

**6<sup>th</sup> Regional Public Procurement Forum**  
**(April 26-29, 2010)**  
**Istanbul, Turkey**

**ACHIEVEMENT IN 2009 AND ACTION PLAN FOR 2010**

Country	Achieved in 2009	Planned for 2010
Albania	<p>Approved the amendment of the current law by adding three profiles (1-Utilities sector [for water, postal and electricity services], 2- Framework agreement, 3-new review body--Commission of public Procurement) – in the context of EU (draft amendment was reviewed by and consulted with ministries; less consulted with private sector – meetings with contractors, trade chamber)</p> <p>E-procurement is implemented by all contracting authorities for the first time</p> <p>Training provided at the national level on eGP</p>	<p>Improvement of PP system --</p> <p>To strengthen administrative capacity; awareness of procurement staff; training on new PPL amendments.</p> <p>To approve amendments to the secondary rules and regulations including finalization of SBD and framework agreement.</p>
Armenia	<p>Bank updated CPAR using OCED/DAC indicators</p> <p>Newly revised draft PPL is under preparation. Bank has provided comments on the revised draft law. CPAR recommendations were taken into account.</p> <p>Draft revised PPL is in final stage; Working Group was set up and is functioning.</p>	<p>To work on Decrees to implement the new PPL.</p> <p>Develop e-Government Procurement (eGP)</p> <p>To implement comprehensive capacity building program to train public procurement specialists.</p>

Country	Achieved in 2009	Planned for 2010
Azerbaijan	<p>World Bank CPAR completed</p> <p>Law amended to add more transparency</p> <p>All tenders are being published on the official website</p> <p>Outreach campaign with participation of more than 100 companies was conducted</p> <p>Made proposal to the cabinet of ministers and ministry of justice on the proposed changes in the law and the preparation of necessary regulations and normative documents (CPAR recommendations; other considerations &amp; proposals; contract implantation – clearer requirement and information reporting for data analysis and publication; PPA in dialogue &amp; consultation with stakeholders) eGP initiated and work in progress)</p>	Develop e-GP
Georgia	<p>Increased independency of the SPA by introducing self financing mechanism</p> <p>Reduce tender participation fees from GEL 200 to 50</p> <p>Mandate using e-procurement by law in September 2010</p> <p>An action plan to implement E-GP is adopted</p> <p>Training strategy is adopted</p>	<p>To fully implement the eGP system, including training for users in both public and private sectors.</p> <p>To digitize documents towards paperless operation; to accept electronic documents.</p> <p>SIGMA – to peer review and study amended legislation; To finalize the national strategy on procurement.</p>

Country	Achieved in 2009	Planned for 2010
	<p>Civil societies introduced as part of the complaint review mechanism (amended the PPL to regulate this; NGOs involved; the number of complaints is small)</p> <p>Estimated contract value is required to be announced by the procuring entities (required by PPL; auction or oral bargain; bracketing – bids rejected if price is higher than estimated cost)</p> <p>Complaint review period reduced from 20 to 10 days</p> <p>Enterprises with more than 50% state share are subject to PPL</p> <p>Abolish the requirement of 70% of local labor force (no restrictions for foreigners to bid; establishment of a local branch is easy)</p> <p>Verbal bargaining is introduced (up to the bidders to offer a lower price at the bid opening; Each bidder can change price 3 times; the process is recorded on video; not applicable to IFI-financed procurement)</p> <p>Reporting requirement are simplified for procuring entities with budget less than GEL 50,000</p> <p>Black listing period reduced from 2 to 1 year. List of blacklist is available online</p> <p>Wider punishment functions by SPA—imposition of fines on procuring entities for violation of procurement legislation (law was amended to reduce fines/penalties for administrative violations;</p>	<p>To translate legislation &amp; regulations amendments into English.</p> <p>To launch e-catalogue.</p> <p>To study the level of competition issue with a view to increase competition.</p>

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	<p>previous level of fines/penalties was considered too high)</p> <p>Score of Pillar I of OECD/DAC increased from 0.8 to 2.1</p> <p>Started discussion of filing GPA</p> <p>Systematic training of procuring entities on recent and planned amendments (training strategy in place; From Jan 2010, weekly meetings with line ministries – big spenders; training for private sector available; training of trainers; training masters)</p>	
Kyrgyzstan	<p>Ministry of Finance of Kyrgyzstan participated in the Forum, as the authorized public procurement body, for the first time. This Forum created a great possibility for development of the PP system (in the context of the recent change of Government)</p> <p>Experience of Kazakhstan, Uzbekistan, Turkmenistan, Tajikistan, etc, was learned.</p> <p>After study of the Kazakh PPL and their e-procurement we think that their system is most suitable to Kyrgyzstan. In this connection the talks have been started with Kazakhs about application of their experience in Kyrgyzstan. Furthermore, good experiences &amp; practices from other countries will also be learned.</p> <p>Apart of that we have got support of many donors and their willingness to render TA to the Republic.</p>	To draft a new PPL.

Country	Achieved in 2009	Planned for 2010
Kosovo	<p>Formed a working group to amend the PPL No. 02/1-99 (a 7-member WG including 2 expatriates &amp; 5 nationals).</p> <p>Draft law expected to be finished by June 2010.</p> <p>Training – annual training for procurement staff (mandatory participation; exams; certificates issued with a validity period of only one year).</p>	<p>To increase the number of public procurement officers; and to build capacity in public procurement.</p> <p>To implement/enhance contract management.</p> <p>To introduce “blacklist” practice.</p>
Kazakhstan	<p>Started implementation of new amendment to PPL (amendments in November 2008 &amp; April 2010)</p> <p>eGP – rules on e-tendering introduced; eGP strategy developed.</p> <p>A EU team is in KZ to help improve the PPL (the existing PPL is perceived as not ideal); further modifications are expected in the context of “customs union” with Russia and Belarus.</p>	<p>To further improve the procurement rules.</p> <p>By end of 2010, to allow other Gov agencies to use e-tendering.</p> <p>To consult with EU on improvement of PPL.</p> <p>To conduct more procurement capacity building.</p>
FYR Macedonia	<p>Increased implementation capacity by introducing systematic education program in accordance of PPL.</p> <p>Training has been conducted for some procurement practitioners in public and private sectors.</p> <p>Integrated the two IT systems into one which includes e-publication, e-tendering and e-auction.</p>	<p>To negotiate with EU on membership for the public procurement chapter.</p> <p>To address the key recommendation under the use of country system assessment conducted by the world Bank. This would be possible through an IDF grant.</p>

Country	Achieved in 2009	Planned for 2010
	<p>A strategy is under preparation by the PPB.</p>	<p>To finalize a strategy on PPB</p> <p>To increase the use of eGP.</p> <p>To continue procurement capacity bundling in both public and private sectors.</p>
Tajikistan	<p>Further decentralized public procurement system by certifying more Government agencies in doing procurement. As a result of training of the specialists by the PPA and the Qualification Committee, seven ministries and agencies have obtained the right to conduct public procurement by themselves.</p> <p>A seminar on "Regulation of Public Procurement" was conducted and it was attended by specialists of different entities (with certificates issued).</p> <p>PPA conducts procurement for other agencies (not certified); such responsibility will be reduced with more agencies to be trained and certified.</p> <p>The PPA was transferred from MOE to the Central Government; and the "stock exchange function" which the PPA had previously was separated out.</p>	<p>To continue carrying out capacity building and training of government agencies with a view to further decentralize public procurement.</p> <p>To introduce eGP.</p>

Country	Achieved in 2009	Planned for 2010
Turkmenistan	None	To start working on public procurement legislation; a PPL may be drafted.
Turkey	<p>Improvement of complaint review system by reducing the review period; and focusing only on complaints. The “standstill” or waiting period is 10 or 5 days.</p> <p>New amendment has been prepared and was sent to the related ministries and public institutions for their views (in the context of EU; 100% compliance with EU directives; wide consultation with public and private sectors).</p> <p>Establishment of e-procurement platform and necessary protocols were signed with related agencies such as Revenue Administration, Social security Institution, MOF (though not yet fully functional; should be fully functional by Sept 2010).</p> <p>More structured and detailed training activities; Training strategy developed (two types of training – awareness training &amp; training of procuring entities); 10,000 people trained.</p> <p>All secondary legislations were updated.</p> <p>PPA staff encouraged to pursue long-term study and training. Six went to USA and UK for graduate study (MPA, MBA; international law; IT).</p>	<p>To pilot the implementation of eGP activities.</p> <p>To work on requirements to open negotiations with EU on PP chapter membership.</p> <p>Willing to bilaterally share with other countries on experiences with international organizations and donors.</p>

Country	Achieved in 2009	Planned for 2010
	Training on the new amendments of 2008 and 2009 is being conducted (so far about 15,000 civil servants trained).	
Uzbekistan	<p>Starting from 2007, a new treasury system has been launched which includes certain ex-ante public procurement review function.</p> <p>In line with ratification of the UN Anticorruption Convention in 2009, again attention is drawn to preparation of the PP Law (a working group is in place comprising 12 ministries &amp; agencies led by the General Prosecutors Office; learn from the KZ and Korean experiences which are more relevant to UZ).</p>	<p>To focus on drafting PPL.</p> <p>To invest in capacity building in public procurement.</p> <p>To enhance the Treasury (MOF)'s oversight function in public procurement.</p> <p>To consider studying the impact of the existing practice of "import contract expertise" performed by MFERIT.</p>

**7<sup>th</sup> Forum Agreement:** The participants agreed that 7<sup>th</sup> Forum will be held in Tbilisi (Georgia) around May 2011 and will be co sponsored by the three Banks.

**Last (5<sup>th</sup>) Forum Conclusions:** (i) The Forum participants agreed to discuss with the decision makers forming working group including a core team to support the working group in each country. It shall be chaired by the Chairman of PPA in each country. The working groups will conduct analysis of the law and regulations, identifying deficiencies in compliance with international practices; experience learned from the Forum and will make recommendations to the Government (ii) Within six months formulation of the working group shall be completed and deficiencies will be identified (iii) The participants will send recommendations on implementation of Action Plan of the Fourth forum by mid-May. The next Forum to be held in Turkey in late-April- early March. Country delegations will be led by the head of the public procurement agencies.