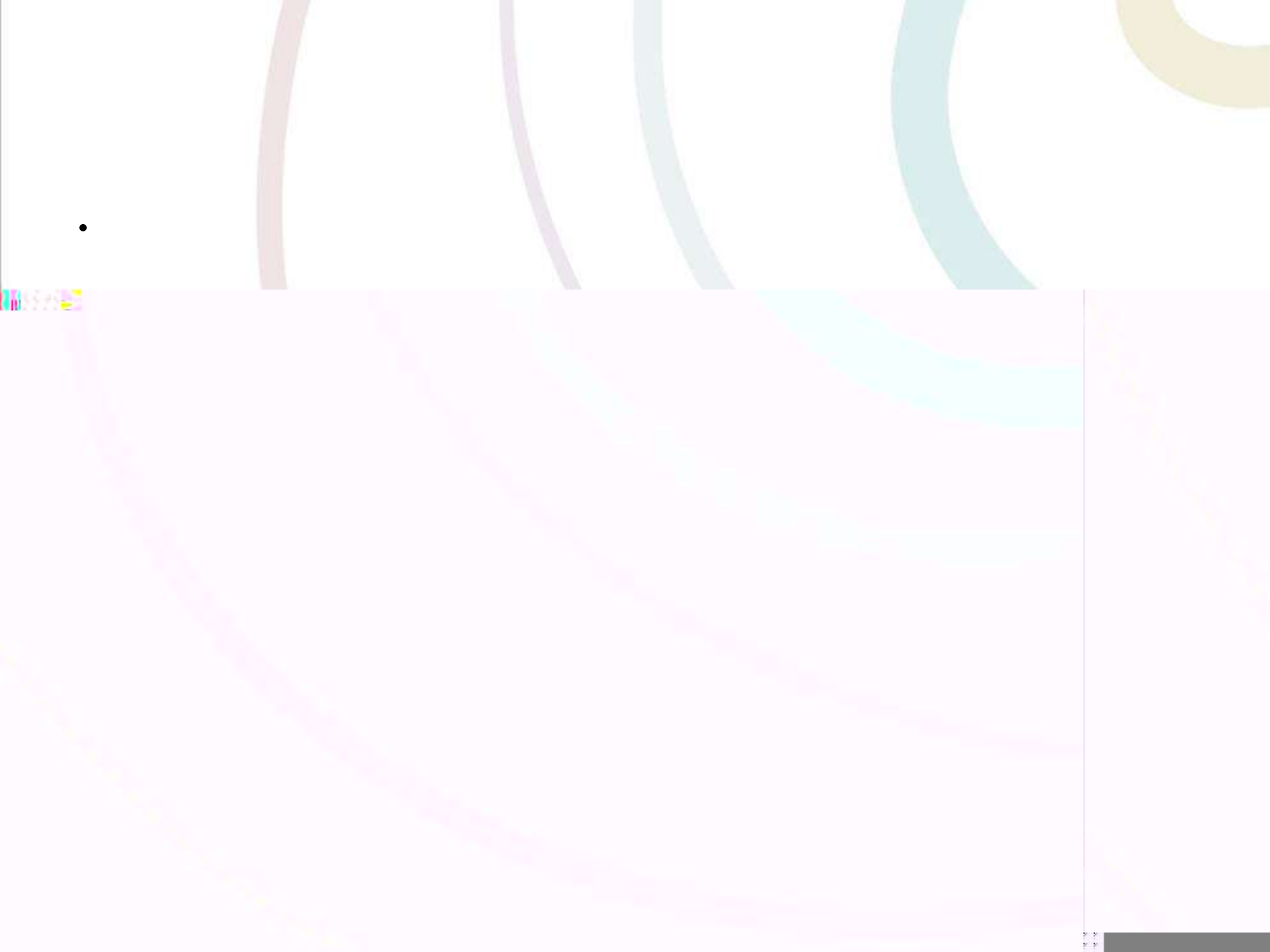


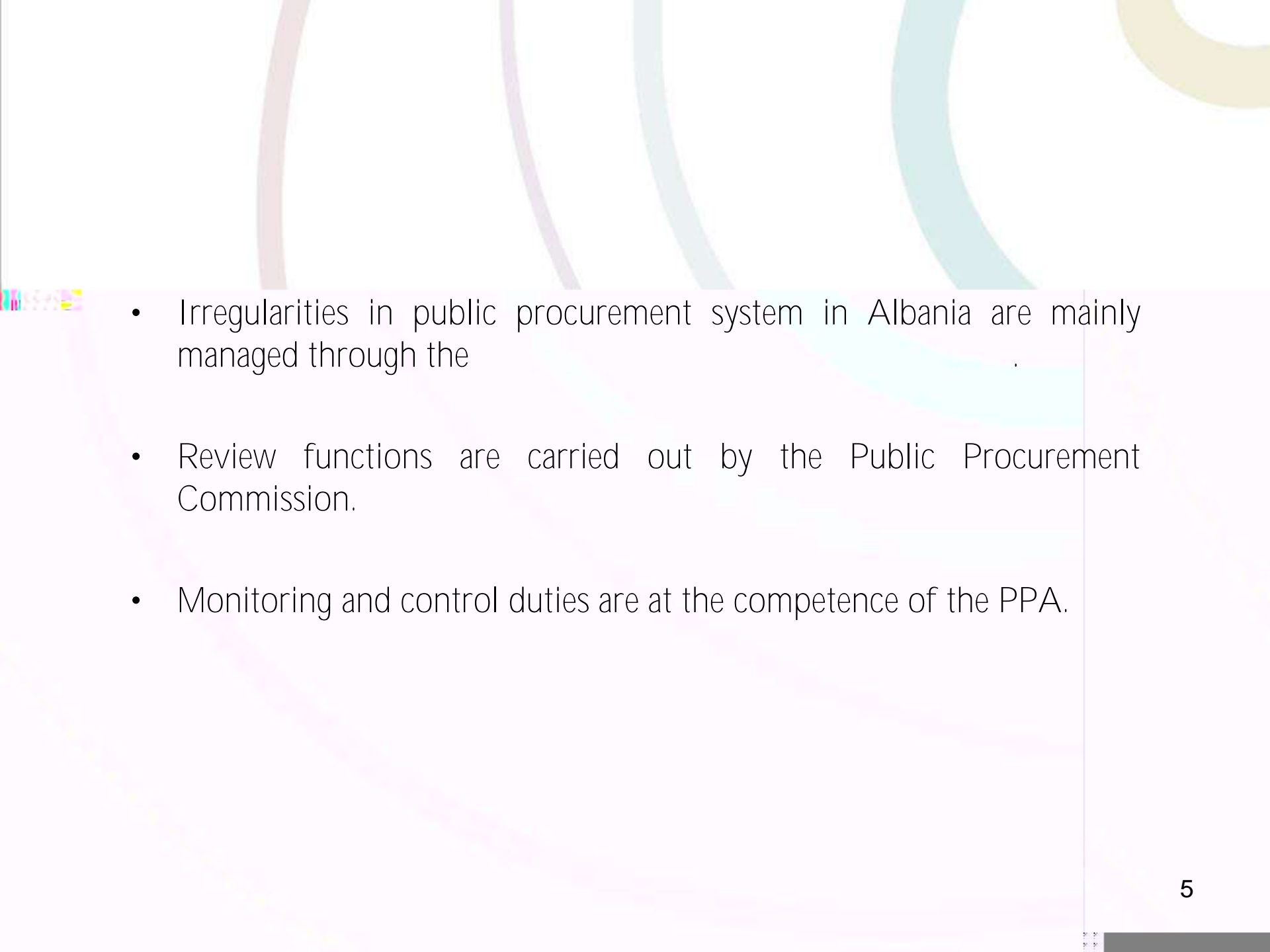
REGULATORY AND MONITORING REQUIREMENTS

FOR EFFECTIVE PROJECT IMPLEMENTATION

- Public Procurement Law No 9643/2006, as amended
- Concessions and PPP Law No 125/2013, as amended

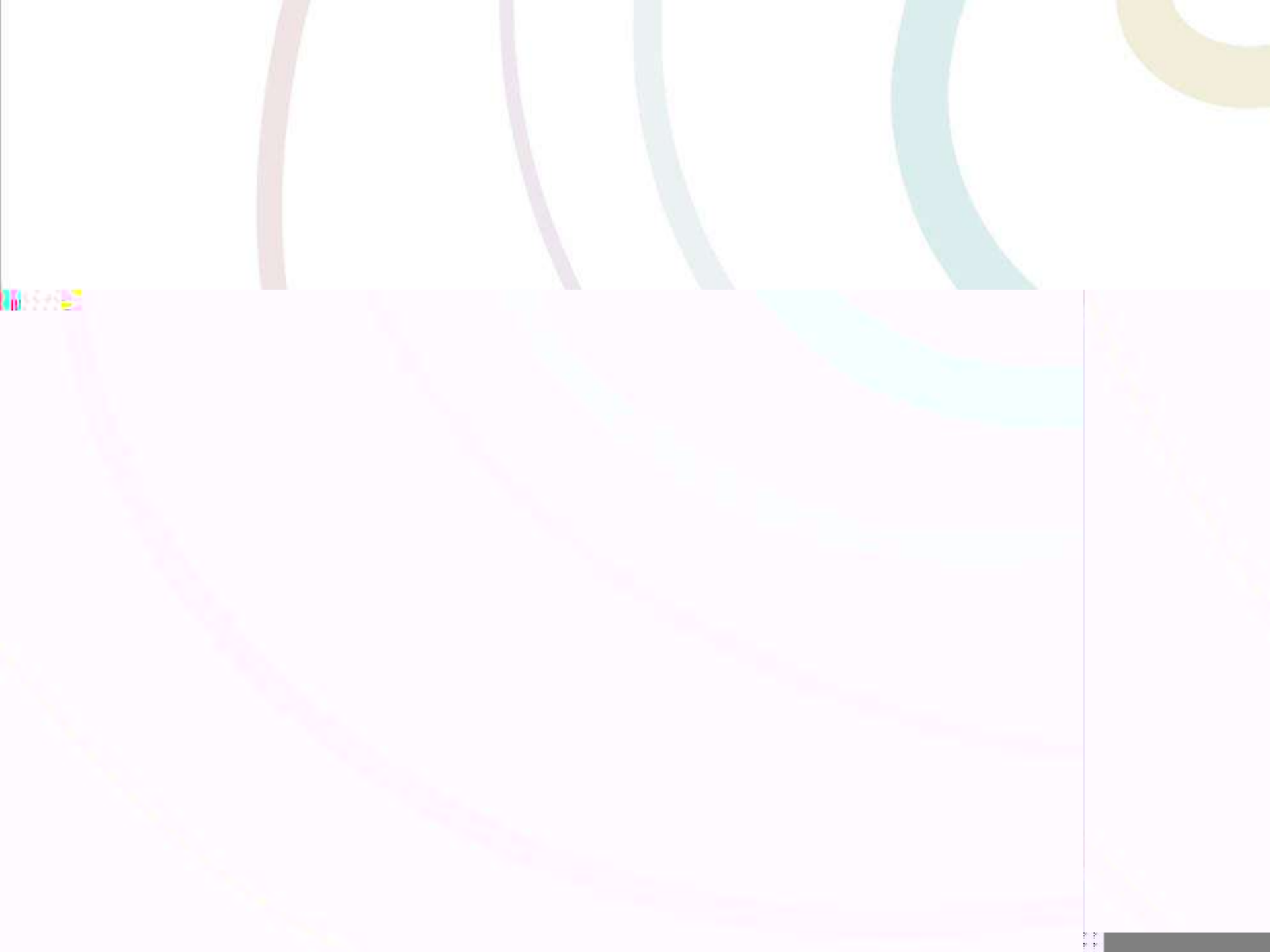


- Public Procurement Agency
- Public Procurement Commission

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- Irregularities in public procurement system in Albania are mainly managed through the .
  - Review functions are carried out by the Public Procurement Commission.
  - Monitoring and control duties are at the competence of the PPA.

- In order to fulfill such competence, PPA does prepare 3-month monitoring plans, which define the contracting authorities and the procedures to be controlled. These plans are prepared on the basis of statistics carried out by PPA, and also based on different incentives submitted by economic operators, that pretend law infringements by the side of contracting authorities.
- PPA proceeds with monitoring of procedures after the procurement contract was signed.

- The monitoring process aims the identification of contracting authorities' shortages, in respecting the legal and sub-legal requirements when conducting the procedures, and provision of the respective interpretation for the right implementation of legislation.
- In case of law infringements, PPA has the power to decide administrative measures for the responsible procurement employees.
- During 2014, PPA monitored and issued decisions for about 82 public procurement procedures.
- For the first months of 2015, PPA prepared the Monitoring Plan February – May 2015, with 33 public procurement procedures to be monitored.







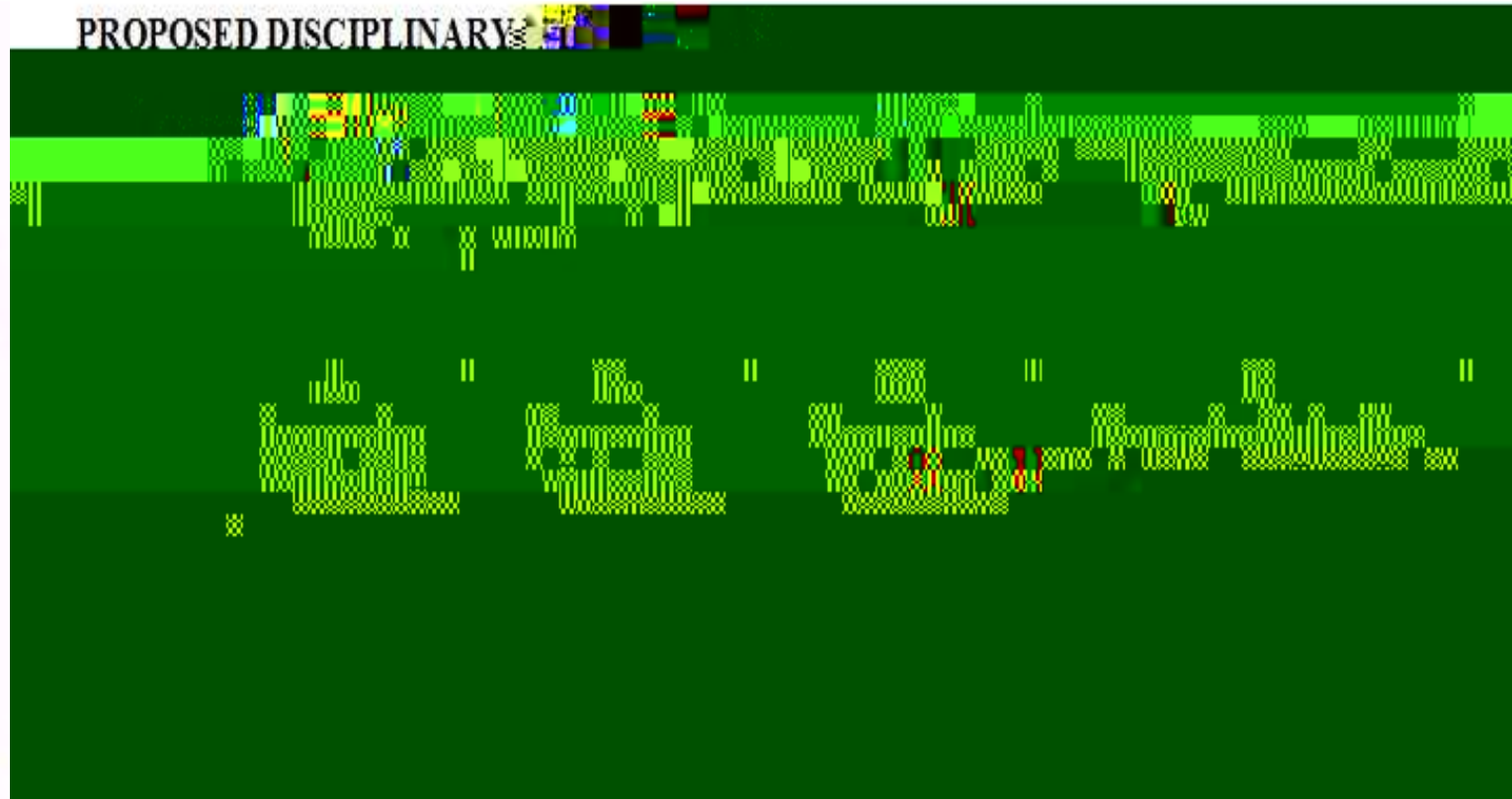


## DISCIPLINARY MEASURES

Role of the person	Number
Head of contracting authority	1 Contracting Authority
Member of Procurement Unit	26 Contracting Authorities
Member of Offers Evaluation Commission	7 Contracting Authorities
Member of the Group for Calculating the Unit Fund	4 Contracting Authorities
Member of the Contracting Authority	4 Contracting Authorities



## PROPOSED DISCIPLINARY



- Another way of monitoring, performed in the framework of managing the irregularities and properly enforcing the legislation, is made through analyzing the recommendations coming from auditing institutions.
- Audit authorities (Supreme State Audit and Internal Audits of other institutions) send for competence to the PPA their findings, based on which the latter examines the actions, or non actions of contracting authorities, and in case

Through the latter, PPA provide statistics on:

- number of procedures, according to their type and procurement object (goods, services and works), published, cancelled, and awarded during a calendar year.
- total limit fund, procured total fund, saved total fund.
- number of offers submitted to procurement procedures, and the report of qualified offers against those disqualified.
- average participation rate of EOs in a procurement procedure.





- During trainings organized by PPA are discussed issues that contracting authorities find difficult to implement in practice, and also are expressed views for improvement.

- Public Finance Management Strategy 2014-2020, adopted in December 2014.
- One chapter is dedicated to public procurement and concessions.
- The procurement part defines main goals in development of the public procurement system and measures required for their achievement.
- Achievement of planned tasks will serve for monitoring the system in entirety.

- Future measures foreseen by PPA include:
  - Expand the monitoring function of PPA, by increasing the number of procedures and contracting authorities to be monitored per year.
  - Capacity increasing of the procurement employees, by organizing continuous trainings.
  - Further develop and improve the Electronic Procurement System through "Service on Automation of simple historic E xtracts" by the National Registration Center, with the aim to minimize the documents loaded in this system.
  - Improve the functionality of the electronic archive and increase its capacities to withstand the increasing number of procurement procedures being conducted in the platform of electronic procurement system
  - Stimulate the application of Framework Agreement, as a means that provides competition and transparency in conducting the procurement procedures.



**Thank you!**