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BOLETIM DE CONJUNTURA

BOCA

Ano VI | Volume 17 | Nº 49 | Boa Vista | 2024

http://www.ioles.com.br/boca

ISSN: 2675-1488

https://doi.org/10.5281/zenodo.10533562

BOLETIM DE CONJUNTURA

www.ioles.com.br/boca

GOVERNANCE AND MANAGEMENT OF CONTRACTS: IMPLICATIONS FOR PUBLIC POLICIES

Alessandro Bandeira de Oliveira[1]

Paulo Vitor Jordão da Gama Silva[2]

Abstract

This study focuses on the governance area with implications in public policies investigating the enhancement of contractual management within Brazilian Navy public works by scrutinizing actors' perspectives in execution and inspection. Utilizing Yin's (2015) four-test-based single case study methodology, the research uncovers significant governance and management challenges in the Navy's contractual processes. Proficient managerial and supervisory performance is crucial for effective contract management, emphasizing the intricate nature of overseeing complex naval projects. Challenges faced by inspectors and managers overseeing contractual works highlight the pressing need for improvement in current practices. The study recognizes training in procurement and contracts as pivotal, providing support beyond designated personnel roles. A harmonious collaboration among managerial, technical, and administrative inspectors is crucial for successfully executing projects. Despite limitations in interviewing contracted company employees, the research holds broad implications for Brazilian public policies, addressing specific governance and management challenges within the Navy's operational framework. The findings underscore the importance of continuous training and offer valuable insights for policymakers and practitioners seeking to enhance public procurement practices within military organizations, particularly within the Brazilian Navy.

Keywords: Administrative Contracts; Brazilian Navy; Governance; Management; Public Policies.

Resumo

Este estudo tem como foco a área de governança com implicações em políticas públicas, investigando o aprimoramento da gestão contratual nas obras públicas da Marinha do Brasil, por meio das perspectivas dos atores na execução e fiscalização. Utilizando a metodologia de estudo de caso único baseada em quatro testes de Yin (2015), a pesquisa revela desafios significativos de governança e gestão nos processos contratuais da Marinha. O desempenho competente de gestão e supervisão é crucial para uma gestão eficaz de contratos, enfatizando a natureza complexa da supervisão de projetos navais. Os desafios enfrentados pelos inspetores e gestores que supervisionam as obras contratuais realçam a necessidade premente de melhoria em tais práticas. O estudo reconhece a formação em matéria de aquisições e contratos como fundamental, proporcionando apoio para além das funções designadas. Uma colaboração harmoniosa entre inspetores gerenciais, técnicos e administrativos é fundamental para a execução bem-sucedida dos projetos. Apesar das limitações nas entrevistas com funcionários de empresas contratadas, a pesquisa tem amplas implicações para as políticas públicas brasileiras, abordando desafios específicos de governança e gestão no âmbito operacional da Marinha. As descobertas ressaltam a importância do treinamento contínuo e oferecem insights valiosos para formuladores de políticas e profissionais que buscam aprimorar as práticas de compras públicas nas organizações militares, especialmente na Marinha do Brasil.

Palavras-chave: Contratos Administrativos; Gerenciamento; Governança; Marinha Brasileira; Políticas Públicas.

[1] Brazilian Navy Officer. PhD candidate in Management at the University of Grande Rio (UNIGRANRIO). E-mail: bandeiraqcim@hotmail.com

[2] Professor at the State University of Rio de Janeiro (UERJ). PhD in Management at the Pontifical Catholic University of Rio de Janeiro (PUC-RIO). E-mail: paulo.jordao.phd@gmail.com

INTRODUCTION

In recent years, we have observed the creation of several regulations to achieve efficiency in public administration. In this sense, Decree No. 9,739/2019 established organizational efficiency measures to boost the federal public administration (BRASIL, 2019b). Nevertheless, Decree No. 10,609/2021 instituted the National Policy for the Modernization of the State to direct government efforts to increase efficiency and modernize public administration (BRASIL, 2021b).

In Brazil, public officials handle large sums of financial resources and formalize contracts substantially. In 2022, expenditures on public contracts accounted for 12% of the country's Gross Domestic Product (GDP), as the Ministry of Economy indicated. As a crucial economic activity for governments, public procurement significantly contributes to a country's development (REJEB *et al*., 2023).

In public procurement, the Brazilian Navy must obey legislation affecting all Federal Public Administration (FPA) bodies and fulfill its constitutional role. It must follow the rules and regulations relating to procurement and public contracts. The laws that deal with the management and inspection of administrative contracts are laws nº 8666/1993 and 14133/2021, Normative Instruction nº 05/2017, which is responsible for contracting outsourced services in the FPA, and other related ones.

Recently, Law No. 14,133, of April 1st, 2021, the new law that deals with public tenders and administrative contracts, sought to consolidate several legal understandings in just one normative. Given the problems that the literature points out, there are reports of: non-standardization of verification documents for inspection, accumulation of functions by public agents who carry out inspection activities, and only the guidelines provided for in the Normative Instruction of May 5th, 2017, for inspections in contracting outsourced services in the federal public administration (NEVES; GASPARETTO, 2020). Added to these are a few studies in the literature related to the perception of public works inspection agents.

Thus, the main objective of this article is to explore how the Brazilian Navy can improve its contractual management of public works in the field of governance based on the perception of the main actors involved in the execution and inspection and its implications for public policies.

The methodology utilizes a single case study to examine perceptions within the Brazilian Navy, following Yin's (2015) four tests for validity. Omitting internal validity due to its exploratory nature, external validity is addressed through a "How" research question. A case study protocol adheres to ensure reliability, compiling data from sources such as semi-structured interviews and document analysis.

The relevance of the research lies in showing the opportunities and challenges encountered by the agents responsible for the management and inspection of administrative contracts for public works in the Brazilian Navy, proposing reflections on how managers, administrative inspectors, and technicians act when appointed to their positions.

We divide the article into four more sections. In the second, we discuss the management reform movements, public governance, management, and inspection of administrative contracts. In the third, we describe the research methodology. In the fourth, we present the discussion of the results, and, finally, we highlight the final considerations and the practical implications of the findings.

PUBLIC MANAGEMENT REFORM MOVEMENTS

Public procurement supports the demand for valuable, cost-effective services (PATRAS, 2015; KUCHINA-MUSINA, MORRIS; STEINFELD, 2020). Moreover, it is relevant in current states with a capitalist economy, especially those with significant resources channeled to expenditures through contractual channels (ITO; SOUSA SANTOS, 2020; BERGMAN, 2023).

According to Osborne (2010), implementing public policies and providing public services underwent three design and delivery regimes. The first prominent Public Administration (PA) was from the end of the 19th century until the end of the 70s/beginning of the 80s. The second is New Public Management (NPM) until the beginning of the 21st century; finally, an emerging third is that of New Public Governance (NPG) until today.

At the time, the NPM presented itself with the primary objective of making the AP operate as a private company and, thus, acquire efficiency, reduce costs, and obtain greater service effectiveness (MOTTA, 2013). Even so, the time of the NPM was relatively short and transitional between the statist and bureaucratic tradition of the PA and the embryonic pluralist and pluralistic tradition of the NPG (OSBORNE, 2010).

The post-NPM seems more aware of the limits of the insertion of private mechanisms in public management. Some conceptions and management instruments practiced in companies, focusing on the customer and the quality of expenditure, can give more consistency and productivity to public actions; at the same time, they can also damage the fundamental values of public service (MOTTA, 2013). Therefore, AP and NPM failed to capture the complex reality of designing, delivering, and managing public services in the 21st century (OSBORNE, 2010).

Hood (1991) argues that the critics of NPM are most common in terms of an alleged contradiction between the values of 'fairness' and 'efficiency,' but that any criticism that survives NPM's

claim of 'infinite reprogramming' must be expressed in terms of possible conflicts between administrative values. According to Nunes, Gomes, and Santana (2023), the increase in operations between private and public actors was the cornerstone of the New Public Management (NPM).

Furthermore, recent proposals such as the New Public Actor (NPA) model of public service introduced by Nani *et al*. (2024) indicate an evolution in approaches, placing the public as a political agent and owner of services. These reforms aim not only for efficiency but also for active citizen participation in governance and policy implementation, promoting transparency, accountability, and service delivery aligned with the fundamental rights of each citizen.

PUBLIC GOVERNANCE

The first challenge for governance in the 21st century is that the government must be able to devise new strategies to manage public programs effectively in a globalized and decentralized policy world, in addition to developing the capacity to pursue these strategies (KETTL, 2015). In this regard, researchers seek ideal governance models that adapt to the peculiarities of services without needing a specific model for each federative entity or public Institution, focusing on meeting the demands of Public Administration and private partners (OLIVEIRA; ABIB, 2024).

Barbosa and Emmendoerfer (2023) emphasize that the field of public policies is inherently multidisciplinary, encompassing various topics that are beginning to infiltrate discussions on public governance. From this perspective, public governance is a fundamental concept for any society. According to Nani *et al*., (2024), public governance is recognized as a crucial component in the effective implementation of public policies.

In the late 20th century, institutions faced pressures, including the government's need to do more with less, establish more complex partnerships, and seek intellectual guidance in the face of practical challenges (KETTL, 2015). As highlighted by Nunes, Gomes, and Santana (2023), this circumstance is presumed to be linked to pursuing a more capable, efficient, and effective government capable of transparently providing information to the population. If the government is to devise current strategies for working effectively in this world, PA must formulate new theories to explain and guide it. Public managers worked with little theoretical guidance to deal with the challenges of evolution and globalization (KETTL, 2015). Added to this are the reports and concepts about administrative inefficiency that spread the belief that public managers are incompetent, either due to a lack of common sense or a lack of knowledge of the guiding principles of modern management (MOTTA, 2013).

Despite the differences between public and private governance, various new actors, such as public enterprises or private agents, now share responsibilities in providing public services (OLIVEIRA; ABIB, 2024).

GOVERNANCE, MANAGEMENT, AND SUPERVISION OF ADMINISTRATIVE CONTRACTS

As Osborne (2010) said, the government must focus on performance and the results that contracts produce rather than the processes along the way. It will be necessary to develop human capital, especially within public agencies, so that the government can oversee the contracts it manages. An adequate information system must provide more effective feedback reinforced by greater transparency.

Specifically, within the scope of bidding procedures and public contracts, it is necessary to emphasize that the bidding for the Public Administration is positioned as a mechanism for controlling public resources, avoiding deviations of purpose by administrators, waste, or deviation of purpose from the public money, thus providing efficiency in the use of public funds, aiming at the common interest (VASCONCELOS NETA *et al*., 2021).

For Justen Filho (2021), the administrative contract reflects the parties' will and enshrines the rules intended to regulate their future relationship. Concerning the contracting activity, Vieira (2014) says that due to the growing legal-procedural complexity, some organizations sometimes go beyond the limits of the law, making the institutes of contractual, administrative law, a branch of Administrative Law endowed with an essential load of specificity, transforming such legal activity almost into art.

For Di Pietro (2021), using power prerogatives in public procurement should only happen on the whim of the public administrator or by a free choice with significant consequences, especially since the respective economic burdens generate higher costs for public procurement. According to Bizri, Karttunen, and Lintukangas (2023), while the relational governance of contracts can strengthen relationships between the public and private sectors, it may also pose challenges regarding opportunism and formal relations.

Bhagat and Jha (2023) argue that contracts with high added value and projects of greater technical complexity or high uncertainty are more susceptible to actions that restrict competition. The authors contend that such practices result in higher prices, lower quality in projects, and reduced participation of companies in the bidding processes.

Bergman (2023) proposed a new method in his study to distinguish corruption from inefficiency in public contracts, suggesting that waste due to inefficiency is more relevant than waste due to

corruption. In this sense, an endless stream of mismanagement stories results from poorly managed contracts. Such stories spread and can potentially exacerbate the upward trend in government hiring without simultaneous growth in its ability to control the system it created (OSBORNE, 2010).

METHODOLOGY

To increase the quality of any empirical social research, we follow the four tests proposed by Yin (2015). To guarantee the validity of the construct, we follow two steps: first, governance, management, and supervision in terms of concept, and the second is to analyze the internal norms, the ordinances for the appointment of inspectors and managers, circulars that govern public hiring within the Brazilian Navy and administrative processes that gave rise to the public work.

Internal validity is only for explanatory or causal studies, not descriptive or exploratory ones. Thus, because it is an exploratory study, there is no need to talk about internal validity (YIN, 2015). Regarding external validity, in the search for generalizations, the form of the research question began with the question “How” (YIN, 2015).

Finally, to guarantee reliability and minimize errors and bias in the study, we followed a case study protocol, and we compiled in a database all collected information that could be grouped, separated, and ordered, including documents, interview script, and all materials collected in the field (YIN, 2015).

For data collection, we used several sources of evidence: semi-structured interviews with contract managers, administrative inspectors, and technical inspectors; analysis of documents that originated the bidding processes; consulting the websites of various MB bodies; and the application of electronic questionnaires.

For the selection of bibliographic material, we consulted databases of the Google Scholar library system and the Scielo database, adopting as the first search parameter the term "administrative contracts," followed by "public works" in Portuguese and English. We selected those closest to the path in this research among the publications. We determine the publications by checking the articles' keywords and dissertations the authors presented by reading the abstracts and the prefaces of the available books.

For the research, we chose a semi-structured interview because it is necessary to find a way to give power or voice to people instead of treating them as objects whose behavior must be quantified and statistically modeled (BAUER; GASKELL, 2002). Semi-structured interviews start from the knowledge

that managers and inspectors need to gain particular knowledge of the topic under study (MCCRACKEN, 1988).

All interviewees are officers of the Brazilian Navy, with a career built through public tenders and at least worked in more than two military organizations, given the high turnover of organizations, with few exceptions. We conducted the interviews following the provisions of the Committee for Ethical Compliance in Research Involving Human Beings of the Institution to which the researcher belonged.

According to Gil (2017), the number of interviews must be sufficient for all relevant actors to express themselves. For Thiry-Cherques (2009), the research protocol must include a minimum of eight observations, corresponding to the minimum of the six recommended, plus the two to confirm saturation.

For convenience and opportunity of the interviewer, the offices' Navy located in the State of Rio de Janeiro that carried out works in the last five years was selected, since from September 2017 IN nº 05/2017 was created, which deals with the contracting of outsourced services in the administration federal public. This way, the interviews were conducted with three administrative inspectors, three technical inspectors, and three contract managers from three different Navy sections.

To eliminate the selection bias, the Navy sections chosen had no close contact with the interviewer, being strangers to the researcher, as suggested (MCCRACKEN, 1988). Thus, two interviewees had higher hierarchical ranks than the interviewer, three were considered hierarchical peers, and four had lower ranks than the interviewer.

From three relevant events in the theme of management and supervision of contracts at the Brazilian Navy, which occurred in 2022, a way to strengthen the information obtained in the interviews was envisioned. For this, we prepared three electronic questionnaires through the Google Forms research management application, and they are: a) the inspection stage and administrative contracts (Q1); b) disclosure of the Brazilian Navy administrative contract inspection manual (Q2); and c) the lecture on inspection of administrative contracts from the perspective of external control (Q3).

We sent Q1 to 549 students who completed the internship in 2021. Respondents were only military and civil servants who participated in the course. In all, we collected 266 responses. Q2 was distributed to 346 people responsible for facilitating and disseminating good management practices in the Brazilian Navy in different sectors so that it could be disclosed internally in their Navy section. In all, we collect 516 responses. Finally, we sent Q3 to 487 participants in the inspection lecture and collected 216 responses.

Coding was fundamental for data treatment, describing the recording units or classifying them in terms of the categories of the chosen analytical constructs (KRIPPENDORFF, 2018). We use Content

Analysis to analyze the interviews observed by the researcher (BAUER; GASKELL, 2004; BARDIN, 1977) using the MAXQDA-2022 qualitative analysis software.

Concerning the interviews, a third party carried out the complete transcription, and we used these transcripts as a basis for the content analysis. For the content analysis of the set of interviews and answers to the electronic questionnaires, the first step consisted of categorization and coding using the MAXQDA-2022 software.

From the content analysis, two more categories emerged, namely: professional training and standardization. Thus, we added these new categories to the three preliminary categories, see Frame 1.

Frame 1 – Main Categories

Constructs	Attributes	Sources
Governance	Public governance has an exclusively managerial aspect, the objective of which was to make administration more flexible and administrators more motivated.	Bresser Pereira (2007)
	Managers can only do what the law strictly allows in the public sector.	Kettl (2015)
	Relational contract governance can strengthen relationships between the public and private sectors and pose challenges in opportunism and formal relations.	Bizri, Karttunen and Lintukangas, (2023)
	Governance is crucial for citizen access and participation in public information, enabling constructive inquiries to public officials about accountability and decisions.	Nunes *et al*., (2023)
	The regulation of transparency and access to information emerges as a governance measure within the scope of social control.	Souza, Blanchet & Rios (2023)
Management	An endless stream of mismanagement stories results from poorly managed contracts.	Osborne (2010)
	Public Administration and New Public Management must capture the complex reality of designing, delivering, and managing public services in the 21st century.	Osborne (2010)
	It comprises the management activity in a broad sense and requires the practice of acts aimed at adopting strategies and actions that guarantee the perfect execution of the managed object.	Vieira (2014)
	Procurement managers must be attentive to changes in demand, prices, and product availability and adopt strategies to mitigate risks and ensure a steady supply.	Evangelista and Gomes (2023)
Inspection	The inspection of contracts has been relegated to the background, placed as an ancillary activity that adds to other ordinary activities of the public servant.	Costa (2013)
	The absence of administrative inspection or that carried out with poor quality can lead to problems for public agencies and the agents involved.	Kinczeski (2020)
	They highlight the low effectiveness of the contractual inspection, focusing on administrative inspection (document analysis) to the detriment of technical inspection (inspection by results, measurement of the quality of the sound acquired or the service provided.	Nogueira *et al*., (2020)
	The inspection activity does not add any financial or meritocratic advantage to the inspector; on the contrary, this generates a nuisance for the vast majority.	Freitas, Pereira and De Freitas (2021)
	The monitoring and oversight by the individual responsible for public administrative contracts are legally required.	Almeida (2022)
	It is strengthening the monitoring and transparency systems of the bidding processes.	Bhagat and Jha (2023)
Professional Training	Public agents who work in this area, such as expense orderers, contract managers, inspectors, members of bidding commissions, auctioneers, and the respective support teams, need training and constant updating, given the changeability of the subject.	Vieira (2014)
	The lack of training has a relevant impact on the motivation and satisfaction of inspectors/contract managers.	Kinczeski (2020)
	Agents need more significant opportunities for training, improvement, and recycling.	Neis & Da Silva (2020)
	Demands have increased substantially in recent years, highlighting the need for training and improvement of the actors involved.	Brito (2021)
	There are cases in which the Public Administration needs to have adequately trained personnel, which leads to the need to promote courses and training.	Oliveira Lima, Beserra and Formiga (2021)
	It includes measures regarding training personnel responsible for contract management and oversight.	Almeida (2022)
Standardization	Qualitative changes in the contract may result from the incompleteness of the primary project, either due to constant intentional omissions or they may also result from failures.	Uryn (2016)
	Reports of non-standardization of verification documents for inspection.	Ramos (2020)
	The contract instrument is essential to standardize and document the agreement, characterized by completeness and detail in the details of the agreed conditions.	Justen Filho (2021)

Source: Self elaboration.

RESULTS AND DISCUSSIONS

In public procurement, the Brazilian Navy needs to obey the legislation that affects all federal public administration bodies, and to fulfill its constitutional role; it must follow the rules and regulations relating to procurement and public contracts.

The laws that deal with the inspection of administrative contracts are laws nº 8666/1993 and 14133/2021, IN nº 05/2017, which are responsible for contracting outsourced services in the federal public administration and other related ones.

Like other public organizations, the Brazilian Navy must be capable of acting assertively and, as far as possible, anticipating the challenges imposed in the complex and changing environment of public procurement. For this, the researcher used excerpts from the interviewees' speeches that dialogued with the theoretical framework and contributed to the interpretation of the findings and, consequently, to the answer to the research problem.

In Q2, when appointing responsible agents, we consider those responsible (for expense orders) when appointing managers/inspectors. For this question, the interviewee can tick up to three options. Frame 2 demonstrates the frequency with which the options appeared.

Frame 2 – Frequency of Answers about the Perception of their Indications

Frequency	Perception
118	Be a military member of the sector in which the work takes place.
108	Technical knowledge about the object.
98	The graduation/rank that the military holds.
76	Knowledge about Law No. 8666 and Normative Instruction No. 05/2017 of the Brazilian Ministry of Planning, Development, and Management.
56	The Navy time that the military has.
55	Administrative knowledge: financial, tax, labor, etc.
52	Availability of time to carry out inspector/manager activities.
43	The number of collateral charges the military has.

Source: Self elaboration.

In the final question of Q1, all respondents were encouraged to leave their comments with suggestions for improving the Manual, and the most frequent answers were: a) the addition of a checklist for the inspector; b) it could have been disclosed more in the Institution; c) absence of practical examples; and d) very extensive, complex and with a lot of technical terms.

In the case of the Navy sections located in the Rio de Janeiro area, they have the services provided by the Civil Works Directorship of the Navy, with the indication of technical inspectors, usually professionals with specialization in Civil Engineering and with the necessary knowledge to carry out the tasks their assignments. In addition, technical inspectors can obtain support or advice through

collaboration with more experienced inspectors working in that particular sector if necessary. For Navy sections outside the Rio de Janeiro area, the advice of technical inspectors becomes impaired.

In the view of the interviewees, the appointments made by the Navy sections responsible (for expense orders) happen intuitively, with parameters of their own experience in the Brazilian Navy. It is possible to see the statements of the interviewees, such as empiricism in:

> Until the day he chose me, he called me into his office to say: Look, we recommended you. So, he always makes me feel at ease; when I ask a question, he always makes me feel at ease. It was a decision; could the management have put another one? I could have put it! But then I do not know what went through his head or his motivation. [Respondent 1]
>
> I think it is super important to have someone here at the Navy section as the motivation for something we want to take care of and look at every detail to do the best possible way. I think it is important, so suddenly bringing a manager from another location would not be possible this "heart" with the OM. So, for not being part of the Navy section, would this individual need to be the manager? Could he not be an inspector?. [Respondent 9]

Navy agents responsible for military organizations (for expense orders) sometimes lack knowledge of the relevant legislation. In Brazilian regulations, the information is in several norms, normative instructions, and rules, and there is no exhaustive list they must follow in appointing these agents. Therefore, due to the need for more precise and objective information, they must use their experience throughout their careers.

It is important to note that Law nº 14.133/2021, in its article 173, requires that "the audit courts, through their audit schools, promote training events for permanent servants and public employees designated for the performance of essential functions for the execution of this Law," in Law No. 8.666/1993 did not provide for such an obligation. However, Annex III of IN No. 05/2017 considered training public servants to act in contracting and supervising services.

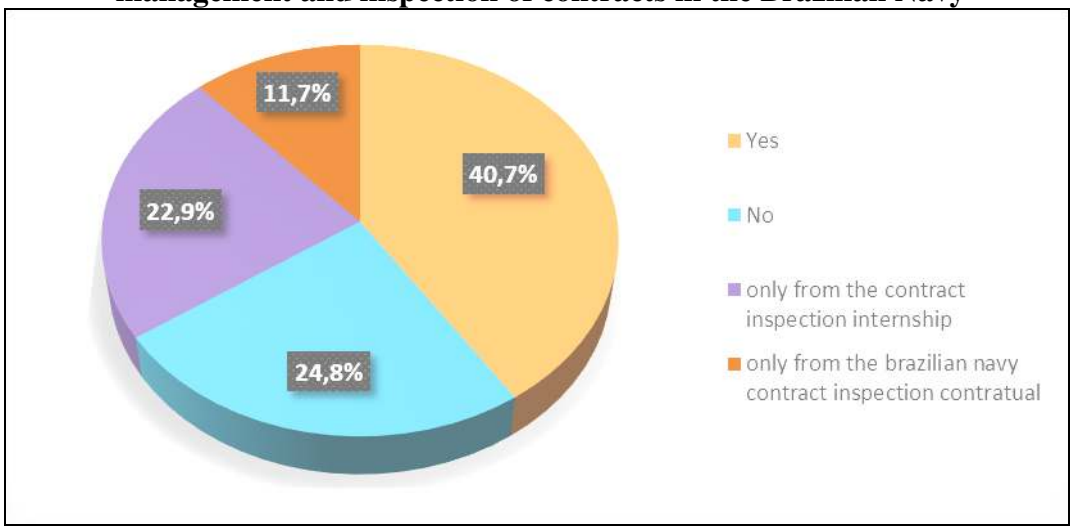
Concerning the professional training of the agents appointed to manage and inspect administrative works contracts, we noted that the Brazilian Navy provides several training courses for its military personnel. The Inspection and Administrative Contracts Internship, the main course on this subject taught at the Navy, is offered quarterly.

According to Neis and Da Silva (2020), agents need more significant opportunities for training, improvement, and recycling opportunities. At the Brazilian Navy, due to all the courses offered, there is not a lack of availability of courses aimed at professional improvement. The findings point to the absence of a training culture before the start of the monitoring and executing of the management and inspection of the works.

In the continuous search for training and professional improvement, Q3 investigated how respondents perceive the increments in the management and inspection of administrative contracts in the

Brazilian Navy carried out (Manual, Internship, and Lecture), mainly over the last two years. Chart 1 illustrates how respondents perceived these increments.

Chart 1 - Knowledge about the increments in the management and inspection of contracts in the Brazilian Navy



Source: Self elaboration.

Of the respondents aware of both increments (Manual and Internship), 40.7% of the total claimed to know them. Almost a third of this total (24.8%) needed to be made aware of the disclosure of the Inspection Manual and that there was an Inspection Internship that trains the responsible agents.

With the data collected by the qualitative analysis, with the triangulation of document analysis, questionnaires, and interviews concerning the responsible agents, it was possible to infer that: a) many are unaware of the theme and are appointed to perform the functions without even being indicated for training; b) they are unaware of the enormous amount of norms and legislation related to the subject; c) more than 80% do not know the inspection manual in depth; d) problems during the works were due to lack of knowledge of the assignments (they did not even know Normative Instruction n. 05/2017); and e) the little internal disclosure in military organizations about training courses can compromise the preparation of agents.

Due to a lack of knowledge about the courses offered internally in the Navy, the military responsible for inspection did not even ask to take them. As a matter of governance, we noted a grave failure when the extent that the leading officers responsible for appointments did not seek to verify the prior training of the agents; they only indicated those who, in their perception, were the best prepared for the function.

In 2022, the elaboration of the Inspection Manual was considered an important milestone for the Institution. However, according to the data extracted from Q1, 35% of respondents reported that the

manual still needs a checklist to facilitate the inspector/manager, which aligns with what Ramos (2020) observed. This fact is an opportunity for improvement by those responsible for the governance of the Brazilian Navy.

We noted that although the possibility of being managers or inspectors, 66.8% were not appointed to perform the functions after completing the internship. Added to this is that the agents do not think they are qualified; some were assigned to perform a function that has an immense responsibility, as verified in the interviewees' speech. Therefore, we inferred that training combined with factors such as experience, technical knowledge, and knowledge of the work site are critical factors for the work's success.

Concerning the management construct, we observed that the excellent point for management and inspection is the effort undertaken by inspectors to seek information in norms and legislation. On the other hand, the dependence on relevant information from the technical inspector of the work leaves the inspectors more comfortable in the exercise of the function, which should not happen since the attributions are entirely different, as provided for in Article 40 of Normative Instruction No. 05/2017.

The results from data triangulation, obtained through a bibliographic review, interviews, and application of electronic questionnaires, were consolidated in Frame 3.

Frame 3 – Summary of the results obtained

Categories	Main Findings
Governance	Expansion of the disclosure of the Brazilian Navy Contract Inspection Manual, as the questionnaires showed that the reach could be more significant. The agents in charge of military organizations (Ordenadores de Despesas) appoint the agents in charge based on their experience and the length of their career in the military. Establishment of a good practice guide to support agents responsible for military organizations (Orders of Expenses). Constant updating of the Manual concerning constant changes in bidding and contract legislation.
Management	Accumulation of functions overloading the core activity. Consult the Manual only when unforeseen situations arise. Developing a Manual with simple and interactive language favoring the understanding of the content. The unfamiliarity of the functions assigned to each responsible agent. Due to the need for more professional training, administrative inspectors and managers learn the function in practice. Increased chance of errors during contractual execution due to lack of knowledge of assignments and training. Unawareness of the existence of a Brazilian Navy manual.
Inspection	Insecurity at the time of contract execution. Non-recognition of the attributions foreseen for each inspection. Monitoring and inspecting administrative contracts signed by the public authorities is a legal imposition. Function accumulation. Very specialized and qualified technical supervision. Confusion between the roles played by inspectors. There is an unfamiliarity with the organizational structure of the Brazilian Navy, mainly of the military organizations that can support them in their day-to-day doubts.
Profissional Training	The unfamiliarity of legislation and lack of professional training sometimes cause duplicate or wrong activities. The unfamiliarity of the training courses available. Lack of practical examples in qualification courses. When responsible agents hold new positions without prior notice, they need more time to seek training to exercise the function.
Standardization	Changes to the Basic Project end up generating Amendments to the contract. Unifying and simplifying administrative activities (including the checklist in the Manual). Absence of a checklist to facilitate the supervisor/manager and unify understanding in the Brazilian Navy. Qualitative changes in the contract may result from the incompleteness of the basic design.

Source: Self elaboration.

CONCLUSIONS

The article aimed to understand in the field of governance how the Brazilian Navy can improve the contractual management of public works from the perception of the main actors involved in the execution and inspection and its implications for public policies. The research reached its objective from the triangulations because it was possible to understand the challenges faced by the responsible agents, who dictate the governance of the organizations and those who manage and supervise the administrative contracts.

The contractual management and inspection of public works in the Brazilian Navy are in line with the legal dictates of the Public Administration. We saw that for correct and efficient contract management, the managers and supervisors of administrative contracts must perform well, as these are relevant actors for a contract to achieve its purpose.

As important as knowing the attributions of contractual inspection, understanding the meaning of the management and governance construct makes all the difference in the attributions of each agent responsible for public procurement.

We noted that in the Brazilian Navy, there are challenges in governance and management to be overcome, mainly by inspectors and managers who perform functions in the contractual inspection of works. One of the findings that can improve oversight is that the military working in the bidding and contracts sector and related areas are being trained, even without being assigned to work as responsible agents. With this, the Senior Management of military organizations can count on additional support for training managers and inspectors.

When acting harmoniously, the triad of agents responsible for the work (manager, technical inspector, and administrative inspector) can generate several benefits, thus collaborating for the smooth progress and execution of the work. Likewise, a committed team, whether in any area of activity, is dominant in avoiding problems that may occur in management and inspection activities during the execution of the work.

We hope this research can collaborate with academics, researchers, public administration managers, and professionals directly involved in public procurement.

The main limitation of the research was the impossibility of interviewing the employees of the companies that were hired by the Brazilian Navy (usually engineers or architects who accompany the work), as they claimed that they could harm the company in some way in future public contracts with a military organization of the Brazilian Navy.

This study's implications for public policies in Brazil are notable as it delves into enhancing contractual management within the Brazilian Navy. By uncovering governance and management challenges faced by agents involved in contract execution and oversight, the research aligns with public administration legal mandates. The findings underscore the critical role of proficient managerial and supervisory performance in achieving efficient contract management, which is essential for contracts to fulfill their intended purposes.

The study identifies ongoing challenges in governance and management within the Navy, particularly among inspectors and managers overseeing contractual works. It emphasizes the need for continuous training, highlighting the impact of well-trained personnel beyond their designated roles and offering substantial support for senior military management in training efforts. Moreover, the study underscores the collaborative benefits of a well-coordinated team, emphasizing its significance in preventing management and inspection issues during work execution. These findings contribute valuable insights to policymakers and practitioners shaping and improving public procurement policies within military organizations like the Brazilian Navy.

We recommended for future studies, the inclusion of interviews with the legal representatives of the contracted companies to identify the perception when fulfilling the contractual agreement with the organization and carrying out a multiple case study involving the Navy, the Army, and the Air Force, in the search for differences in the management and inspection of works contracts.

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Ano VI | Volume 17 | Nº 49| Boa Vista |2024

http://www.ioles.com.br/boca

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