



PARTNERSHIP FOR
TRANSPARENCY



Launch of the National Public Procurement Platform

within the project "[Strengthening integrity in Public Procurement](#)", implemented by the Institute for Development and Social Initiatives (IDIS) "Viitorul", in partnership with Partnership for Transparency (USA)

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Ungureanu Carolina, deputy director, project manager, IDIS Viitorul,

PNAP is established



- **starting from** the need to create a *mechanism for permanent cooperation and consultation between all actors involved and interested in the efficient functioning of the public procurement system,*
- **emphasizing** the importance of such *cooperation for the improvement of the procurement system,*
- **recognizing** the importance of *multilateral dialogue* to this end,
- **reaffirming** the right of citizens of a participate at *formulation and implementation policies* through *active and transparent participation in the public procurement decision-making process,*
- **considering** that the Government of the Republic of Moldova, public institutions, contracting entities/authorities, economic operators and public associations have the obligation, for the *common benefit of the whole society, to pursue the* *of the national public procurement*



Permanent Members

1. Parliamentary Committee on Economy, Budget and Finance
2. Ministry of Finance (MF)
3. Public Procurement Agency (PPA)
4. National Anti-Corruption Center (NAC)
5. Court of Auditors (CoA)
6. National Agency for the Settlement of Complaints (ANSC)
7. I.S. State Road Administration (ASD)
8. Center for Centralized Public Procurement in Healthcare (CAPCS)
9. Chamber of Commerce and Industry of the Republic of Moldova (CCI of Moldova)
10. National Bank of Moldova (NBM)
11. S.A "Apă-Canal Chisinau"
12. S.A. Termoelectrica
13. Chisinau City Hall
14. Cahul City Hall
15. Balti City Hall
16. Institute for Development and Social Initiatives (IDIS) Viitorul
17. Association for Efficient and Responsible Governance (AGER)
18. Transparency International Moldova (TI Moldova)
19. AO "Local Invest"

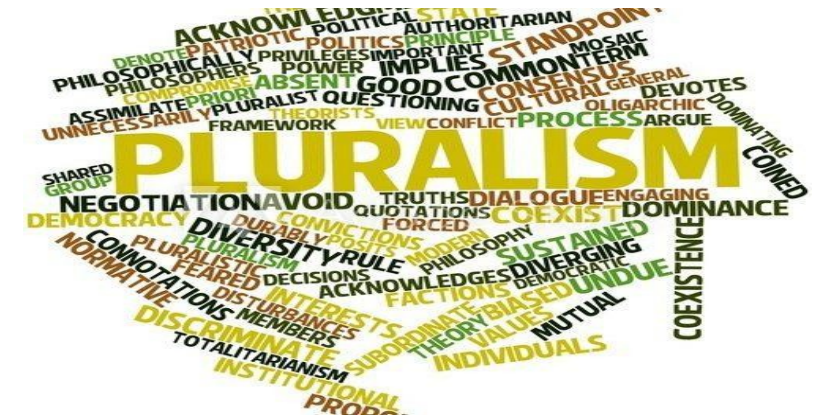


General provisions

- The PNAP is a *non-institutional, non-governmental, non-political, non-profit, multi-stakeholder platform, participation in which is open to actors in the procurement system* who share the mission, goals, objectives set out in this Regulation and are willing to be directly involved in their realization;
- The PNAP shall be established and carry out its activities in accordance with the provisions of this *Regulation, as well as with the normative acts in force in the Republic of Moldova and international treaties to which the Republic of Moldova is a party*;
- The PNAP shall be established for *an indefinite period* and shall operate *at national level throughout the territory of the Republic of Moldova*.



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- A word cloud with the word 'transparency' in red, bold, sans-serif font, centered and magnified by a red-handled magnifying glass. Other words in black, sans-serif font of varying sizes and orientations surround it, including 'sincerity', 'fairness', 'honesty', 'believability', 'truth', 'accuracy', 'directness', 'forthrightness', 'openness', and 'clarity'.



- PNAP enjoys freedom and independence in *adopting decisions, transmitting them in the form of recommendations to the competent authorities and carrying out various actions in the sole interest of developing and improving the national public procurement system* and in strict accordance with these Regulations;
- PNAP promotes in its activity *national, civic, democratic and rule of law values and interests, transparency and integrity*;
- PNAP carries out its activities for the *benefit of society as a whole* and will not support any political party, electoral bloc or person holding public office.



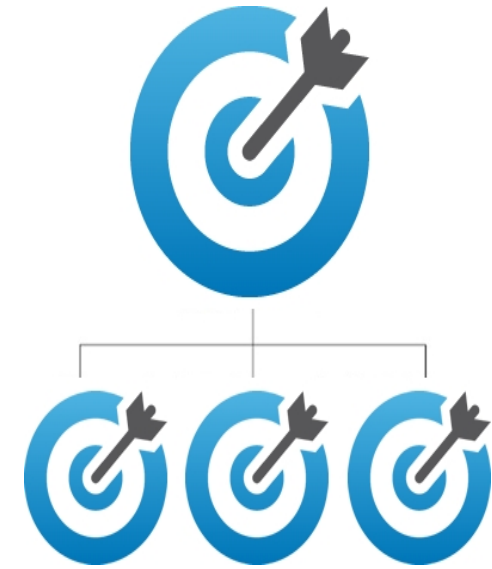
Mission, aims and objectives of NPAAP



- ***Mission of PNAP:** To improve the efficiency, transparency and integrity of the national public procurement system by addressing problems in the national procurement system, identifying and proposing legal, technical or procedural solutions to be integrated into legislation and policies in the field.*
- ***PNAP Goal:** To create a permanent multi-stakeholder communication and dialog mechanism for actors in the national public procurement system, including civil society*

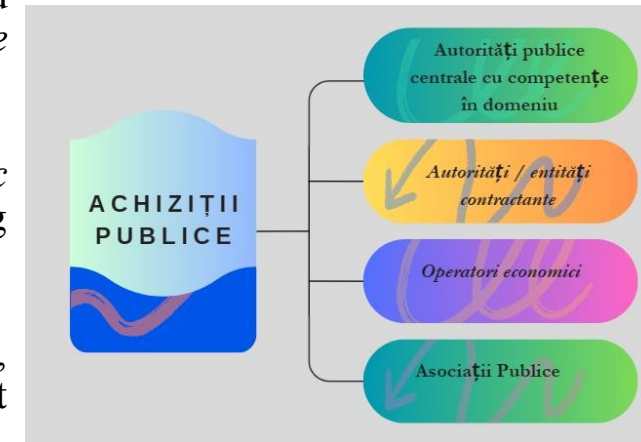
PNAP Objectives:

- To serve as a *national forum*, bringing together stakeholders from *central and local public authorities, contracting authorities/entities, economic operators and public associations concerned with efficient functioning of the public procurement system*;
- To discuss *problems in the public procurement sector*, including those related to *gaps / inconsistencies in the legislative and regulatory framework and deficiencies in the functioning of the e-procurement system public procurement*.
- To discuss *problems encountered by contracting authorities/entities and economic operators in the public procurement process*, including from the perspective of the need to *ensure transparency and efficiency*, identified by NAPAP members, but also by other actors in the sector who are not members of NAPAP.
- Identification and discussion of *optimal solutions (legal, regulatory, procedural, technical, organizational, etc.) based on a participatory and strategic approach, taking into account the need for continuous improvement of system, including its alignment with international best practices*;
- Formulation of *policy recommendations and their transmission to public institutions responsible for decision making in the procurement process in the Republic of Moldova or in related sectors*, especially in the context of the accession process of the Republic of Moldova to the European Union and taking into account the recommendations of the European Commission in this respect;
- *Monitoring the implementation of the policy solutions and recommendations* proposed by the NPAAP, analyzing the reaction authorities and how this interaction contributes to strengthening integrity, transparency and efficiency of the public procurement system.



Structure and bodies of PNAP

- PNAP members represent the following categories of entities interested in the proper functioning and viability of the national public procurement system: *central public authorities with competences in the field; contracting authorities/entities; economic operators; public associations*
- The members have been *selected according to the importance and legal attributions in the field of public procurement, as well as to ensure representativeness* - public institutions / decision makers, contracting authorities, private sector and civil society.
- At the proposal of the members, *invited individuals / entities / authorities* (who have competences, expertise in the field or who carry out public procurement, participate with offers in public procurement procedures and/or who will propose for discussion topics, problems, but also complaints, recommendations, etc.) will be admitted to the NPPPP meetings;
- Contracting authorities/entities, economic operators and public associations *wishing to become members of the PNAP may submit an application to the PNAP Secretariat and this application will be examined by the PNAP members at the next meeting;*
- The members of PNAP have the right to amend, by a two-thirds majority, the provisions of these Rules;
- *The body responsible for coordinating the work of the NPAAP is the NPAAP Secretariat.* These functions shall be carried out in accordance with Chapter V of this Regulation.
- The activity of the PNAP is coordinated by the PNAP Secretariat, provided by IDIS "Viitorul" for two years from the date of establishment of the PNAP. *The term of office of the organization providing the Secretariat of the PNAP is two years. The members of the PNAP shall have the right to decide, by a two-thirds majority vote, to change Secretariat;*



Activity methods

Activity methods

The Secretariat of the NPAF shall convene ordinary meetings of the members every three months (four once a year) to discuss the recommendations collected by the Secretariat during the 3-month period;

The NPAAP may be convened in *extraordinary session*, either at the request of the Secretariat or at the request of any of its members, to discuss any matter relating to procurement which, *because of the urgency of the matter*, cannot be postponed until the next ordinary meeting;

The Secretariat shall draw up the agenda of the NPPPP meetings and inform the members of the Platform by e-mail at least three days before the opening of the meeting;

The agenda will contain the following sections: the date, time and place of the meeting; the topics proposed for discussion, any supporting material highlighting the issues to be discussed, and a section dedicated to discussing conclusions and recommendations on the agenda items;

The PNAP Secretariat collects, analyzes on a quarterly basis, the recommendations resulting from the monitoring of public procurement carried out by the various citizens' associations and brings them to the attention of the PNAP during ordinary or extraordinary meetings;



Activity methods

The recommendations collected by the Secretariat will be debated by the members of the PNAP and the outcome of these debates will be recorded in the minutes of the meetings;

The Secretariat of the NPAF will *keep minutes of the NPAF meetings, recording all opinions, comments, conclusions and proposals of NPAF members on the issues discussed.* After each meeting, the minutes drawn up by the Secretariat of the PNAP will be circulated to all members of the PNAP for the purpose of documentation, as well as verification and confirmation of the accuracy of the information contained.

The PNAP Secretariat will formally transmit the recommendations and conclusions to the competent central authorities, with the request to take them into account in their activity of legislating, regulating, executing and controlling the implementation of the provisions regulating the public procurement system. Depending on the nature of the recommendation, among the institutions to which the PNAP will address such recommendations are: the Parliament of the Republic of Moldova, the Government of the Republic of Moldova, the Ministry of Finance, the Ministry of Infrastructure and Regional Development, the Public Procurement Agency, the National Anti-Corruption Center, the Court of Accounts, the National Agency for the Settlement of Complaints, the National Integrity Authority and others.

The NPAAP Secretariat will follow up the reaction of the authorities to the recommendations received from NPAAP. These authorities will be requested to inform the PNAP in writing of their response to those recommendations: whether they have been accepted and under what conditions, or if they were rejected and the reason for rejection.

Activity methods

The Secretariat of the NPAAP will keep records of minutes of meetings, records of correspondence of the Secretariat with NPAAP members, records of proposals and recommendations submitted to the authorities referred to in V.9 and records reflecting the history of the realization of those recommendations.

Rights and obligations of NPAAP members

- to participate in accordance with the terms of the Rules in the work, activities and events organized by the NPAAP;
- submit proposals for agenda items in advance of NPAAP meetings;
- take part in decision-making at ordinary and extraordinary meetings of the NPAAP;
- to take part in debates and in the preparation of the agenda for NPAAP meetings;
- to propose to invite to the NPAA meetings persons / organizations / entities / public contracting authorities / economic operators who are not members of the NPAA but are interested in the topics proposed for discussion or have referred to the NPAA members certain problems in the procurement process;
- to propose/request the inclusion in the agenda of items other than those previously announced (in case of urgent matters to be discussed);
- to be informed of the activities carried out and the documents discussed or drawn up within or as a result of meetings;
- make use of NPAAP documents and publications, including the right to request documents from the records held by the Secretariat;
- benefit from lasting partnerships established with other members of the NPAAP and carry out joint activities with them;
- request termination of membership of the NPAAP.



Rights and obligations of NPAAP members

Members of the PNAP have the obligation:

- *to ensure the attendance of its representatives at ordinary and extraordinary meetings of the NPAF and, if this is not possible, to inform the NPAF Secretariat at least two days in advance of the absence by any means possible;*
- *contribute to the achievement of the mission, aims and objectives of the PNAP;*
- refrain from engaging in actions that would bring the PNAP into disrepute;
- to comply with the provisions of the Regulation, as well as with the legal acts in force in the Republic of Moldova and international treaties to which the Republic of Moldova is a party;
- *to contribute to the implementation of the decisions (recommendations) adopted by the members of the NPAAP;*



Final provisions

- The Regulation shall enter into force for new members of the NPAF from the moment of approval of their application for membership by the NPAF members and for existing members from the moment it is brought to their attention. Failure by an applicant to accept the Rules shall constitute grounds for refusal of membership of the NPAAP. Non-acceptance by a member of the Regulations will result in loss of NPAAP membership without further formalities and decisions;
- *The Rules are drawn up in Romanian.* It may be translated into other languages, but in case of any inconsistency between the different language texts of these Rules (meaning of articles, etc.), the Romanian text shall prevail;
- *The Regulation is the main act on the basis of which the NPAA operates* and takes precedence over any other act and/or decision adopted by the working and governing bodies of the NPAF;
- Any member of the NPAAP is obliged, when stating the position of the institution or considering / proposing any recommendation, to declare any potential conflict of interest. Failure to declare a potential conflict of interest will result in immediate loss of membership of the NPAAP.



Questions ?

