate the boards of orientation on the matters of its competition; realize to the High Direction on the acts issued by it competition;
- 15) To elaborate Communiqués on matters of its competition;
- 16) To deposit the information of the sanctions in the Record of Disqualified from contracting with the State, as soon as there has remained spoiled or administratively firm the well versed sanction, previous communication of the Tribunal of Procurement;
- 17) To publish monthly the relation of sanctioned with temporary or definitive incapacitation to take part in the processes of selection or to contract with the State; and,
- 18) Other that assigns them.

Article 50 °. Direction of Platform

It is the organic unit in charge of the administration and constant improvement of the SEACE, To offer attention and support on the support of the system to the users of the SEACE, as well as the Record of Entities administers Contractors and the Only Catalogue of Goods, Services and Works.

The Division of Platform depends directly on SEACE's Direction.

Article 51 °. Functions

The functions of the Division of Platform are the following ones;

- 1) To administer the accesses to the SEACE, updating roles and types of the user's profiles of the system;

- 2) To propose constant improvement of the SEACE, updating the roles types of the user's profiles of the system;
- 3) Contractors Administer the record of Entities;
- 4) To evaluate the requests of authorization in appliance that arranged by the Law and its Regulation, with regard to the users that it does not have access to Internet in its locality;
- 5) The information of the Entities Registers of contrast that do not have access to Internet in his locality, previous authorization of the OSCE in conformity with arranged in the corresponding Board;
- 6) To administer the only one Catalogue of Goods, Services and Works, proposing policies, procedures and procedure to keep it updated;
- 7) To keep the virtual catalogue of the updated convention Framework;
- 8) To elaborate periodic reports on the performance of the SEACE; and,
- 9) Other functions assigned by the Direction of the SEACE .

Article 52 °. Direction of the Registry

It is the organic unit entrusted to solve the steps presented by the users before the National Record of Suppliers, as well as the administration of the database of the same one.

The Division of the Record depends directly on the Direction SEACE.

Article 53 ° Functions

The functions of Direction of the Registry are the following ones:

- 1) To issue administrative acts related to the procedures followed before the national Record of Suppliers;
- 2) To solve the resources of reconsideration that are imposed against the administrative acts that the Division of the Record sends;
- 3) To issue the administrative acts on the decrease of the capacity of contracting or the cancellation the inscription of the executors or consultants of works who do not expire in spite of the variation communicates opportunely his technical nursery;
- 4) To approve the procedures on the resignation to the effect of the inscription in the national Record of Suppliers;
- 5) To issue witnesses and or Certificates for suppliers of goods and services, as well as for the executors and consultants of works;
- 6) To issue the witnesses of regularization of consortium and for the executors and consultants of works, when it corresponds;
- 7) To evaluate and to approve the procedures of variation of technical nursery, presentation, rectification, regularization of the record of works and the others that have for object to keep the information updated of the records;
- 8) To effect the Record and update the information of the database of the National Record of Suppliers, in the area of his competition;
- 9) To elaborate and visar the administrative acts on the publication of the relation of the suppliers which inscribe or cancel as a result of the late taxation;
- 10) To issue the witnesses of not being disqualified from contracting by the State and of Free Capacity of Contracting;
- 11) To send lists and to attend to orders of search and manifest;
- 12) To deposit information of the sanctions in the Record of Disqualified from contracting with the State, as soon as the well versed sanction has remained spoiled or administratively firm, as well as from keeping updated the information of the database of the record of disqualified from Contracting with the State in coordination with the Tribunal of Procurement;
- 13) To elaborate the relation of sanctioned with the temporary or definitive incapacitation to take part in the processes of selection or to contract with the State that is public in the official diary the Peruvian in coordination with the Tribunal;
- 14) To elaborate the statistics on the procedure that he administers; and,
- 15) Other functions assigned by the Direction of the SEACE.

SUBCHAPTER III TECHNICAL REGULATIONS DIRECTION

Article 54 °. Direction of Technical Regulations

It is the organ entrusted to elaborate documentation referred to aspects of application of the regulation of contracting, as well as to offer an advice of technological legal character for public contractions.

The Direction Technical Regulation depends hierarchically on the Executive Presidency.

For the development of its functional activities of the Direction Technician Regulation counts The following organic units:

- 1) Division Technician Regulation
- 2) Division of Inverse Auction

Article 55 °. Functions

The functions of the Direction of Technical Regulations are the following ones:

- 1) To pass declared on the formulation and absolution of observations to the bases of the processes of selection, submitted to his consideration;
- 2) To issue opinions and reports absolving the consultations of technical - legal character on public contracting of the Entities, suppliers and users effect in general;
- 3) Realize to the High Direction on the announcement and issuing of opinions;
- 4) To approve the reports on the projects of standardized bases anyone is his modality;
- 5) To issue projects of Boards related to the application of the regulation of Contracting of the State, as well as to elaborate the boards of the orientation on the matters of his competition;
- 6) To elaborate Communiqués on matters of its competition;
- 7) To elaborate offers of the projects of procedure, related to the regulation of Contracting of the State;
- 8) To propose the incorporation; modification, update or exclusion of the specification sheets of the goods and services of contracting under the modality of inverse auction, with the due technical and / or legal sustenance that motivates it;
- 9) To solve the orders formulated by the entities to use other mechanisms of contracting different from the modalities of inverse Auction and Framework convention, in conformity with the regulation of the matter;
- 10) To elaborate projects of reports, pronouncements, trades and other documents that sustain the acts issued by the Executive Presidency;
- 11) To propose to the Executive Presidency, development of boards and other documents that they should regulate the matter of its competition; and,
- 12) Other that assigns them.

Article 56 °. Direction of Technical Regulations

It is the organic unit in charge of the preparation of boards, the production of the standardized bases and others referred to the application of the regulation of government procurement, as well as of offering technical advising as for public contracting, issuing pronouncements and opinions and reports absolving the consultations of technical legal character as for contractions of the State.

The Division of Technical Regulations depends directly on the Direction of Technical Regulations.

Article 57 °. Functions

The functions of the Division of Technical Regulations are the following ones:

- 1) To elaborate projects of boards that refer to aspects of application of the regulation of contracting;

- 2) To elaborate projects of comunicados on I scare of his competition;
- 3) To take part in the production of the normative related offers public contracting;
- 4) To elaborate projects of boards that implement the commitments for public contracting, assumed by Peru on taking part of an organization of international forum, or in an economic and commercial agreement;
- 5) To elaborate projects of standardized bases and the reports provide respective;
- 6) To keep the normative instruments updated at the expense of the OSCE;
- 7) To elaborate the pronouncements of the observations on the bases that are raised to the OSCE;
- 8) To elaborate opinions and reports absolving consultations of technical - legal character as for contracting of the State;
- 9) To advise to the public entities the contracting of the State; and,
- 10) Other functions that Technician assigns to the Direction of its Regulation.

Article 58 °. Division of Inverse Auction

The Division of inverse Auction is the organ entrusted to promote the utilization of the modality of inverse auction in the State, offering advice of technical character related to the modality of selection and elaborating of specification sheets for the goods and services of the contracting under the modality of Auction inverse.

The Division of inverse Auction Technician depends directly on the Direction Regulation.

Article 59 °. Functions

The functions of the Division of inverse Auction ploughs are the following ones:

- 1) To offer advice of technical character related to the modality of Inverse Auction;
- 2) Of trade or at call of part, the due technical sustenance elaborates and or legally that motivates the incorporation, modification, update or exclusion of cards of goods and services to contracting under the modality of inverse auction;
- 3) To direct actions conducive to the production of the specification sheets of goods and services to contract under the modality of inverse auction;
- 4) To elaborate the report to solve the orders formulated by the entities to use other mechanisms of contracting different from the manners of Inverse Auction and Framework convention; in conformity with the regulation of the matter;
- 5) To elaborate the information inherent in the modality of inverse auction to the effects of publishing in the official bulletins across the SEACE;
- 6) To propose the modified regulation inherent in the modality of inverse auction;
- 7) To coordinate the boards that fix criteria of application for the regulation of contracting of the State, as well as the orientation on the matters of its competition;
- 8) To promote the training of the users in matters related to application of the Inverse Auction; and,
- 9) Other that Technician assigns the Direction to its Regulation.

CHAPTER IV

DIRECTION OF INSTITUTIONAL SERVICES

Article 60 °. Direction of Services

Institutional

It is the organ entrusted to offer orientation to the users on the diverse services that the OSCE gives, and develops activities related to the diffusion and training of the public contracting, to administer the decentralized offices, as well as to administer the file and the step of documenting.

The Direction of institutional Services depends hierarchically on the Executive Presidency.

To develop his functional activities the Direction of Institutional Services possesses the following Organic units:

- 1) Division of Customer Service
- 2) Division of Training
- 3) Division of Administration of the Decentralized Offices.

Article 61 °. Functions

The functions of the Direction of Institutional Services are the following ones:

- 1) To direct periodic evaluations on the development of the activities of attention to the user, training and coordination with the decentralized offices;
- 2) To formulate, to propose and to implement the policies and strategies of attention to the external user in what concerns the orientation and advising in the services that offer the OSCE and to supervise its execution.
- 3) To offer orientation to the users public and deprived on the procedures that they realize before the OSCE;
- 4) To offer orientation of general character on aspects related to the public contracting, in coordination with the pertinent organs;
- 5) To supervise and to administer the activities related to the distribution of internal and external documentation that it deposits and goes away from the Entity, as well as the system of step documentation ;
- 6) To Supervise and to administer the activities related to the file documentation of the OSCE,
- 7) To attend to the requests of information and / or documentation requested under the scopes of the regulation of transfer and to access the Public information;
- 8) To supervise the development of the programs of diffusion and training conducive to the development, specialization, certification and accreditation in matter recounted to the contradictions of the State;
- 9) To formulate and to execute the policies and strategies functioning in the decentralized offices;
- 10) To propose to the Executive Presidency, the development of the procedures that they should have under its administration, across the exposition and board and other documents that regulate the matter of its competition;
- 11) To elaborate Boards and Communiqués of orientation on matters of its competition; and,
- 12) Other functions assigned.

Article 62 °. Division of Customer Service

It is the organic unit entrusted to orientate, give and advise the users on the services that the OSCE gives.

The Division of Attention to the User depends directly on the Direction of Institutional Services.

Article 63 °. Functions

The functions of the Division of Customer Service are the following ones:

- 1) To formulate, to direct to execute the plans and programs of attention to the public user;
- 2) To operate and to administer the service of attention of consultations and orientation on the procedures that are realized before the OSCE;
- 3) To elaborate and to support updated information about the most frequent consultations about the procedures that are realized before the OSCE;
- 4) To issue copies simple and authenticated of the documentation presented and issued in the procedures followed before the OSCE;
- 5) To canalize suggestions and claims on the service of attention to user of the OSCE;
- 6) To administer the system of steps in the documentations of the OSCE;
- 7) The system of files Administers documentations to the OSCE; and,
- 8) Other functions assigned by the Direction of Institutional Services.

Article 64 °. Division of Training

It is the organic unit of formulating and executing the activities of diffusion and training on aspects linked to the contracting of the State.

The Division of Training depends directly on the Direction of Institutional Services.

Article 65 °. Functions

The functions of the Division of Training are the following ones:

- 1) To develop the programs conducive to the development, specialization, certification and accreditation in the matters referred to the area of the contracting of the State;
- 2) To formulate, to propose and to implement the policies and strategies of diffusion and training on matters referred to the contracting of the State;
- 3) To select, to form, to qualify, to accredit, to specialize, to evaluate and to monitor the trainers;
- 4) The materials Elaborate and to evaluate for it programs of training in its levels of diffusion, development and specialization;
- 5) Relations Support constitutions dedicated to the training and with experts from the state contracting;
- 6) To organize, to preserve and to support the Library of the OSCE; and,
- 7) Other functions assigned by the Direction of Institutional Services.

Articulo66 °.-Division of Administration of the Decentralized Offices

It is the organic unit entrusted to administer the management of the decentralized offices. It depends directly on the Direction of Institutional Services.

Articulo67 °. Functions

The functions of the Division of Administration of the Offices Decentralized they are the following ones:

- 1) To formulate, to direct and to execute the plans and programs of the activities related to the Decentralized Offices;
- 2) To administer, to organize and to process the documentation that deposits and goes away to the OSCE across the offices decentralized of coordination with the Division of Attention to the user;
- 3) To promote and to coordinate the activities of the offices decentralized inside the area of its territorial competition;
- 4) To evaluate and to propose the creation and / or deactivation of the decentralized offices;
- 5) To coordinate with the organs of the OSCE the implementation of procedures of object of uncenter;
- 6) To propose only the procedures orientated on improving of the activities of the Decentralized Offices; and,
- 7) Other functions assigned by the Direction of Institutional Services.

SUBCHAPTER VI

SUPERVISION DIRECTION, TAXATION AND STUDIES

Articulo68 °. Direction of Supervision, audit and Studies

It is the organ entrusted to supervise and control, of selective and / or random form, the processes of contracting that are realized under the protection of the regulation of contracting of the State, as well as the late audit of the procedures followed before the OSCE. It leads the studies of economic and social character, related to the contracting of the State, with the purpose

of proposing strategies and destined to promote the efficient and transparent use of the public resources at reduction of costs.

The direction of Supervision, audit and Studies depends hierarchically on the Executive Presidency.

To develop his functional activities the Direction of Supervision, Taxation and Studies possesses the following Organic units:

- 1) Division of Supervision
- 2) Division of Taxation
- 3) Division of Economic Studies and of Market

Article 69 °. Functions

The functions of the Direction of Supervision, Taxation and Studies are the following ones:

- 1) To supervise and to control, selective and / or random forms, the processes of contracting that are realized under the protection of the regulation of contracting of the State;
- 2) To realize the process of taxation later to the procedures followed before the OSCE;
- 3) To evaluate the denunciations interposed before the OSCE, related to the transgression to the regulation on public contracting;
- 4) To propose to the Executive Presidency the suspension of the processes of contracting, in which it observes transgressions to the regulation of contracting of the State, providing that there should exist reasonable indications of economic prejudice to the State or of commission of crime;
- 5) To supervise and to appraise the exonerations of the processes of selection that realizes the entities of the State.
- 6) To supervise the utilization of the modalities and selection;
- 7) To propose to the Executive Presidency, the development of the procedures that they should be under, his administration, across exposition of boards and other documents that regulate the matter of its competition;
- 8) To coordinate the production of boards related to aspects of application of the regulation of Contracting of the State, as well as to elaborate the boards of orientation on the matters of his competition;
- 9) To elaborate Communiqués on matters of its competition;
- 10) To lead the studies of economic and social character, related to the contracting of the State, with the purpose of proposing strategies destined to promote the efficient use and transparency of the public resources and of reduction of costs;
- 11) To elaborate statistics concerned in the procedures matter of competition; and,
- 12) Other functions assigned.

Article 70 °. Division of Supervision

It is the organic unit entrusted to supervise and control, of selective and / or random form, the processes of contraction that is realized under the protection of the regulation of contracting of the State. It depends directly on the Direction of Supervision, Taxation and Studies.

Article 71 °. Functions

The functions of Division of Supervision are the following ones:

- 1) To execute the supervision and taxation, of selective and / or random form, of the processes of contracting that are realized under the protection of the regulation of contracting of the State;
- 2) To elaborate the reports proposing the suspension of the processes of contracting, in which as consequence of the exercise of his functions observes transgressions to the regulation of contracting of the State or of commission of crime;

- 3) The utilization of the modalities Monitors selection;
- 4) To check and to evaluate the exonerations of the processes of selection that realize the entities of the State initiating the corresponding procedure;
- 5) The denunciations referred to transgressions Process the regulation of contracting of the State;
- 6) To elaborate reports on aspects of its competition;
- 7) To realize the follow-up of the processes of selection summonsed, being able to observe and notify the breaches of the regulation of contracting of the State; and,
- 8) Other functions assigned by the Direction of Supervision, Taxation and Economic Studies.

Article 72 °. The Division of audit

The Division of audit is the organ entrusted to control the documents and information declared and presented by the users in the procedures followed before the OSCE, with exception of the Tribunal of Contracting.

The Division of audit depends directly on the Direction of Supervision, Taxation and Studies.

Article 73 °. Functions

The functions and attributions of the Division of Taxation is as follows:

- 1) To effect the late taxation of the processes that have reached its procedure of inscription in the national Record of Suppliers, as well as, in the different organs of the OSCE, with Exception of the Tribunal of Contracting;
- 2) To elaborate reports on the cases of nullity, denunciation and fine, when transgressions are detected initially of the veracity in the information, documentation or of the declarations presented before the diverse ones of the OSCE, with exception of the Tribunal of Contracting; and,
- 3) Other assigned ones for the Direction of Supervision, Taxation and Studies.

Article 74 °.-Division of Economic Studies and of Market

It is the organic unit entrusted to lead the studies of economic and social character, related to the contracting dl State, with the purpose of proposing strategies destined to promote the efficient use of the public resources and of reduction of costs.

The Division of Economic Studies and of Market depends hierarchically on the Direction of Supervision, Taxation and Studies.

Article75 °.-Functions:

- 1) To plan, to organize, to execute and / or to monitor economic and social investigations related to the public contracting;
- 2) To elaborate studies and economic and statistical analyses of the behavior of the state market and its relation with the regulation of contracting;
- 3) To coordinate the obtaining of information and byline complementation to the SEACE, for the accomplishment of study and analysis;
- 4) To spread the results of the analyses, studies and investigations realized, previous approval of the Executive President; and,
- 5) Other functions assigned by the Direction of Supervision, Taxation and Studies.

CHAPTER VIII

OF THE LABOR REGIME

Article 76 °. Of the Personnel of the OSCE

The personnel of the OSCE are subject to the labor regime of the private activity.

CHAPTER IX

OF THE REGIME ECONOMIC

Article 77 °. Of the financial resources of the OSCE

The financial resources of the OSCE are the following ones:

- 1) The generators for the collection of rates foreseen in the TUPA.
- 2) The generators for the execution of guarantees or warehouses established in the regulation.
- 3) The generators for the sale of goods and provision of services.
- 4) The generators for the capacitation of diffusion of the regulation as for its competition.
- 5) The from ones the technical national and international not refundable cooperation.
- 6) The from ones the imposition of fines and,
- 7) Other that assigns the regulation to itself.

Article 78 °

The administration of the collection of the financial resources to which the present article refers is of competition of the OSCE, for which has action of coercive execution.

COMPLEMENTARY DISPOSITION

The Only FINAL

The OSCE for the fulfillment of his functions to celebrate to sane, agreements or contracts with Public, trade-union institutions, universities, center of investigation, national, foreign or international organisms, in conformity with the regulation of the matter.