MEASURING PUBLIC PROCUREMENT PERFORMANCE
ROMANIAN SYSTEM

World Bank Xth Public Procurement Knowledge Exchange Platform
May 27 – 30, 2014
Istanbul, Turkey
PP INSTITUTIONAL FRAMEWORK

Electronic System for Public Procurement

NARMPP

National Authority for Regulating and Monitoring Public Procurement

ESPP

Unit for Coordination and Verification Public Procurement

UCVPP

National Council for Solving Complaints

NCSC
PP INSTITUTIONAL FRAMEWORK

- Prime Minister Subordination
- PP draft Regulation
- PP Monitoring
- Ex-ante and ex-post control
- Guideline

- Romanian Agency for Digital Agenda
- Ministry for Informational Society
- Integrated electronic system

- Administrative judicial independent body
- solving complaints submit by economic operators regarding public procurement procedures

- Ministry of Finance
- Ex-ante control
All CA / EO are obliged to register

E-catalogue
429,196 products/services/works

ESPP

25% PP by electronic means

Direct purchasing from e-catalogue
Offline pp procedures with electronic final phase
Online pp procedures

All notices

Contract notice, participation notice, award notice, erratum

CA – contracting authorities 14,398
EO – economic operators registered 52,774
AWARD PROCEDURES

- Offline
  - Open procedure
  - Restricted procedure
  - Request for tenders

- Online
  - Open procedure
  - Restricted procedure
  - Request for tenders
  - Electronic catalog
  - Electronic auction

- Special situations regulated by law
  - Negotiation with prior publication of a contract notice
  - Negotiation without publication of a contract notice
  - Competitive dialogue
  - Design contest
BENCHMARKS AND INDICATORS

TENDER NOTICE AND DOCUMENTATION

- PP procedure starting date
- Type of the CA
- Type of the contract and CPV
- Estimated value of the contract
- Award criteria
- Date for submitting tenders

DURING THE PROCEDURE

- Modifying submitting tenders date
- Changing some references
- Submitted complaints
- Suspension and canceling

AWARD NOTICE

- Date of signing the contract
- Company awarded
- Value of the contract

Offline procedures  ESPP  Online procedures
The contract / participation notice contains the names of the decision-making persons within the contracting authority.

After the opening session of tenders, there shall be published the identification data of the tenderer / candidate / tenderer partner / subcontractor / third party supporter.

BENCHMARKS AND INDICATORS

Offline procedures
ESPP
Online procedures

POSSIBLE CONFLICTS OF INTEREST

National Agency for Integrity
GENERAL STATISTICS

DATA

Contracting authorities
- Number
- Type
- Field of activity

PP procedures
- Number
- Type
- Awarded/canceled
- Complaints
- Duration

PP contracts
- Value
- Type
DATA

SPECIFIC e.g.

- Preponderance of used award criteria
- Price of the awarded contracts vs. initial estimated value
- Delays (motifs)
- Annulment (motifs)

Lowest price

Most economically advantageous tender

Solving complaints

Poor administrative capacity

Complaints/Courts decisions

Lack or poor market response
<table>
<thead>
<tr>
<th>Problem Description</th>
<th>Impact</th>
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</thead>
<tbody>
<tr>
<td>Excessive use of the lowest price award criteria</td>
<td>High risks in completion of the contract</td>
</tr>
<tr>
<td>Abnormally low prices</td>
<td>High risks in completion of the contract</td>
</tr>
<tr>
<td>Bad methods establishing the estimated value of the contract</td>
<td>Increasing financing risks</td>
</tr>
<tr>
<td>Abnormally delays in awarding the contract</td>
<td>Increasing financing risks</td>
</tr>
<tr>
<td>Annullments</td>
<td>Increasing financing risks</td>
</tr>
</tbody>
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Guidelines and instructions for contracting authorities

Monitoring “completion certificates” – possibility to reject from tendering “bad competitors”

Improving legal provisions

Improving solving complaints mechanisms

Delays in projects implementation
Lowering the investment level
PP FIGURES AND FACTS 2013 e.g.

19,343
- PP notices
- Started procedures

17,702
- Finalized procedures

14,709
- Contracts awarded
PP FIGURES AND FACTS 2013 e.g.

19,343

Contract object
- products: 8,392
- services: 2,811
- works: 3,506

Award criteria
- Lowest price: 13,355
- Most economically advantageous tender: 1,354
National Authority for Regulating and Monitoring Public Procurement

www.anrmap.ro

Marius GOGESCU
Vice President

Thank you!
Teşekkür ederim!