Development of the national public procurement framework in CROATIA

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VIth IPA REGIONAL PUBLIC PROCUREMENT CONFERENCE
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Strategical development of national PP system

- Legislative framework
- Institutional framework
- Administrative capacities on all levels
- Ensuring enforcement
Legislative activities

- **Public Procurement Act (OG 90/11)**
  - Subordinate legislation adopted and in place after entering into force of the PPA

- **Concessions**
  - Concessions Act, (OG 143/2012)
  - Subordinate legislation adopted and in place after entering into force of the CA

- **Public Private Partnership**
  - Act on Public Private Partnerships, (OG 78/2012)
  - Subordinate legislation adopted and in place after entering into force of the PPPA

- **State Commission for Supervision over Public Procurement Procedure**
  - Act on the State Commission for Supervision over Public Procurement Procedure, (OG 18/2013)
Legislative framework on public procurement

- **new** Public Procurement Act (OG 90/11)
  - entered into force on 1 January 2012
  - subordinate legislation adopted and in place after entering into force of the PPA
Amendments to the PPA in the parliamentary procedure

Reasons:

✓ amendments needed in order to harmonize with the new CA and the ACR
  ➢ 1st of January 2013 the new Criminal Act entered into force → introduces some new criminal offences and changes to the description of some of the criminal offences (also listed in PPA)
  ➢ 1st of January 2013 the new Act on Criminal Records entered into force → enables contracting authorities and entities to verify that the candidates and tenderers are not subject of a conviction by final judgment for criminal offences

✓ amendments of technical nature → purpose of achieving more efficient award procedure and review procedure

✓ amendments concerning the electronic submission of tenders and requests to participate
Strategic framework on e-procurement

“Strategy on development of e-procurement in the Republic of Croatia 2013-2016” adopted in May 2013 (OG 54/13)

✓ focused on further development of e-procurement (introduction of e-submission)
✓ provides information on strategic direction for introduction of additional elements of e-procurement in Croatia and measures to be taken in order to achieve goals defined in strategic direction

<table>
<thead>
<tr>
<th>Dynamics of introduction of e-submission</th>
<th>Mandatory permissibility of e-submission</th>
<th>Mandatory usage only of e-submission</th>
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</thead>
<tbody>
<tr>
<td>Category of contracting authority/entity</td>
<td>HV</td>
<td>LV</td>
</tr>
<tr>
<td>1) Central State Office for Centralised Public Procurement (CPO)</td>
<td>1 January 2014</td>
<td>1 January 2014</td>
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<tr>
<td>2) other contracting authorities/entities</td>
<td>1 January 2015</td>
<td>1 July 2015</td>
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Institutional framework on public procurement

Ongoing activities related to new structure of the State Commission for Supervision of Public Procurement Procedure

✓ In line with the new Act - 9 members of SC
✓ Preparation for appointment of 4 new members
✓ Decision making in three parallel councils
Implementation of legislative framework

• Strengthening capacities of all relevant stakeholders on ensuring proper implementation of legislative framework - continuous process

• Continuation of all activities in respect to:
  ▪ Various assistance tools to all stakeholders - contracting authorities, economic operators, competent institutions (e.g. State Attorney’s Office), etc.
  ▪ Comprehensive training system
  ▪ Implementing tools - e.g. ongoing activity on drafting the new PP Manual in line with legislative amendments
  ▪ Enforcement - review system, other control mechanisms (e.g. Ministry of Economy)
THANK YOU FOR YOUR ATTENTION!!