

Public Procurement Agency reorganized and given new tasks

The Public Procurement Agency (AAP) of the Republic of Moldova will be reorganized in order to increase the quality of the public procurement process. The government approved at the end of January the new regulation on the organization and functioning of the institution, which provides for several changes related to the structure, organization chart, tasks and staffing limit, which is increased by 7 units to 32 and for which 2.2 million lei (~USD 477,950) are needed.

The document also regulates the mission, areas of activity and basic functions of the Agency. The need for reorganization is justified by the establishment of new tasks in the field of sectoral and small value procurement. According to the newly approved Regulation, the Agency will perform four main functions: implementation of public/sector procurement policies and legislation; drafting of proposals to amend procurement legislation; monitoring and evaluation of the functioning of the public/sector procurement system; and capacity building of contracting authorities/entities and contractors.

In order to carry out these functions, the Agency will carry out a number of tasks in the field of both public and sectoral procurement, including: drafting legislative proposals, monitoring the compliance of procurement, including low-value procurement, from the point of view of regularity and quality, based on risk indicators; reporting to the competent authorities in case of identification of illegalities, risks of anti-competitive practices or corruption, quarterly and annual statistical analyses, including for low-value procurement. The Regulation also establishes the Agency's power to establish the commission of offences and, where appropriate, impose sanctions in accordance with the provisions of the Code of Offences, which is currently not applied.

At the same time, the Agency will annually develop the national training program for contracting authorities/entities and contractors and will develop professionalization and continuous training programs for procurement/sector specialists. A new task of the Agency is to carry out activities related to the certification of specialists in the field of public/sector procurement. It should be noted that certification in the field of procurement is a recently regulated mechanism and is yet to be implemented by the authorities.

Author: Institute for Development and Social Initiatives (IDIS) "Viitorul"