



Open Government Partnership

Independent Reporting Mechanism

Moldova: Comments received on the Design Report for the fourth OGP action plan (2019-2020)

The IRM received the following comments from Tatiana Bodrug:

Section II: Country Context:

In the previous version of the electronic public procurement system (SIA RSAP), it was possible to see other business processes, such as: Prior Information Notice, announcement of the procurement procedure - creation and publication of an announcement on the participation (Contract Notice), on-line generation of award documentation, on-line submission and response to clarifications, registration of the participant in the procurement procedure, mandatory registration (data entry) of an offer submitted on paper, recording of complaints, semi-automatic evaluation of offers (based on entered data), on-line generation of procurement reporting documents (evaluation protocol, procurement procedure report, report on awarded contracts, protocol on an additional agreement, report on additional agreements), award of contracts with a detailed list of awarded positions, contracts downloading, publication of a list of concluded contracts, registration of contracts modifications (additional agreements), publication of additional agreements, maintaining and publishing of lists of qualified and forbidden economic operators, maintaining of Public Procurement Bulletin. Even if the currently available functionalities in SIA RSAP MTender is insufficient to implement public procurement procedures in accordance with Public Procurement law 131/2015, in November 2019 was launched the EU project "Technical Assistance for developing an eProcurement system in the Republic of Moldova". Currently, the Republic of Moldova is at the stage of carrying out the above-mentioned assistance project by the experts of "European dynamics" company, which aims to develop the electronic system of public procurement in the Republic of Moldova. Under this project, a fully functioning system is to be developed by the end of this year, ensuring transparent procurement at all stages.

Section V: General Recommendations:

Ensuring the continuity of public procurement transparency is a basic condition of the EU assistance project "Technical Assistance for developing an eProcurement system in the Republic of Moldova". Also, to be noted that transparency of the public procurement process is achieved, first of all, by the obligation of the contracting authorities to provide all the information about their activities.

Asigurarea continuității transparenței achizițiilor publice este o condiție de bază a proiectului de asistență a UE „Asistență tehnică pentru dezvoltarea unui sistem de achiziții electronice în Republica Moldova”. Totodată, se menționează că, transparența procesului de achiziții publice

se realizează, în primul rând, prin obligația autorităților contractante de a furniza toate informațiile despre activitățile lor.

Funcționalitățile existente la moment în SIA RSAP MTender nu sunt suficiente pentru realizarea procedurilor de achiziții centralizate caracteristice CAPCS. În special, este vorba despre procedurile de achiziții cu un număr mare de loturi, care sunt extrem de dificil de realizat în SIA RSAP MTender, din motivul lipsei la moment a unor instrumente specifice care să automatizeze procesul de achiziții la anumite etape, precum importul de date în formatul stabilit de CAPCS, asigurarea validării datelor cu Nomenclatorul de stat al medicamentelor, modificarea cantităților atât la etapa de desfășurare a procedurilor de achiziții publice, cât și la etapa de contractare a bunurilor, etc.

The IRM received the following comments from Diana Enachi:

Section V: General Recommendations:

The MTender system does not provide access to procurement contracts and any data on contracts, since the contracting stage has not been developed to date in the system. The system functionalities have been developed by the stage of qualification of bidders (please see all procurement stages developed within MTender directly in the system: <https://mtender.gov.md/tenders>).

Besides, as the Government Decree on the approval of the MTender technical concept (no. 705 / 2018) provides: the MTender system is to ensure interoperability with government electronic services, IT systems and state registries relevant to public procurement processes. This approach guarantees a modern advanced system of procurement by electronic means, with full functionalities, but excluding some additional risks or costs, given that government electronic services are largely implemented.