
13. GOVERNMENT PROCUREMENT

Mexico's main objectives

- Establishing disciplines that promote transparency and equal opportunities among suppliers, as well as reviewing mechanisms in public procurement procedures.
- Updating the applicable public procurement procedure rules in accordance with recent international standards that use technology to make public procurement procedures (e.g. electronic tenders) more efficient and transparent.

Benefits for Mexico

- Maintains reserves in the Mexican public procurement market in order to continue promoting the development of the national supply industry.
- The procurement chapter represents a secure platform to access the U.S. public procurement market, which is currently open to foreign participation only through a treaty.

Chapter's main provisions

- Promotes the use of electronic means in public procurement procedures **(Article 13.4).**
- Grants National Treatment to suppliers of goods, services and public works in designated public procurement procedures **(Article 13.4).**
- Maintains the obligation not to impose compensatory conditions in designated public procurement procedures, such as local content requirements, technology transfer, among others **(Article 13.4).**
- Maintains the obligation to define the technical specifications of a purchase based on objective criteria and without creating barriers to trade between the Parties **(Article 13.11).**
- Contemplates obligations to foster transparency in public procurement procedures with actions such as the public announcement of the designated supplier and other information related to the award, as well as the exchange of statistics between member countries regarding completed public procurement procedures **(Article 13.15).**
- Recognizes the power of contracting entities to disqualify suppliers for matters such as bankruptcy, misrepresentation or breach of previous government contracts **(Article 13.17).**
- Incorporates anti-corruption provisions in public procurement procedures, including obligations for administrative, civil or criminal measures to combat corruption cases **(Article 13.17).**
- Provides that each Party shall maintain impartial internal review mechanisms to address the issues suppliers may face in public procurement procedures **(Article 13.18).**