

ANALYTICAL NOTE

Professionalization and certification system in public procurement: analysis of European best practices and solutions for the Republic of Moldova"

Authors: Diana Enachi, Viorel Pîrvan

INTRODUCTION

In the Republic of Moldova, the reform of the public procurement system started in 2015 with the approval of the [Law on Public Procurement No. 131/2015](#) which partially transposed Directive 2004/18/EC. Since 2015 and up to date, several actions have been implemented to develop and reform the system such as: continuous improvement of the primary and secondary legal framework, institutional reform, creation of an independent institution for the settlement of complaints, development of the electronic procurement system, centralization of health procurement and establishment of CAPCS.

[Law No. 169/2018](#), in force since October 1, 2018, amended Law No. 131/2015, which introduced the notions of "*certified specialist*" and "*public service providers*" (outsourcing of public procurement). This gave the contracting authorities the right to delegate the tasks of the working group to the certified procurement specialist. At the same time, in the new wording of the Law no. 131/2015, a new task of the Public Procurement Agency (hereinafter referred to as PPA) was introduced and, in particular, the elaboration, development and implementation of the mechanisms for certification of persons within the contracting authorities and procurement service providers. Thus, according to the current wording of Law no. 131/2015, the tasks of the working group referred to in Article 14 may be delegated to the certified specialist. Despite these provisions, so far there is a lack of professionalization and certification system.

It is recognized that **the 3Ps of public procurement are People, Process and Performance**. The 3 elements are essential to ensuring an effective procurement process by providing competent and trained staff, well defined processes and procedures and last but not least, ongoing performance measurement. Lack or shortcomings in any of the 3 elements negatively affect the quality of the procurement process and compliance with the principles underlying public procurement.

This analytical note presents the evolution of policies and attempts to establish in the Republic of Moldova a mechanism of professionalization and certification in procurement, as well as the benefits of such a mechanism for the work of public entities, the public finance system and the economy as a whole. The document analyzes the recommendations of international reports, of the European Commission in the context of the accession process, as well as some best practices from other European countries (Croatia, Malta, Austria, Romania). As a result of the analysis, the authors have formulated a series of recommendations and practical solutions for improving the draft regulation and for the most effective implementation of the certification mechanism.

It is important to emphasize that a professionalization system is not just a training program for public procurers but an essential link in ensuring a compliant and efficient procurement process that delivers value for public money. The implications of a professionalization system are much more complex. A professionalization system means equipping procurement staff in public institutions with the right set of competencies and skills to carry out the entire procurement process, from planning to effective contract management, with the aim of delivering value for public money. And, through the certification scheme, a network of procurement professionals is created who are continuously trained and certified to confirm their skills and qualifications.

Thus, by establishing a system of professionalization and certification:

- It improves the compliance and performance of the public procurement process in public institutions and, consequently, the financial management by increasing the efficiency of the use of public budgets.
- Increase transparency of public procurement and compliance with legal provisions on ensuring open access to information and data at all stages of the public procurement process, from planning to finalization of the execution of procurement contracts.
- Strengthen control and accountability mechanisms in public institutions at all levels.
- Brings more innovation in procurement, including the implementation of sustainable procurement (which takes into account social, economic, environmental and social aspects when developing technical specifications).
- It reduces unethical/unethical behavior, conflicts of interest, risks of fraud and corruption, helping to strengthen the integrity of procurement and thus the public authority.

I. National and international policies on professionalization and certification in public procurement

[The 2015 OECD Recommendation on Public Procurement](#) recommends all countries to develop a public procurement workforce with the capacity to deliver value for money efficiently and effectively on an ongoing basis (i.e. 'capacity building').

According to the EU Recommendations and the European Commission's Guide "[Building an architecture for the professionalization of public procurement](#)", EU Member States should develop and implement long-term strategies for the professionalization of public procurement, tailored to their own needs, resources and administrative structures, on their own or as part of broader policies for the professionalization of public administration. The aim is to attract, develop and retain skills, to focus on performance and strategic outcomes, and to make the best use of available tools and techniques. These strategies should:

- *cover all participants involved in the procurement process and be developed through an inclusive process at national, regional and local level;*

- *be implemented in coordination with other policies across the public sector;*
- *take account of developments in other Member States and at international level.*

In order to implement an effective capacity building strategy, the following steps are recommended:

1. Providing leadership: Formation of the steering committee
2. Identifying key issues: workforce assessment
3. Setting the perspective: Identifying objectives
4. Identify appropriate training solutions
5. Program Development: Developing the strategic action plan

Currently, in accordance with Law no. 131/2015 (art. 14, paragraph (1)), public procurement within a contracting authority is the responsibility of the "working group": *the contracting authority exercises its powers through a working group, created for this purpose from officials and specialists with professional experience in the field of public procurement, within the contracting authority, within the limits of the statutory staff. Depending on the subject of the procurement, the contracting authority may set up one or more working groups.*

At the same time, according to the same article, para. (2), *the contracting authority has the right to call upon procurement service providers or the central purchasing authority for the purpose of preparing and administering public procurement procedures on behalf of and for the benefit of the contracting authority.*

The introduction of the professionalization and certification system was planned to be realized in the fourth quarter of 2018. According to the Action Plan on the Implementation of the First [Public Procurement System Development Strategy for 2016-2020](#), *the national training program will create the basis for a system of certification of trainers and practitioners responsible for public procurement. Such a system will be used to ensure competence in public procurement in both public and private sectors.* However, the action was neither realized in 2018 nor by the end of 2020, when the implementation period of the strategy ended.

The implementation of the procurement certification mechanism is foreseen in the National Development Program for the period 2023 - 2026, approved by [GD no. 625 of 30.08.2023](#). The development, capacity building and professionalization of staff responsible for procurement is foreseen under specific objective 5.

The actions formulated to achieve specific objective 5 aim to:

- to obtain assurances that public procurers have the integrity, skills, knowledge and competence to carry out their duties efficiently, effectively and strategically;
- professionalize the procurement system as a whole;

- to create the necessary framework to achieve specific objective 5;
- align the approach to professionalization in procurement at European and international level;
- to achieve the objectives set by the National Development Strategy "European Moldova 2030" and subsequent programmatic documents;
- to implement professionalization measures in conditions of economy and economic efficiency (benefit/cost ratio), in this respect procurement professionals will be incorporated, in their great majority, at the level of centralized and specialized public procurement authorities, and within public authorities with significant public procurement values.

The program sets concrete impact and outcome indicators. Thus, the intermediate target to be reached by the end of 2025 is that the share of certified persons in the applicants will be 50% and the target to be reached by the end of 2026 is that the share of certified persons in the applicants will be 70%. In order to reach the target, the program foresees a series of actions and sub-actions to be carried out during 2024.

The implementation of the system of certification of public procurement specialists is an action also foreseen in the [National Action Plan for Moldova's accession to the European Union for the years 2024-2027](#)¹, approved in January 2024: *development, validation and approval of the national system of certification of public procurement specialists by Government Decision.*

II. Certification in the draft new public procurement law

The Ministry of Finance has recently drafted a new Public Procurement Law, which has been submitted for public consultation. This draft law has direct implications on the institutional and functional architecture of the public procurement system, including the professionalization and certification of specialists. IDIS "Viitorul" formulated written proposals on the draft law, including on the provisions regarding certified specialists, where two main problems were identified:

1. Restricting the involvement of certified specialists only to purchases below the value threshold established by law. The draft stipulates that the tasks of the working group may be delegated to the certified specialist only for purchases with an estimated value below the thresholds referred to in Art. 1 para. (2). In the case of more complex or high-value purchases, the certified specialist may be involved only as a member of the working group, without the possibility of fully managing the procedure.

This limitation reduces the flexibility of contracting authorities, in particular those with limited institutional capacity, which could significantly benefit from the expertise of a certified specialist, including for complex purchases. Their involvement should be decided on the basis of the complexity and nature of the procedure, rather than strictly on the estimated value of the contract. Such an approach would allow the efficient use

¹ Approved by Decision No. 45 of 24-01-2024 amending Government Decision No. 829/2023

of available expertise and support the effective professionalization of public procurement.

2. Lack of clarity on the status of persons eligible to become certified specialists. The draft law does not explicitly state whether the certification system is also open to persons outside the public system. From the wording used in Art. 87 and the lack of clarification in the summary of the proposals received in the consultations, the impression is that only civil servants or employees of contracting authorities would be eligible to apply to the professionalization and certification scheme.

Such an approach significantly reduces the access of contracting authorities, particularly local contracting authorities, to qualified external expertise - an essential resource in the context of a chronic shortage of staff and skills in the field of procurement. In many European countries, **certification is open to all persons meeting professional criteria, regardless of their institutional status**. This model allows authorities to work with independent experts or certified consultants, which increases the efficiency and quality of the procurement process. In order to follow this direction, the regulatory framework in the Republic of Moldova - including the future law on public procurement and the subsequent acts that will regulate the certification mechanism - should clearly provide for the possibility of certification also for individuals outside the public sector, in order to build a diversified, accessible and professional body of professionals, adapted to the real needs of contracting authorities. In this regard, the new draft Government Decision on the approval of the Regulation on the certification of specialists in the field of public/sector procurement has taken this recommendation into account and provides for the possibility of certification of all persons who meet the established requirements, regardless of their institutional status, thus facilitating the professionalization of a broad and diverse body of experts in the field.

III. Problem analysis

The public procurement system in the Republic of Moldova is decentralized, characterized by a large number of contracting authorities with limited capacity and resources. The lack of publicly available official data on the number of contracting authorities and procurement specialists active in the public sector (which does not exist in the Single Civil Service Classification) does not allow a comprehensive assessment of developments, needs and gaps. According to public data, there are about 2800 contracting authorities registered in the MTender electronic system² carrying out public and sectoral procurement procedures. By deduction, this would mean that we have at least as many procurement specialists. In addition, if we take into account all members of the Procurement Working Group Procurement specialists are also within the economic operators that bid in procurement procedures and weave procurement contracts. According to publicly available data, there are 4670 economic operators registered in MTender.

The reduced capacity of the public procurement system to deliver *value for public money* is also generated by the problem of limited and unprepared human resources. Staffing limitations, both in quantity (lack of specialists) and quality (lack of

² The figure is not exact as private companies and other organizations are also registered in the system

professional skills), at the level of contracting authorities, in particular local public authorities, undermine the quality and efficiency of the public procurement process.

According to the research ["Active and Passive Waste in Government Spending: Evidence from a Policy Experiment"](#), the lack of professional skills in procurement is considered to be a bigger problem than corruption. Thus, 83% of wasted resources in public procurement are due to lack of professionalization and only 17% - to corruption.

The problem of human resources in the public procurement sector is unanimously recognized, both in the reports of national and international authorities and civil society monitoring reports. The results of the GPA's public procurement monitoring activity show that the breaches admitted by contracting authorities in the public procurement process persist from one period to another and are mostly generated by limited capacities (specialists, knowledge). And, as a result of monitoring, due to the fact that not all authorities remedy infringements and do not implement GPA recommendations, about 2/3 of the procurements carried out with infringements end up with the award of contracts contrary to legal requirements.

[The MAPS report on the evaluation of the national public procurement system](#) in 2021 mentioned the lack of a system of professionalization and certification of specialists in public procurement, and recommended the following actions:

- Recognition of public purchasers as a profession, included in the Single Civil Service Classification (with appropriate job descriptions, skills and competency requirements and clear evaluation and promotion criteria), together with proportionate management, training (possibly complemented by certification) approaches,
- developing and implementing mechanisms for the certification of persons within contracting authorities and procurement service providers responsible for the organization, conduct of public procurement and award of contracts.
- appointments and promotion of procurement staff in a competitive manner and on the basis of professional certification.

EU rules ensure that the procurement of goods, services and works in any Member State is transparent and open to any EU company on the basis of equal treatment and non-discrimination.

In the context of the process of European integration, public procurement (covered by Chapter 5) is part of the group of chapters "Fundamental Values", being an essential area for the proper functioning of any democratic state, which concerns the efficient use of public money. After the official opening of the accession negotiations on June 25, 2024 during the first Intergovernmental Conference with the EU, the Republic of Moldova started the bilateral screening phase with the group of chapters "Fundamental Values", which also covers public procurement.

According to [the European Commission's most recent Report of](#) EU Enlargement October 2024, the Republic of Moldova has a certain level of preparedness in the area of public procurement and some progress has been made. However, the European

Commission's 2023 recommendations have only been partially implemented and remain valid, including: aligning legislation with the *acquis communautaire* (concessions, public-private partnerships); effective monitoring of low-value procurement; continuing efforts to ensure transparency and efficiency of the procurement system by developing a new e-procurement system.

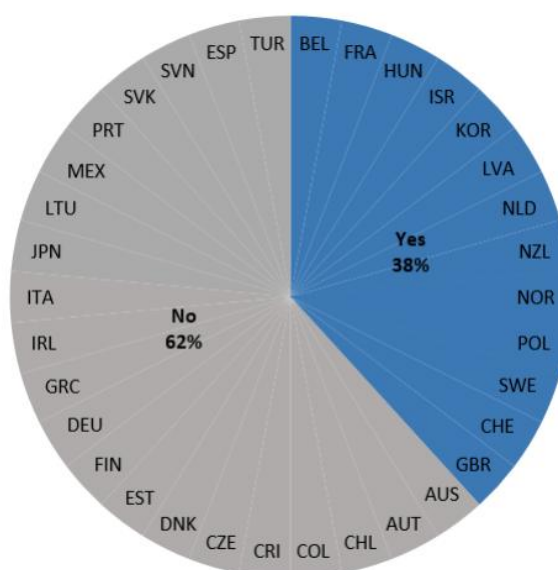
The report emphasizes that the procurement legislation is largely aligned with the EU *acquis*; the powers of the Public Procurement Agency have been extended to monitor low-value procurement and the institutional framework is functional. However, **the capacity to administer and implement public procurement processes needs improvement**

And, the SIGMA monitoring report "Public Administration in the Republic of Moldova" (OECD) of October 2023, notes the lack of progress on the implementation of the mechanism for the certification of public procurement specialists and procurement service providers.

IV. Analysis of good practices in other countries

According to [OECD data](#), by 2020, only 38% of OECD countries recognize "public procurement" as a profession, up from 32% in 2018.

Figure 5.1. Public procurement recognised as a standalone profession in OECD countries (2020)



Note: Data for Canada, Iceland, Luxembourg, and the United States are not available.
Source: (OECD, 2021^[11])

In order to identify an appropriate mechanism for professionalization and certification of the procurement system in the Republic of Moldova, some practices from other countries are analyzed below.

1. Croatia

In Croatia, in the context of EU accession (in July 2013), the need for large-scale capacity building in the field of public procurement was recognized as the majority of staff in public institutions responsible for the procurement process had limited capacity. This is similar to the case of the Republic of Moldova which is facing limited staff and institutional capacity.

To address these challenges, the Croatian Ministry of Economy, Small Enterprises and Handicrafts [has launched a certification mechanism](#) for public procurement officers to be implemented throughout the country. The mechanism aimed at creating a critical mass of people who are informed about the legislation, internal regulations in the field of public procurement and rules for the use of EU funds.

For any procurement procedure falling under the thresholds for mandatory application of the procurement law, a procurement committee must be appointed, which must necessarily include at least one certified procurement person. Therefore, a contracting authority is not required to have a certified procurement specialist on the payroll at all times, but may request such services on an ad hoc basis.

To be certified, a civil servant must complete 50 hours of training/instruction covering the main elements of public procurement legislation and practice. The final test for certification as a procurement specialist is valid for three years. The certified Procurement Specialist may take 32 hours of additional education to enhance their skills and to ensure future renewal of certification. The basic certification costs €500, while the additional course costs €150. After the three-year period, the certification is renewed upon application.

The Ministry of Economy is responsible for certifying trainers, who can come from the private or public sector. The Ministry carries out ongoing checks to ensure that procurement procedures have included a certified specialist. And if found not to have complied with this requirement, both the contracting authority and its representative are fined.

The role of the certified specialist is to ensure that the procurement procedure is carried out in accordance with the law. Although there is no personal liability, there is a reputational risk. Since the introduction of certification, a network of 5000 certified procurers has developed, some 35 of whom have gained a reputation as highly professional experts, whose services are in great demand by the authorities.

2. Romania

In Romania, until 2019, there was no professionalization or career planning mechanism in public procurement. Moreover, as in the Republic of Moldova, there was no formal differentiation between a procurement officer and a qualified and certified procurement specialist. Thus, one of the objectives of the National Public Procurement Strategy for 2015 - 2020³ was the creation of the position of "procurement advisor" and the implementation of a system of professional training of procurement staff.

³<https://anap.gov.ro/web/strategia-nationala-in-domeniul-achizitiilor-publice/>

Subsequently, in 2021 a new occupational standard for the occupation "public procurement expert" was approved by Decision No 358/12.08.2021 of the National Qualifications Authority. The occupational standard "Public Procurement Expert" (COR code 242116) has been revised by the National Agency for Public Procurement (ANAP) represents one of the actions carried out in order to further professionalize the staff with public procurement tasks. The new standard has been developed in accordance with the European Competence Framework for Public Procurement Professionals - ProcurCompEU. [The occupational standard](#) revised is addressed to both staff in charge of public procurement within contracting authorities/entities and economic operators involved in the procurement process, and to individuals who wish to develop their career and skills in this field

In Romania, specialized courses in public procurement are offered by authorized training providers (accredited by the NCA), at the end of which the beneficiary obtains an officially recognized certificate "public procurement expert" (code COR214946). The courses are structured in 2 components: theoretical module (legislation, procedures, SEAP/SICAP electronic system, case studies) and practical module (practical exercises, simulations of tender documents, tenders, etc.). The course lasts 180 hours. The final exam to obtain the "public procurement expert" certification consists of a written grid test, a practical test and, where appropriate, an interview. Upon passing, the beneficiary receives a certificate of graduation recognized by the Ministry of Labour and the Ministry of Education under the title "public procurement expert" and a descriptive supplement of the set of competences acquired. The certificate is also internationally recognized.

3. Austria

Every person who joins the Federal Public Procurement Agency (BBG) is enrolled in a [2.5-year training program](#) following which they receive a Certified Public Procurement Specialist certificate. In order to train and prepare new employees, the BBG Academy has developed an initial 10-day Introduction to Procurement program that provides the skills necessary for newly recruited employees to begin their employment. Thereafter, employees follow the 40-hour core program, divided into basic and advanced components, which culminates in certification. To obtain the certificate, employees must write a final paper and present it to BBG management.

BBG strives to ensure a continuous learning process throughout a certified acquirer's career. They assess their competencies on a regular basis in order to identify and overcome deficiencies in training needs. Based on self-assessment and evaluation by the line manager, an ad hoc training plan is established for each acquirer.

The certification obtained at the BBG Academy on the basis of the 2.5-year training programme is recognized by the contracting authorities which means that they have the right to contract BBG purchasers for their own public procurement procedures. Respectively, both the BBG Academy training and the attractive remuneration are incentives for purchasers to constantly improve their skills.

4. Malta

Malta recognizes that public procurement can support the government's overall strategic objectives of economic growth and economic recovery. The Department of Contracts (DoC) in the Ministry of Finance and Employment has strengthened the regulatory function of the national public procurement system to make it more efficient and to get value for public money. With OECD support, Malta has improved its procurement system in key areas including:

- a) organizational structure of the public procurement system
- b) internal processes for conducting procurement procedures,
- c) implementing a risk-based approach in procurement processes,
- d) the strategic use of public procurement (e.g. promoting and advancing the circular and green economy, supporting the SME sector, stimulating innovation in specific sectors, etc.
- e) professionalization of public procurement specialists
- f) implementing KPIs and using a data-driven approach to regularly assess the effectiveness of the public procurement system.

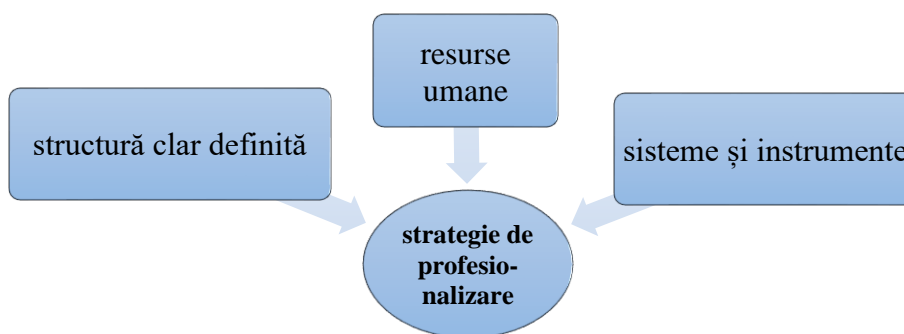
In Malta, public procurement is not recognized as a profession, however, public procurers enjoy career recognition as specialists. [Ministerial Procurement Units \(MPUs\)](#) are entities established under each Ministry, provided for in the Public Procurement Regulations of Malta. MPUs are responsible for the preparation, publication and management of tenders.

Following the creation of MPUs, new job opportunities have been created in the public procurement sector. Four types of positions are defined which correspond to a hierarchy of well-defined levels offering opportunities for skills development and career advancement. Each MPU is composed of 4 types of positions, each for a defined level as follows:

- Deputy Director Public Procurement (grade 5);
- Public procurement manager (grade 7);
- Procurement Officer (grade 9);
- Procurement Support Officer (Grade 11)

V: Solutions for professionalization and certification system in public procurement

A professionalization strategy for public procurement should contain at least the following elements:



Source: <https://eur-lex.europa.eu/legal-content/RO/TXT/?uri=CELEX%3A32017H1805>

As a result of the analysis of the existing legal framework and practices, international best practices, the following is recommended:

1. Recognition of the function of Public Procurement/Public/Sector Procurement Specialist

There currently a high demand for procurement/industry specialists in the public, private and consultancy sectors. Despite this, the profession of procurement/sector specialist is not a very attractive one, neither in financial nor in career development terms. The inclusion of the position of public purchaser/procurement specialist in the Single Classification of Public Positions will help to recognize its importance and increase its attractiveness for procurement specialists, young people, students of economics, law, etc.

2. Setting up a working group to develop a professionalization and certification mechanism in line with European needs and best practices

In order to implement the certification mechanism in a participatory manner, it is recommended to set up a working group, facilitated by the Ministry of Finance, with the involvement of relevant institutions (Public Procurement Agency, CTIF, etc.), representatives of contracting authorities, economic operators, as well as civil society. The role of this working group would be to improve and finalize the draft regulation elaborated by the Ministry of Finance, the set of required competences according to the European framework and the implementation mechanism of the training program and certification process. Another option is the proposal to discuss and coordinate the development of the certification mechanism on the National Public Procurement Platform (NPPP) which has in its composition representatives of all the actors mentioned above. It is essential that the development of the professionalization and certification mechanism starts from the establishment of a concrete set of competences for public procurement professionals and the assessment of the current competences of procurement professionals (subsequently with periodic, e.g. annual, assessment). In this regard, it is recommended to use the European Competence Framework for Public Procurement Professionals - ProcurCompEU⁴. ProcurCompEU was launched by the European Commission in December 2020 to support the professionalization of public procurement. ProcurCompEU provides practical tools to promote the

⁴https://commission.europa.eu/funding-tenders/tools-public-buyers/professionalisation-public-buyers/procurcompeu-european-competency-framework-public-procurement-professionals_ro

professionalization agenda, such as the competency matrix, including 30 key competences for public procurement professionals, self-assessment tool and training curriculum.

The main ProcurCompEU documents contain:

- **Overview of ProcurCompEU** and its use cases
- **Competency matrix**, which describes the 30 competences and skills that public procurement professionals should have according to the role they play
- **a self-assessment tool**, which public procurement professionals and organizations can use to assess their level of organizational readiness and maturity in relation to the various competences identified in the competence matrix
- **general training program**, which shows how public administrations can upgrade the skills of their public procurement professionals.

The ProcurCompEU Competence Matrix describes the core competences (knowledge, skills and attitudes) that public procurement professionals need have in order to perform their professional work effectively and efficiently and to carry out public procurement procedures in a cost-effective way.

The core activities, tasks and responsibilities that procurement professionals typically implement are described and structured around 30 competences. The competences are grouped into two main categories: **procurement-specific competences** and **professional competences**. These categories are further divided into six groups, three for each category:

1. **specific public procurement powers (19):**
 - Horizontal (9 competences);
 - prior to contract award (6 competences);
 - subsequent to contract award (4 powers);
2. **Non-technical/soft skills (11):**
 - Personal (4 competences);
 - Interpersonal (3 competences);
 - Performance (4 competences).
3. **Including a civil society representative with experience in public procurement in the composition of the certification committee**

We consider it appropriate to include a representative of civil society with experience in public procurement (selected through a competitive procedure) in the certification commission to be set up at the level of the Ministry of Finance in collaboration with the sector authorities.

4. Implementation of a single level certification scheme

In the context of the functioning of the public procurement system in the Republic of Moldova and the analysis of other practices, we consider it appropriate to implement a single-level certification system. Subsequently, based on the evaluation of the progress in the implementation of the professionalization and certification system, the appropriateness of establishing a multi-level system can be considered.

5. Providing the right of application to the professionalization and certification system for any natural person

All attempts so far to develop a mechanism for professionalization and certification have provided the right of application exclusively for civil servants. We consider that through such policies, the public sector and public procurement will not benefit from attracting additional human resources to this function. Therefore, in order to attract qualified specialists to the procurement sector, we recommend offering the right of application to the professionalization and certification system to any natural person who meets the requirements in terms of education, experience, etc. In this context, we welcome the fact that the draft Government Decision on the approval of the Certification Regulation provides for the possibility of professionalization and certification for all natural persons who meet the established requirements, regardless of their institutional status, and we express the hope that this inclusive approach will be maintained in the final form of the normative act, without being restricted in the process of consultation and adoption by the Government.

6. Link certification to the public sector recruitment, appraisal and promotion system

In order for certification to have a real impact on the quality of public procurement, it needs to be integrated into the human resources processes of public administration. The possession of a procurement certificate should be a preferential or mandatory criterion in the recruitment of staff managing procurement. At the same time, job performance and opportunities for career advancement should be linked to the level of training and maintenance of certification. In this way, certification will not remain just a formal exercise but will become a real tool for professionalization and motivation.

7. Ensure the sustainability of the professionalization and certification system by creating a mixed funding mechanism

In order to ensure the continued functioning of the certification scheme, a sustainable funding mechanism that does not depend solely on the state budget or external projects needs to be created. It is recommended to develop a mixed funding model, combining budgetary allocations (in particular for civil servants), individual contributions from participants (in particular from the private sector or consultancy) and possible support from donors or international institutions. In addition, facilities could be envisaged for local contracting authorities as well as for young professionals wishing to enter the field.

8. Creating a public register of certified specialists

To ensure the transparency and accessibility of the certification system, it is recommended to establish a public electronic register of certified procurement specialists. This would include basic information such as name, field of expertise, current certification status, any additional specializations or training, and contact details (optional). The register would make it easier for contracting authorities to identify available experts, encourage collaboration with external consultants and provide citizens with a tool to verify the integrity and competence of the persons involved in the procurement process. The Register could be managed by the Public Procurement Agency or by a structure designated by the relevant competent authority.

9. Regulating the right to offer the procurement training program by any accredited training center

The draft regulation provides for a single training center for procurement specialists, designated by the Ministry of Finance. The training program is to be free of charge for civil servants and against payment for other beneficiaries. We consider this limitation as inappropriate and contrary to international best practice. And, we recommend liberalizing this activity and ensuring competition which has the role of improving training services. For example, in Romania, specialized courses in public procurement are organized by authorized training centers/suppliers (accredited by the National Qualifications Authority). At the end of this course, the beneficiary obtains an officially recognized certificate called "public procurement expert".

Therefore, any educational institution, private company providing training services or organization that meets all the eligibility conditions and will be accredited, will have the right to provide this service for a fee. And, the beneficiaries will be free to choose the training center according to the quality of the service, reputation, experience of the trainers, etc. Therefore, we propose a mixed solution whereby both a training center designated by the Ministry (CTIF) where civil servants would be trained, and other private centers that would be accredited and would operate according to the principles of competition and free market.

10. Including a regulation on the recognition/validation of international certifications in procurement

In the context of the lack of a certification mechanism in public procurement, over the years, procurement specialists, both officials from contracting authorities and from the private or consultancy sector, have passed training and certification programmes offered by institutions from other EU countries or organizations that are internationally recognized ("public procurement expert" in Romania, MAPS certification, CIPS, etc.). We therefore recommend that the draft Regulation on certification should regulate the recognition of these certifications at national level, provided that they are properly accredited.