

INFORMATION TECHNOLOGY

AUDITING THE HIRING OF THE SOLUTION FOR THE AUTOMATION OF PUBLIC SERVICES

What did the TCU audit?

The TCU audited the hiring of the automation solution used in the Gov.br platform for the digital transformation of public services during the planning stage of this contract by the Secretariat of Digital Government of the Ministry of Management and Innovation in Public Services (SGD/MGI), in order to point out risks that could lead to the failure of the contract.

This contracting process was started to give continuity to the availability of public services already digitized and to enable the digitization of new services, since the contracts to support the solution are only valid until July 2023.

What did the TCU find?

Among the risks identified, we can highlight:

- the high technological dependence (lock-in) of the Gov.br Platform automation solution, which could lead to failure and/or interruption in the provision of services and loss of information about the services;
- the use of only one market solution as the basis for defining the requirements of the solution to be contracted, which could lead to directing the bidding with a possible increase in the contracted price and/or interruption of the contracting process;
- the possibility of compromising the security of data transmission over the internet between the contractor's cloud technology solution and other integrated systems and databases, which could lead to unauthorized access by the contractor or unauthorized agents to the private information of citizens present in the registration databases of

the contracting agencies, leak of users' information, fraud and/or loss of service data;

- the possibility of unavailability of the solution, which could compromise the provision of automated public services, including critical services, and result in the loss of citizens' information and services, which could have an economic impact on citizens and companies and, therefore, damage the federal government's image;
- the underestimation of the quantity of services to be contracted, which could lead to the impossibility of the automation of essential services by the organizations; and
- the deficiency in the price estimate, which could result in the use of inadequate parameter for analyzing the economic and financial viability of the contracting, difficulty in justifying the estimates when questioned by interested parties, and waste of public resources resulting from the possibility of overpricing of the estimated prices and overbilling in the contract execution.

What did the TCU decide?

Considering that the SGD/MGI managers presented measures registered in an action plan to manage the risks identified by the TCU team, no decisions were proposed.

As an effective result of the work, we can highlight:

1. the update of the Preliminary Technical Study and the Term of Reference of the contracting with adjustments that will facilitate the supervision of the future contract and that mitigate risks associated with the improper measurement of the services to be provided by the supplier;

2. the hiring of two distinct platforms in the SaaS (Software as a Service) model, which was chosen because it best meets the business demands, with adequate benefits, compatible costs and manageable risks;
3. the mitigation of the risk of overpricing through market consultation with companies that offer the solution and through price research with suppliers different from the current contractor;
4. the treatment, in the risk management map and in the TR, of risks raised in the ruling 1.793/2015-TCU-Full Court, referring to the cloud computing model, which are related to cyber-attack risks that are more common in the context of automation/improvement of services; and
5. the review of the solution's security requirements as to the Privacy and Security Framework Guide and the implementation of expected data protection processes and controls as to the LGPD best practices guide.

What are the next steps?

The decision states that, if deemed necessary, the Court may verify the effective implementation of these actions and the resulting impacts.

DETAILS OF THE DECISION

Court Decision: 1.850/2023-TCU-2nd Chamber
Session Date: 3/7/2023
Rapporteur: Minister Aroldo Cedraz
TC: 011.456/2022-1
Responsible Department: Audit Department for Information Technology (AudTI)