Contents

- Public Procurement Market
- National Public Procurement System
- Public Procurement Agency
- Development and Adoption of the National Public Procurement Strategy
- Scope and Objectives of the Strategy
- Implementation Status
- Activities Performed: Legislative and Non-legislative Instruments
- Activities Performed: Capacity Building and Professionalization
- Activities Performed: Enhancing Control, Monitoring and Appeal Systems
- Ongoing Activities and Tasks
- Useful Links
## Public Procurement Market

<table>
<thead>
<tr>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of contracting authorities/contracting entities</strong></td>
<td>5 674</td>
<td>5 913</td>
<td>6 225</td>
</tr>
<tr>
<td><strong>Number of contractors</strong></td>
<td>22 680</td>
<td>24 488</td>
<td>26 360</td>
</tr>
<tr>
<td><strong>Total number of public procurement procedures</strong></td>
<td>11 881</td>
<td>11 122</td>
<td>10 235</td>
</tr>
<tr>
<td><strong>Number of procedures for awarding above-threshold procurements</strong></td>
<td>3 291</td>
<td>3 220</td>
<td>4 336</td>
</tr>
<tr>
<td><strong>Number of award procedures for ESIF-financed procurements</strong></td>
<td>2 336</td>
<td>1 247</td>
<td>1 420</td>
</tr>
</tbody>
</table>

**Graphs:**
- **Bar chart:** Yearly percentage distribution of contracts by category (Works, Supplies, Services).
- **Line chart:** Yearly trend of total number of contracts and total value in billion leva.
Legal Framework

- EU legislation in the field of public procurement
- National legislation
  - Public Procurement Act and Rules for the Implementation of the Public Procurement Act
  - Other secondary acts on specific issues related to public procurement
Art. 227 of the Public Procurement Act:
The Minister of Finance shall implement the State policy in the field of public procurement through the Public Procurement Agency.

Main functions of the Public Procurement Agency (PPA):
- Development of strategic and operational documents related to public procurement;
- Legislation drafting, methodological support and good practices dissemination;
- External ex-ante control on public procurement and monitoring checks on specific procurement procedures;
- Coordination of standardization process and publication of approved standard documents/requirements;
- Administering the Public Procurement Register and monitoring the award of public procurement contracts;
- Cooperation with other bodies both at national and EU level (including provision of information and statistical reports to the EC), etc.
Development and Adoption of the National Public Procurement Strategy


  Context: Partnership Agreement between the European Commission and Bulgaria on using EU Structural and Investment Funds for growth and jobs in 2014-2020

  ExAC Action Plan

  GExAC 4. on “public procurement”: The existence of arrangements for the effective application of Union public procurement law in the field of the ESI Funds.

  Relevant criteria:
  1. Arrangements for the effective application of Union public procurement rules through appropriate mechanisms;
  2. Arrangements for training and dissemination of information for staff involved in the implementation of the ESI funds;
  3. Arrangements to ensure administrative capacity for implementation and application of Union public procurement rules.

- Adoption of the Strategy and its Implementation Plan by the CoM: July 9, 2014
Scope and Objectives of the Strategy

- **Time scope of the Strategy:** 2014 – 2020

- **Main objective:** Enhancing the efficiency and lawfulness in the award of public procurement

- **Impact areas and specific objectives:**
  - **Legislation** - Stable, simplified framework legislation, fully compliant with the new EU directives
  - **Application of the Legislation** – Establishment of lawful practices
  - **Publicity and Transparency** - Improving publicity and transparency by introducing entirely electronic methods and tools for the award of public contracts
  - **Administrative Capacity and Professionalism** – Building sustainable administrative capacity and enhancing professionalism in the sector
  - **Control System** – Raising the effectiveness of ex-ante control, simultaneous control and ex-post control on public procurement
Implementation Status

- 2014 – 2020 Implementation Plan covering:

  - 14 measures and 45 activities related activities, out of which, currently:

    ✓ 34 activities are fully completed;

    ✓ 9 activities of a permanent or periodic nature are being implemented;

    ✓ 2 activities are to be completed before the end of 2018.
Activities Performed: Legislative and Non-legislative Instruments


☞ New Public Procurement Law /PPL/ (adopted by the National Assembly on 02 February 2016, published in the State Gazette on 16 February 2016 and enacted on 15 April 2016)

☞ Rules for the Implementation of the Public Procurement Law (in force as of 15 April 2016), as well as other acts of secondary legislation

✓ Development of practical tools and guidelines

☞ New standard forms (used also in national procedures for the award of public procurement contracts below EU thresholds)

☞ Standardized public procurement contracts and contract clauses

☞ Practical guidance on the implementation of the new PPL

☞ Methodological guidelines on specific issues, etc.
Activities Performed: Capacity Building and Professionalization

- Design and implementation of training programs for different stakeholders
  - Training program on public procurement /developed by the Institute of Public Administration (IPA) in cooperation with representatives of the coordination unit of DG REGIO and the Council of Ministers Administration and with the technical support of OECD/
  - ESIF Academy
  - Joint training program of the IPA and the PPA
  - Public procurement in higher education
- Dissemination and exchange of information
- Development of CPBs
- Strengthening the administrative capacity of the PPA
Activities Performed: Enhancing Control, Monitoring and Appeal Systems

✓ Reinforcing cooperation and improved functioning of control, monitoring and appeal systems

✏ Redesigning the external control carried out by the PPA:
- Control through random selection of procedures (based on risk assessment)
- Control on specific negotiated procedures
- Control on the application of specific exemptions from the scope of the Public Procurement Act
- Control on specific amendments to the public procurement contracts

✏ Joint Guidelines on performing ex-post control in the field of public procurement and checklists developed by the Public Financial Inspection Agency and the National Audit Office

✏ Methodological Council for aligning the practices related to ex-ante and ex-post control

✏ Strengthening the management and control of EU funds (annual updates of checklists and the verification methodology, analysis on practical results, sharing experience and good practices, etc.)

✏ Overall review of the appeal system and follow-up measures

✏ Bilateral and multilateral agreements to enhance cooperation among different authorities at national level
Ongoing Activities and Tasks

- **Ensuring the efficient implementation the PPA’s control and monitoring functions**
  - External expertise for checking technical specifications

- **Introduction of e-Procurement**
  - Development and launching of a single national web platform for e-Procurement
  - External contractor selected (as result of an open procedure launched in February 2017)
  - Modular design of the platform - 32 modules
  - 2-stage implementation
  - Expected launch dates
    - 1st stage: up to 9 months after the contract conclusion
    - 2nd stage: up to 36 months after the contract conclusion

- **Further improvement of administrative capacity, professionalization and effective management of public procurement**

- **Measuring the impact of implemented measures under the 2014-2020 Strategy and assessing the overall performance of the public procurement system**
  - RAS Agreement between the PPA and the IBRD for assessment of the public procurement system in Bulgaria
Useful Links

- Public Procurement Portal (EN):

- Statistical information on the award of public procurement contracts:

- National Strategy for Development of the Public Procurement Sector in Bulgaria over the Period 2014 - 2020:

- Implementation Plan of the National Strategy for Development of the Public Procurement Sector in Bulgaria over the Period 2014 – 2020:

- Information on IPA’s Public Procurement Program:
THANK YOU FOR YOUR ATTENTION!

Veselina Atanasova
Head of SDC Unit, Legislation and Methodology Directorate
Public Procurement Agency, Bulgaria
v.atanasova@aop.bg