

## **The Evolution of the Bidding Process with Focus on Concepts of Economics versus Quality**

Jean Carlos Teixeira<sup>1</sup>, Antonio Sérgio Torres Penedo<sup>2</sup>, Nilton Cesar Lima<sup>3</sup>,  
Marcio Mattos Borges de Oliveira<sup>4</sup>

<sup>1</sup>(Education Foundation of Ituverava, Ituverava, Brazil)

<sup>2</sup>(Center for Technology, Universidade Federal do Rio Grande do Norte, Rio Grande do Norte, Brazil)

<sup>3</sup>(Department Administration, Universidade Federal de Alagoas, Alagoas, Brazil)

<sup>4</sup>(Department Administration, Universidade de São Paulo, Ribeirão Preto, Brazil)

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**Abstract :-** This study discusses the possibility of loss of quality in the acquisition of materials in public purchases made through the bidding process, either by act 8.666 of 1993, the bidding law, or law 10.520 of 2002, trading act. To this end, literature searches were carried out in books and articles of the genre, as well as interviews with the official herald of the city of Pedregulho, state of São Paulo, phd Nunes, specialist in public management; with the nutritionist Peixoto, responsible the school lunch menu at the central power and a member of support staff sector procurement of that city, and with the chief of the sector procurement regional superintendent of Sabesp, Moreno. It was noticed that in some cases the fall in prices generally result in the loss of quality, even if they are used legal means to promote a reversal of the situation. Highlights also include the advent of the session, which brought more savings for public management, but realizes that in terms of quality also leaves much to be desired, or in some cases there is even a greater loss of satisfaction achieved by a greater decrease prices.

**Keywords:** - Bidding process, evolution, economy, quality.

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### **I. INTRODUCTION**

It is of knowledge of the society that the public administration has the duty of administering the public patrimony in way to guarantee that it is used for the good of all, caring for this. Like this, it is essential if to have a state to be capable to accomplish the legal and democratic procedures, being used of modern managerial means, that they make possible the transparency and the efficiency of their actions. Among those means of public administration, the auction is an important tool for the economy of the public expenses.

Auction is an administrative activity in that the public administration calls interested parties beings in supplying goods and services for the same. These calls are, usually, accomplished by announcement or invitation, according to defined parameters in law [1].

He also understands each other for the law n° 8.666 of 1993, call of law of auctions, that in the public administration the works, the services and the acquisition of materials, as well as the alienations and the leases, they should be contracted through public auctions, except for exceptions mentioned in three specific cases: released auction (art. 17), dispensable auction (art. 24) and auction unenforceable (art. 25). Such law regulated the article 37, interruption XXI, of the federal constitution, creating general parameters on auctions and administrative contracts for the three powers: union, states and municipal districts [2].

The auction procedure aims to allow the administration to hire those that gather the necessary conditions for the service of the public interest, taking in consideration aspects related to the bidder's technical and economical-financial capacity, to the quality of the product and the value of the object. They are subject to the rule of bidding, besides the integral organs of the direct administration, the special bottoms, the autarchies, the public foundations, the public companies, the societies of the mixed economy and other entities controlled direct and indirectly for the union, states, federal district and municipal districts. Once defined the object that one want to negotiate, is necessary to esteem the total value of the work, of the service or of the good to be bid, by accomplishment of market research. It is necessary, still, to verify if there is forecast of budget resources for the payment of the expense and if this he will be in accordance with the law of fiscal responsibility. After counting of the estimate, the modality of appropriate auction should be adopted [1].

The auction also seeks to assist the constitutional beginning of the equality among the interested parties and to select the most advantageous proposal for the administration [3]. If the objective will really assure the most advantageous proposal, it is included in that advantage the quality of the acquired product.

According to Nunes, Peixoto and Moreno (2010)<sup>1</sup>, there are legal means inside of the process bidding, that offer to the public administration that advantage, being able to in many cases, to do with that the products/services don't lose this fundamental characteristic.

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<sup>1</sup> Data collected in field studies done through interviews with the Official Auctioneer of the Municipal district of Pedregulho/SP, Dr. Nunes, specialist in Public Administration; with nutritionist Peixoto, responsible for the menu of the school and integral snack of the Teams of Support of the Section of Auctions of that same municipal district; and with the Technician in Supplies of the Section of Auctions of the Regional Superintendency of Sabesp, Unidade Franca/SP, Moreno.

According to Peixoto (2010), before the loss of the quality, it is believed in a subsequent increase of the public expenses, because in smaller skilled time it is necessary if to do new purchase, because the product lasts less. Of that it sorts things out, the objective of this work is to analyze the evolution of the process bidding and as the public administration he can guard against to reconcile financial economy with quality of the acquired product through the process bidding.

## **II. METHODOLOGY AND MATERIALS**

For the accomplishment of the present study a bibliographical exploratory research qualitative was accomplished, where it was talked about the process bidding, explicit concepts, modalities, types, as well as the evolution of that system - the proclamation. It was still discussed, the quality concept, essential item in that present study. All this to arrive to the objective that more he approaches the search of the financial economy with quality of the acquired products/services. For such end, the search of information was accomplished in specialized books, academic goods and the interpretations of the law of auctions (n.º 8.666 of 1993) and of the law of the proclamation (n.º 10.520/02).

They were still used, for best to look for results for the research, so much in the theory as in practice, three field studies. In a first moment, through interview with the official auctioneer of the municipal district of gravel, State of São Paulo, Nunes, specialist in public administration, seeks to obtain theoretical base of the operation of the process bidding in practice. Rising, with nutritionist Peixoto, responsible for the menu of the school snack in the headquarters of feeding and also member of the teams of support of the section of auctions of that same municipal district, to have to real quality of the products received in this section through auction. In a second moment, it was made an interview with the person in charge of the section of auctions of the regional superintendency of Sabesp, brown and big unit, located in the city of Franca, State of São Paulo, Moreno, where it was obtained other important solution form for the present study.

In all of the cases, the field study was shown important, because it inserted the researcher in the direct context with the situation to be studied [4]. For better understanding of the results of the interview and if the arrives a solution for the present study, creating conclusive parameters, a comparative picture was elaborated, detaching different positions of public beings, besides points of the researched authors' views.

## **III. LITERATURE REVIEW**

The law of fiscal responsibility (Complementary Law nº 101/2000) he forced the public administrator to manage in a correct way the public resources, as a reaction to a culture absolutely irresponsible, of financial, of doing it that well or badly they understand with the already beaten public patrimony. It consists of a coercive apparatus, replete of political sanctions, besides of privation of freedom [5]. The public administration needs services of third parties more and more to give good course to the public interest. And the interest public not belonging to anybody in matter and yes the collectivity, demanding to act even and exempt, in the public purchases that must make auction in certain cases dictated [6]. He must accomplish auction also to accomplish the beginnings of the isonomy, justness and morality expressed in the charter of our legislation, the federal constitution, without forgetting of having the public administration the most advantageous purchase [6]. Auction is a middle for which the administration public search the most advantageous proposal for a specific contract. He understands each other that for treating of procedures, there be a succession of activities between the administration and the bidders, providing equality among all the interested parties, showing efficiency and morality in the administrative businesses [7].

In relation to the equality among the interested parties (beginning of the isonomy), he should stand out that the subsequent legislation took care so that there was the inequality among these when it is personal computer and small companies. Based on the interruption IX, art. 170, it was inserted in the general law of the personal computer and small companies (Complementary Law 123, of 14 december of 2006) norms of favored treatment and differentiated for that category of companies, contradicting the beginning of the isonomy, and until sometimes not getting the administration, the most advantageous proposal, in case it happens in a process bidding the participants' request, of the right of it decides in up to 5% of the value of the last presented throw, consequently, not being then, the more price in bill found at the market [8]. According to the law of auctions on the procedure bidding he understands each other that [2]: Art. 3o - the auction is destined to guarantee the observance of the constitutional beginning of the isonomy and to select the most advantageous proposal for the administration and it will be processed and judged in strict conformity with the basic beginnings of the legality, of the impersonality, of the morality, of the equality, of the publicity, of the administrative honesty, of the linking to the convoking instrument, of the objective judgement and of the ones that they are related.

The auction, for his time, it can be defined as an administrative procedure, a legal technical middle, an orderly succession of actions that they seek to guarantee consecrated juridical beginnings and controllers of the actions of the state [3]. She tries to reach two objectives: to select the most advantageous proposal for the administration and to propitiate same opportunities to those that want hire with the public administration. The auction is just a stage of the recruiting process, where following a planning, after the accomplishment of this, the celebration of the contract is proceeded and rising, the execution or he gives, all these, stages of the recruiting process [9]. Nunes (2010) he understands that the public beings mentioned in the only paragraph, article 1st, of the law of auctions, they are forced to bid whenever the value of the good, product or service to be engaged for the administration, it goes superior to the real value of eight thousand. This value base, above mentioned, he refers to the fiscal exercise, in other words, period understood during the year. Some specific cases are excepted as released auction (art. 17): real estate alienations and furniture stores; dispensable auction (art. 24): in reason of small value, of exceptional situations, of the object, of the person; and auction unenforceable (art. 25): acquisition of materials, equipments or goods that can only be supplied by producer, company or exclusive commercial representative, recruiting of professional technical services specialized, artists' recruiting [2].

The process bidding possesses modalities, forms of transport of the auction, although some of them already meet in disuse, because they suffer with old practices of the bureaucratic administration, congesting the process bidding, losing the administration the procedural agility.

The modalities bidding are [7]:

**Competition:** modality where any interested parties proving qualification and minimum requirements of qualification can participate;

**Price quote:** in that modality the interested parties should already be registered or at least to assist the conditions demanded for if they register until the established period in law previous to the date of the reception of the proposals, observing the necessary qualification;

**Contest:** modality of interested parties with specific end of choice of work technical, scientific or artistic, by the institution of prizes or remuneration to the winners, and this modality bidding cannot be compared to the public contest, destined to the provision of work vacancies;

**Auction:** form bidding where any interested parties in acquiring movable goods that are in disuse in the administration, alienated, apprehended or pawned, always respecting equal throw or larger value of the evaluation;

**Invitation:** the interested parties in minimum number of three, can be registered or no, they are chosen and invited by the administration, since they are in the branch than the object is treated.

The modalities are stipulated in agreement with the value of the contract and/or the reason of the acquisition of the object to be bid. The modality competition should be used for recruitings of larger value, while the taking of prices for intermediate values and the modality invitation for recruitings of smaller value. The auction and the contest should be used for recruitings where the object is specific. When the characteristics of the same be not linked to engineering works, but to goods and common services, the public administration can decide for the proclamation [10]. Inserted in a context of technological evolution of the electronic ways and avidity of getting more speed, trust, transparency and credibility before the society for the actions of the public administration, the proclamation (law n.º 10.520/02) it appeared as a middle to improve the efficiency and effectiveness of the procedures biddings. That new auction modality, also call of auction reverse, is the evolution of the old process bidding, presenting more speed in the procedures and more economy for the administration. Through decreasing throws the propitiates the most advantageous proposal for the administration, inverting and being eliminated several unnecessary stages for the process of public purchase. It is believed that the proclamation is the future of the auction in Brazil [11]. This should be used for acquisition of goods and common services, whose acting patterns and quality can be defined for the announcement, through usual specifications in the market. In that modality it is obligatory the type smaller price to judge the proposals, tends her two different phases: the intern, of preparation for the fight; and the external, of summons and transport to the action bidding [10]. The proclamation stands out of the other auction modalities for explicit advantages as doing not depend of the value of the future contract, as it happens with other modalities that they are adopted in agreement with preset values, but of the qualification of the good and services as common. Besides, there is agility in the process, due to the inversion of the phases of the process; economy of the costs; minimization of the possibility of litigations. The modality proclamation becomes separated in presencial and electronic, providing, in both cases to the public administration the advantages mentioned above. Among the proclamation forms, the for half electronic, the and-procurement, it deserves prominence [5]. The electronic proclamation, for using resources of technology of the information, presents advantages still larger, even in comparison with the proclamation presencial. Among those advantages they are: if it doesn't use paper, he puts an end to the formalities and the bureaucracy, simplification of the auctioneer's activities, the people's approach and shortening of the distances, increasing the competitiveness, because he opens up a larger fan of participants. Being added all this a larger chance of the administration is had to choose the most advantageous proposal for the public interest [5].

It is part also of that sequence of activities for purchases, the auction types, judgement criteria that the public administration will use to find the most advantageous proposal [7]. He understands each other that that judgement criterion accompanies the auction type, being the mark decision of the judgement, the advantageous pretension of the administration. In agreement with the art. 45, § 1.º, of the law 8.666/93, in acquisitions for works, services and purchases, the types biddings are: smaller price, best technique, technique and price and larger throw or it presents, being this last one only for the cases of alienation of goods or concession of real right of use. However all those types don't accompany the modality contest, because she is in that case an exception [7]. That in the type smaller price, it is observed the criterion of the most advantageous purchase better. The bidder to be winner owes, assisting to the requirements of the announcement, to present for the best price [7]. Also in the criterion smaller price, the public administration should do in the initial phase of the auction, quotations of prices to define parameters. There are factors that it can be expressed in the announcements, as quality of the product and period of delivery. Most of the auctions is accomplished by the type smaller price, this because they are acquisitions of objects or of simple services. But, if a being wants to negotiate, for instance, a company of computer science systems, of administration of programs, obligatorily, for the law, it should be used of the type technique and price (NUNES, 2010). Already in the best technical criterion it is presupposed that the price already possesses parameter maximum referencial that the administration intends to pay, containing in the announcement or in the invitation, possibility of a gauging aims at [7]. In the type of auction technical and smaller better price, there is previous qualification, proceeding for the opening of the technical proposals, evaluating if they are correct the objectives of the announcement, and after there is the bidder's classification for the considered average of the technical proposal and of the price. However to use of that criterion, the law doesn't leave doubts, being exclusively for recruiting of intellectual nature and computer science services. About the auction of larger throw or offer teaches that "this auction type is applied to the cases of alienation of goods or concession of real right of use. The application of the text is aided by the determination in the arts. 17 to 19 and 22, § 5º [7].

In relation to the economy generated by the processes biddings, Nunes (2010) he says that there are several factors that can influence her, as the object that is being bid, the number of participants in the fight, in other words, as larger the

competition, adult will be the economy. Going back to the quality, in a democratic capitalist society, the companies for us to compete in the market global, they should be capable to negotiate quality products with reduced prices, because the customers became more and more demanding [12]. It is had that even middles of the century xx, for the companies quality was meant of technical perfection. Not only just the degree of technical perfection, but also the adaptation degree to the customer's need composes the quality concept, being this defined as the customer's satisfaction as for the adaptation of the product to the use [13]. The quality than it is longed for (goods or services) it depends on the objective than one want to get to conquer and that each customer has a quality need. Then what can be quality for a, it cannot be parameter for other [14]. To ISO 9001:2000, it adopts as quality concept the degree in which a group of inherent characteristics satisfies to requirements [13]. In the private purchases is right that one can acquire goods and services with quality, because there is the negotiation possibility, of using information of the databases of previous purchases and the competition can specifically be centered in the quality [3]. Still, there is possibility to do quality inspection before or then, in the reception, among others.

However, in the system of public purchases no there are criteria to focus the quality, so much in the law of auctions, as in the law of the proclamation. In the auction it is necessary if to do quotation of prices, no there is possibility of partnerships, the competition is centered in the price and there are factors that hinder the quality inspection in the delivery, what annuls the process of quality warranty. In these cases it tries to get quality in the specifications of the object of the contract [3]. The search for a low price and procedural agility can take the administration to not to see that he is acquiring products of bad quality, that until they can interfere in the objectives of the public administration, among the ones which an education and health of good quality [15]. Understandings of the bibliographical research, in the field studies to proceed, different point of view will be presented about the financial economy generated by the actions biddings and the loss possibility in the quality of the acquired product in the public purchases.

#### **IV. RESULTS AND DISCUSSION**

According to Nunes (2010), the secret of uniting the smallest price to the quality of the product or of the service, he will feel because of the description of the same ones, in other words, the quality warranty is in the detailed description than one want to buy. The more specific, more individualized goes this description, adult will be the chance of getting success in the acquisitions, what certainly will send the bidder to present a good product.

The interviewee still says, that is for such a reason that the phase interns of the auction is of extreme relevance; the phase of the planning, of the description, of the research; it is that whole group of factors that they result in the success or failure of a fight bidding. In short, economy and quality walk committees, when the section that requests the purchase or the service makes a correct description than it is really longed for.

Nunes (2010) it explains that, other important factor is the responsibility of having a technical team qualified to receive the object of the contract, which is material or the contracted service, because it is that that will also guarantee the faithful execution of the recruiting, and like this, the success of whole the process bidding will be guaranteed, in other words, to buy for the smallest price and with quality.

Inside of this context and still regarding the quality, there is other half that it can be used to have smaller price and quality simultaneously, the call "list of having ratified". The being invites the suppliers for us to give samples of their products, where after this stage, the being through qualified employees of several areas, will start to analyze the products, and, at the end, he will make a list with the products and the respective marks that assist their needs. However, it fits an observation here, that analysis should be accomplished through specific decisions, in other words, the being cannot say that ratifies mark "the" and he stops ratifying the mark "b" because he prefers to the first; that justification of choice of marks should be made in a transparent way and based on qualified technical decisions. Though, in small municipal districts the list still is not adopted of having ratified, therefore technicians or qualified employees are not possessed for us to elaborate studies and necessary decisions for the adoption of that approval list, also qualification call.

Focusing the quality loss, it is noticed a frequent question in the sense that the acquisition of goods and services for the smallest price are advantageous for the public being, what is really shown viable economically. That economy will be larger although the being to get to reconcile the same to the quality. Before the coming of the modality bidding proclamation, the economy rotated around 10% to 15%; with the adoption of the proclamation, that economy has been showing much more expressive. It was already arrived to the economy of 48% on the estimated initial value of an auction, but in a general way, the economy has been firm around 30% to 35% (NUNES, 2010).

Still according to the interviewee, there are several factors that influence in the economy in a process bidding, the object that is being bid, the number of participants in the fight, in other words, as larger the competition, adult will be the economy. Another factor that explains the economy in the proclamation, is that in this auction modality, the phase of throws exists, being like this, the bidder has the possibility to negotiate the initial value of his proposal, something that the other modalities biddings doesn't allow.

Although the law of auctions and the law of the proclamation don't have in his content quality parameters, it is already noticed on the part of organs and public entities the tendency of uniting the low price generated by the auction with the quality demand in the acquired products, which not always it is gotten (NUNES, 2010).

In practice, according to Peixoto (2010), there is the loss of the quality in the acquisition of certain products. He proves of that is that always a larger amount of the acquired product is used and not always the same result is gotten or the same satisfaction is had. That is noticed so much with the cooks that make the school snack, as well as with the cleaners that clean the headquarters of feeding of the municipal district. The products, for they have a smaller cost, he doesn't have the same concentration, and that does with that in the preparation of the foods, not always the flavor is totally satisfactory, as well as equally in the cleaning, larger amount certain product is used to have the same result, generating such fact, theoretically, a subsequent increase of the expenses for the administration, mainly in relation to the products of cleaning.

According to Peixoto (2010), it has been getting to reduce that quality loss through the description of the product. Describing it in full detail, in most of the cases a product is gotten with a better quality. I eat for instance, the tomato extract is a product

that loses the quality with the price fall. However, improved the description of that product in the announcements, it was gotten the acidity that committed the product to decrease. Other case is the products as the rice, pasta, mainly the non perishable. With a detailed description, always improved, it was gotten to acquire a product of better quality.

It can still be mentioned in that case, a factor that has been used to reduce the quality loss with the fall in the prices, that it is the description in the announcements of packings with specific amounts, as for instance: the packing of 1 kilo in the tomato extract and in the margarine. That does with that some marks of inferior quality are already discarded in the description, because they don't possess that determined packing with referred him volume. But it should be left very illustrious that that can only be made if there is at the market a varied amount of marks with such description, for not leaving margin there for the noncompliance of the beginning of the isonomy. It can also happen that he enters those marks that possess such product, there be some of inferior quality, generating an inverse effect of the expected (PEIXOTO, 2010).

The interviewee still tells that the purchase of meats for the school snack is fit in another problem type with quality loss. In the description he asks for himself in full detail the meat type, the amount of allowed fat, among other qualitative factors. As the type of auction of the acquisition of meats is the one of smaller price, this falls a lot, and with that fall the supplier always probe in some way to compensate her. It is noticed that not always the meat given is her requested, there is an amount of larger fat than allowed her, therefore the supplier doesn't get to support the price of a quality meat for the presented price. Before that, the companies suppliers are, firstly, noticed in writing by the lawyers of the municipal district, because the suppliers have a contract and they are disobey. In case there is backsliding, the suppliers are fined, and until they can be impeded by some period of participating in future auctions in that municipal district. Peixoto (2010) it ends that, still in many products, she don't get to have a very detailed description to acquire a differentiated product. That indicates that even with a detailed description, sometimes, she don't get to revert that picture and to get quality in the purchase of certain products.

Moreno (2010) he says that in sabesp there are no problems in relation to the quality of the received products, therefore in the acquisition process there is the demand previous of qualification of the products for decisions emitted by qualified technicians, where later a list is ratified among the ones that more they approach the quality demanded by the contracting party, for rising to accomplish the process bidding. And for those they are not qualified the technical specification is made available in the announcement and i was demanded the same of the participant companies, so that it is compared and accomplished precisely, in other words, all the materials have to have mark and qualified, and depending on the circumstance, inspected, doesn't tend like this quality losses. In relation to the economy generated by the auctions, Moreno (2010) he says that it was already gotten values of up to 60% in the electronic proclamations, and when there is the use of other modalities, the is arrived up to 30% of difference in relation to the initial price.

The use of marks is not totally prohibited if there is justification for the demand of the same ones, being able to them to consist in the announcements. As example, if a public organ possesses a fleet of vehicles of a single assembler, therefore, the same will only be able to acquire pieces that are compatible with the models of this assembler (NUNES, 2010). Nunes (2010) he affirms although, in relation to the evolution of the process bidding, the proclamation brought countless advantages as speed, transparency, orality (throws verbal face the face), where improper demands were left of side, turning the auction in this simpler modality.

As examples of the simplification, NUNES (2010) it mentions it period of publicity, while in a taking of prices it is of 15 days, in the proclamation that period is of 8 days; as well as he brought for the auction process a great innovation, which is, the inversion of the phases of the judgement process. But as well as in all the other auction modalities, the description here is also a factor of extreme importance to ally price and quality. Previously the auctions were made through the delivery of envelopes and all of the documents of the participant companies were checked before. That generated many upset, as for instance: waste of time for conference of the documents, a lot of documentation (excess of papers) and prices above the current system. Today it is almost that totally accomplished for half electronic, and the bureaucratic part was back and the main, generated less costs in the purchase of materials and executions of services (MORENO, 2010).

Moreno (2010) it increases that until today any problem was not had with falsification or hackers in the system of electronic proclamation, this because as much the auctioneer as the representative of the participant company they need digital certification, in other words, the system besides more economical, is very safe. A solution on this side of the description it exists already: he researches, planning. While the administrators of the public administration if they don't become aware that the planning in the acquisitions of goods and services is relevant factor in the administration, difficultly she will get to solve that problem. Like this, it should be arrived to the landing so wanted, which is it of an administration agile, transparent and efficient in the accounts rendered to the society (NUNES, 2010).

Nunes (2010) it explains that the municipal district of gravel, as well as the other beings of the federation, it is forced to bid since the law no. 8.666, of june 21, 1993 went into effect. The modality bidding that has been used will depend on the value of the object, service or work to be contracted. The evolution of the process bidding in the municipal district is noticed starting from the year of 2005, when he became frequents the use of the modalities of public competition and taking of prices, and still, invitations of prices for acquisitions of small set up. Already in the middle of 2007, the municipal district began the phase of implantation of the auction presencial.

We will analyze to proceed, through a comparative picture, the results of the interview and the data of the bibliographical revision (Picture 01).

## **V. CONCLUSIONS**

Daily we are exposed to news in the media of public administrating bad that they degrade the patrimony of the people in own benefit and of third. However, in the last years, for the citizen's good, the public administration has been bombed by legislative comings that the administrator's own will. He proves larger of that it is the law of fiscal responsibility, creative mother of the object of study of the present work, the process bidding. With the obligation of bidding, the citizen in

general, be beneficiary direct or indirect of the public purchases, he started to obtain a small warranty that his money is being very used by the administrators. The process bidding is an excellent tool of public administration that it benefits the whole society, because it provides a considerable economy for the public administration, doing with that those saved resources can be invested in other sections, as well as it provides a fair purchase, because it follows constitutional beginnings, equaling the parts to be interested in supplying goods and services for the public being (isonomy), among other, avoiding like this actions of corruption and dishonesty. But this presents flaws still no corrected by the legislator. So much in the law of auctions as in the law of the proclamation, the legislator worried in giving emphasis in generating economy for the public safes, what was gotten with great success, however he forgot to also normalize quality patterns for the rendered services and acquired products through the auction.

There are means that can reduce such fact, but in the reality it is still suffered a lot with products of bad quality, bought at very low prices, mainly in the modality proclamation, that in spite of allowing a detailed description of the "goods and common services", it provides to the administration public such cheap materials that the quality accompanies the fall. He sees himself in that, a probable increase of costs for the public administration, because to buy so cheaply, without parameters that force besides the fall in the price a good quality, he must have a bad business for the public safes, and be said of passage, what is not secret for anybody, the cheap ends up leaving expensive. It is seen, though, that there is great concern on the part of the public administrator, even if is not evidenced shamelessly, because no administrator will assume that he buys materials of inferior quality with public money, as well as great attention on the part of the legislator, noticed evidently in the decisions of the tribunal of bills. Fear of a lot of controversy and of little bibliography, indicate the futures students of the present object, that they deepen more on possible changes appeared in that search sense by the quality in the public purchases, as for instance, recent decision of the tribunals of bills on the use of marks in the process bidding, i tie this prohibited by the current legislation.

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**Picture 01:** Comparison of Analysis.

<b>Topics / Sources</b>	<b>NUNES</b>	<b>MORENO</b>	<b>PEIXOTO</b>	<b>Bibliographical Revision</b>
Public Sphere	Municipal district	State	Municipal district	-----
Law of Auctions	It uses modalities according to the Law of Auctions;	It uses modalities according to the Law of Auctions;	-----	Outdated and Bureaucratic;
Proclamation	Evolution of the process bidding. It uses the proclamation in the form presencial.	Pioneer in the implantation of the proclamation; It uses the proclamation in the electronic form;	-----	Future of the auctions in Brazil;
Is there the quality loss in the purchases done through the process bidding?	He doesn't affirm concretely, it just indicates solutions.	He affirms that his system doesn't open margin for the quality loss.	There is the quality loss in certain products.	In the public administration there are no legal methods to collect quality in the products; It looks for for a low price and procedural agility can take the Administration to not to see that he is acquiring products of bad quality; No there is eat if it "quotes quality" due to the beginning of the isonomy.
Legal means to reconcile economy financial x quality	Detailed and detailed description; He researches, planning and compromising.	Qualification and inspection in the delivery for qualified technicians. Demand of the technical specification of the materials to the participant companies, so that it is compared to the announcement and accomplished precisely.	Detailed description, improved of period to period; Description of packings with specific amounts.	-----
Economy before the modality proclamation	10 to 15%	30%	-----	-----
Economy Powder-proclamation	On average - 35% to 40%	Up to 60%	-----	-----
Quality before the modality proclamation	He believes that quality is conditioned to certain factors	Guaranteed quality	-----	-----
Quality powder-proclamation	He believes that quality is conditioned to certain factors	Guaranteed quality	Unsatisfactory in certain products	-----

Source: results of the research.