

Lighting up with snow at Cozești



Local Public Authorities (LPA) of Grigorauca commune, Sangerei district, are suspected of having compromised a tender for the purchase of street lighting installation works by disqualifying two bids without providing justifications to the contractor. As a result, the National Agency for Solving Complaints (ANSC) annulled the procurement procedure and ordered the city hall to re-evaluate the bids. However, the City Council chose the same contractor. The project is part of the National Program "European Village Express".

*In August 2023, the City Hall of Grigorauca commune, Singerei **announced a public tender** in which it requested offers for the installation of public lighting in the village of Cozesti, with an estimated value of 375 thousand lei excluding VAT (**~USD 81,468**). The criterion for awarding the winning bid was the lowest price. Three contractors took part in the competition and the winning bid was declared "Euro VL Construct", with a value of 291 thousand lei, excluding VAT (**~USD 63,219**). The bids of the company "EnergoLED" SRL, which presented a price of 192 200 lei (**~USD 41755**), and the company "Zepto" SRL, which proposed 320 thousand lei (**~USD 69,520**) (both excluding VAT), were rejected. The procurement procedure was conducted by the authority with the application of electronic tender, which according to the Law on Public Procurement, takes place in 3 rounds of negotiations. In this public tender, bidders have the possibility to reduce the initial bid price. After the review, the company "Zepto" Ltd. offered the amount of 140 thousand lei (**~USD 30,414**), and "EnergoLED" - about 180 thousand lei (**~USD 39105**).*

Tenders disqualified without being asked to justify the price

EnergoLED did not agree with the decision of the members of the working group and challenged it at the National Agency for Solving Complaints (ANSC), arguing in the complaint that the tender was rejected without a valid reason.

"The contracting authority violated the provisions of Article 14 of the Public Procurement Act, which specifies that the authority contracted through the working group is obliged to ensure objectivity and impartiality in public procurement procedures, as well as the provisions of paragraph (3) of the same law, which states that the member of the working group is autonomous, impartial and subject only to the law," the complaint states.

For its part, Grigorauca City Hall explained to ANSC that the two bids were disqualified because the contractors did not justify their low bids submitted a second time:

"In the opinion of the members of the working group, the disqualification of the operators was due to the proposal of abnormally low bids, which was catalogued as suspicion that they were inadequate, unacceptable and non-compliant, which found that there were serious deviations from the legal provisions affecting the outcome of the tender procedure".



According to the "[Public Procurement Monitoring Guide: a tool for civil society](#)", developed by the Institute for Development and Social Initiatives "Viitorul", excluding a bidder without legal grounds (e.g. disqualifying a bidder for insignificant deviations/without requesting clarifications or without requesting justification of the abnormally low price), is a red flag in the process of tender evaluation and contract award.

We remind you that the "European Village Express" Program was launched in the summer of 2023, with the aim of modernizing rural infrastructure through the implementation of quick projects, with a maximum completion period of 6 months and the possibility of accessing financial resources of up to 450 thousand lei (~USD 97,762). The National Office for Regional and Local Development, the institution responsible for the implementation of projects in the national programmes "European Village" and "European Village Express", [announced](#) that by the end of last year, 52 localities across the country had upgraded their street lighting systems under the "European Village Express" programme.

Author: Independent Press Association (API)