



Ministry of Public Finance
National Agency for Public Procurement

Project Advisory Support

New Ex-ante Control System

Project Implementation Support from EIB

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National Public Procurement Strategy

Provides a comprehensive roadmap for the **reforms in public procurement** and enables the Government of Romania, through National Agency for Public Procurement (“ANAP”) to initiate and perform sequential and sustained measures for bringing in **good governance and strengthening the procurement systems.**

Adopted in **October 2015.**

Ex-ante conditionalities

Moving from systematic controls to **sample based controls**

Empowering ex-ante control body to enforce corrective measures

Guidance to the **preventive financial controllers**

Guidelines for dealing with **public utilities relocations** in infrastructure projects

Internal control systems for the Contracting Authorities

Guidelines for **preventing conflict of interests**

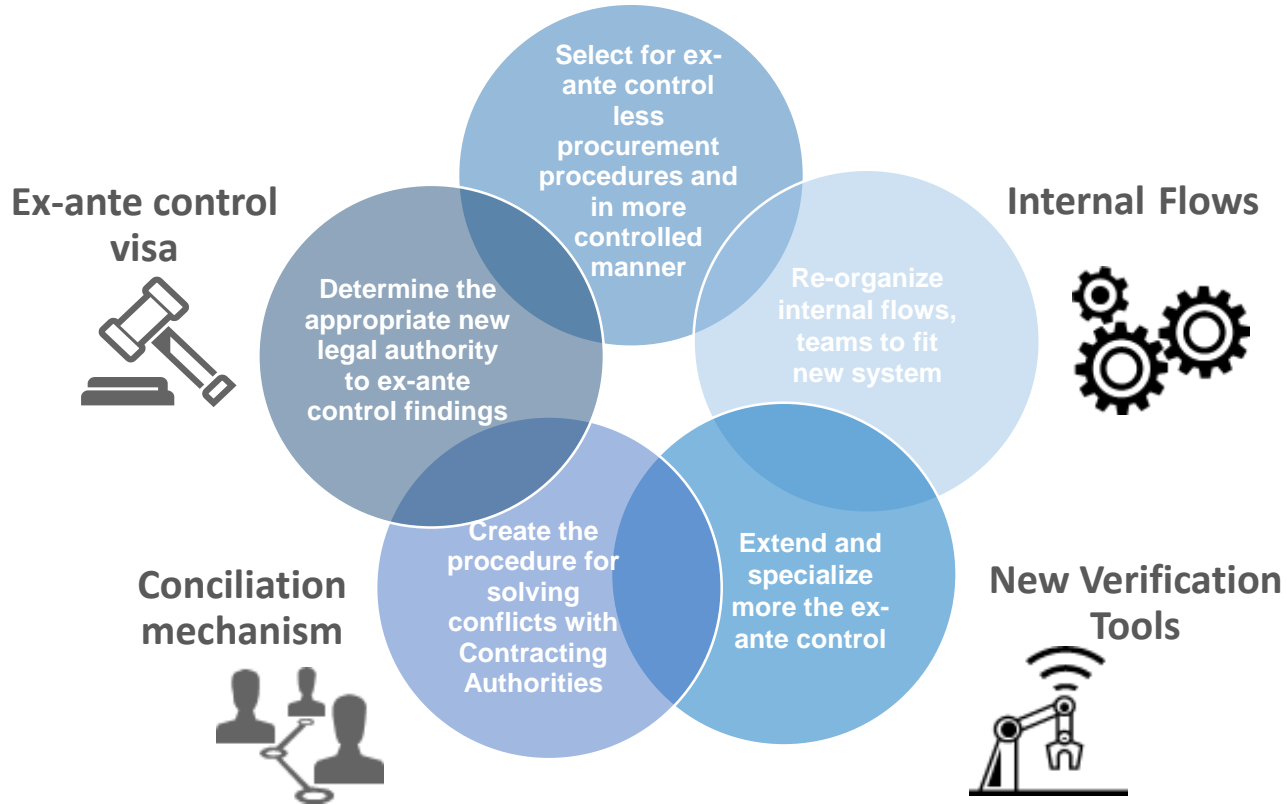
Setting up of a **Centralised Procurement Body** at the central level

Feasibility study for establishing **regional Centralized Procurement Bodies**



What have been changed?

Sampling Methodology



To provide more value-added ex-ante control

To increase the level of legal authority of ex-ante findings in the overall procurement system

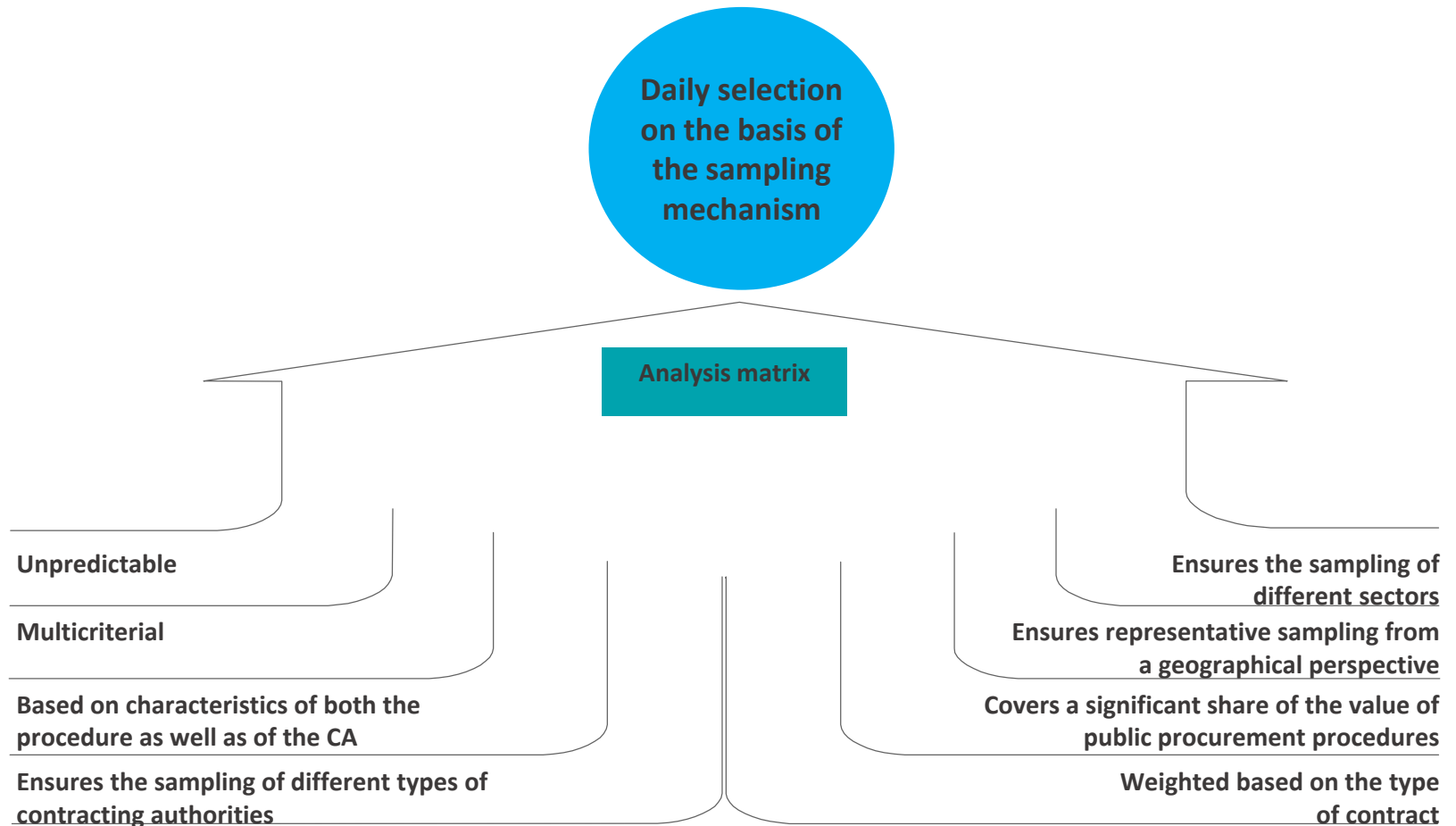
To increase the level of professionalization of staff, internal cohesion and unitary practice

GOAL



New sampling system

“Moving from ex-ante control over circa 20,000 procedures to most relevant 3,000 procedures”



Key requirements fulfilled by the new sampling methodology / sampling system

1

SIMPLE

- Reasonable number of criteria and sub-criteria
- Straightforward mechanism flow

2

UNPREDICTABLE RESULTS

- Random-based selection once in the short list

3

EASY TO USE

- Likely to consume minimum staff hours

4

REQUIRING MINIMUM NEW DATA INPUT

- Data already existing in the public procurement system

5

REASONABLY FAST

- Not delaying ANAP's ex-ante control

Mandatory corrective measures

01

Recommendations

- ✓ Contract modifications
- ✓ Quality aspects for tender documents for utilities

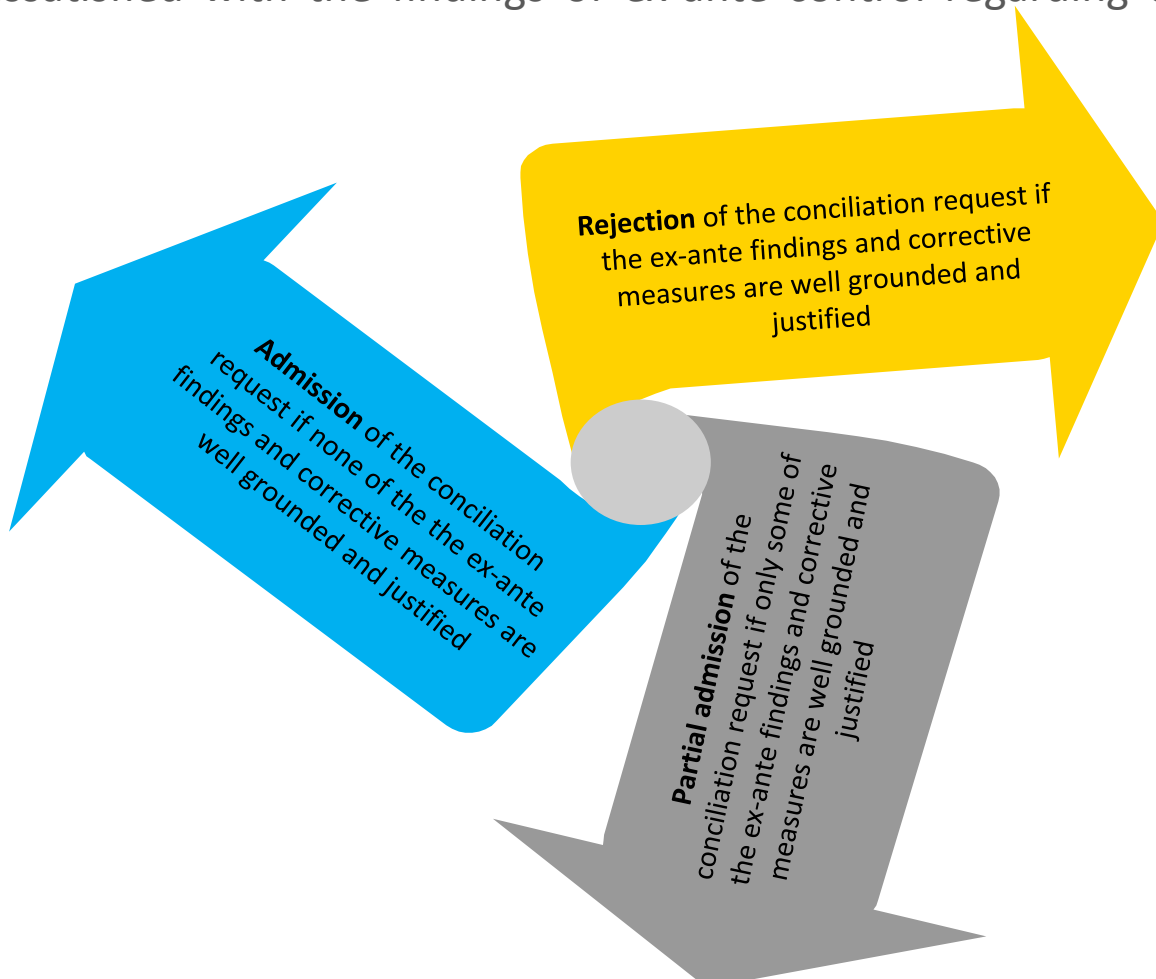
02

Ex-ante control visa

The rest of situations.

Conciliation mechanism

The **conciliation procedure** may be initiated by contracting authorities which are dissatisfied with the findings of ex-ante control regarding quality aspects



New ex-ante control tools developed for the verification of tender documentations include:

Summary checklists - contain 20-25 checkpoints summarizing the conclusions of the verification.

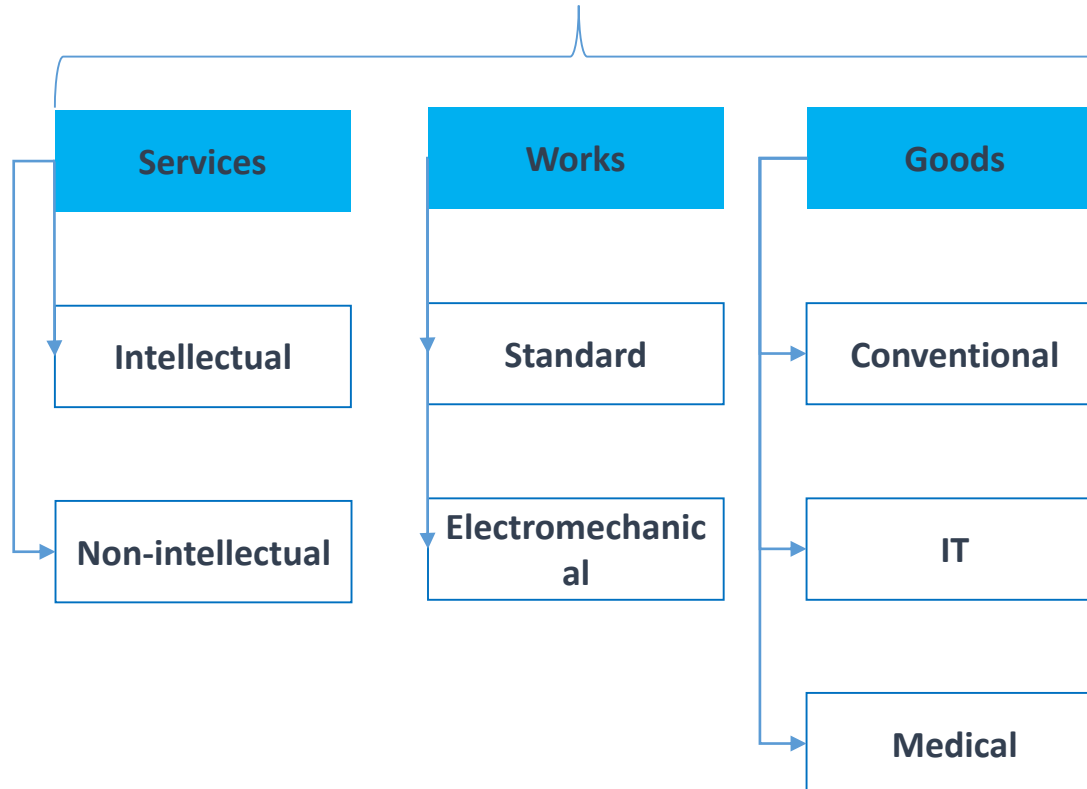
Extended checklists - contain circa 250 checkpoints and is used by the verifier to support the conclusions for the summary checklist.

Guidance notes - provide brief, to the point explanations of key topics that would be object of the ex-ante control



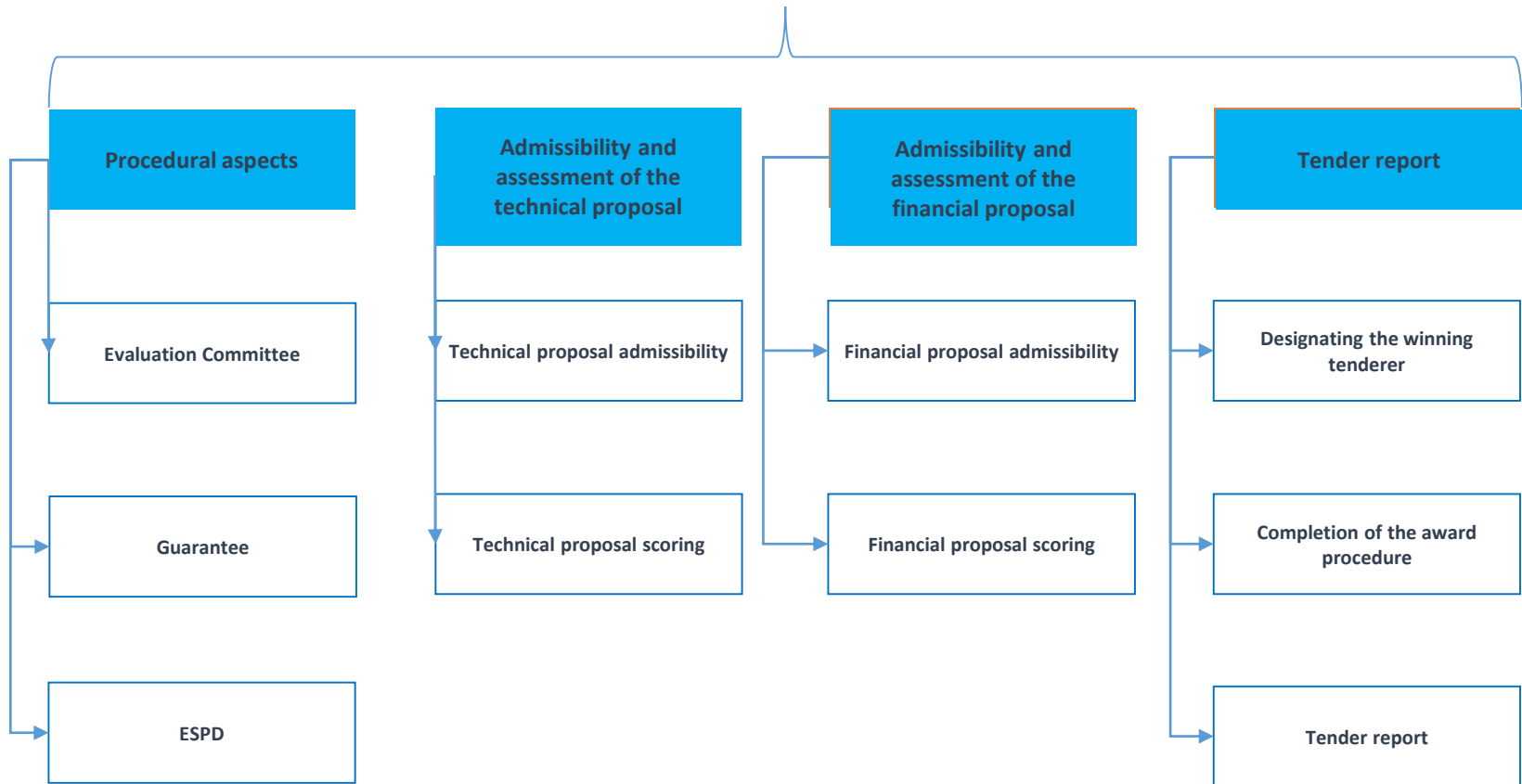
In the case of tender documentation, checklists and guidance notes have been produced for 7 key sectors, based on the object of the contract

Object of the contract



In the case of the award procedure, several checklists are used, one for each stage of the verification process

Verification of the award procedure



ANAP - EIB Project Advisory Support Service Agreement 2016 – 2018

Strong **ownership**;
Effective **coordination**;
Permanent **presence**;
Fast **mobilization**;
Access to the **pool of experts**;
Responding to changing
needs;
Independent professional
opinion;
International know-how



improve
together

EIB Expert & circa 30
Third Party Consultants;
Over 200 deliverables;
Improvements on
primary, secondary and
tertiary **legislation**;
Sampling methodology;
Ex-ante verification tools;
Trainings;
Guidance documents

**Measures of the National Public Procurement Strategy successfully
implemented and, as a result,
Ex-ante conditionalities lifted!**

Links:

Guidelines on strengthening **financial-preventive control** in the field of public procurement and **the Code of Ethics** for persons designated to exercise preventive financial control:

<http://anap.gov.ro/web/prezentare-proiect-poca/rezultate/>

Guidance for contracting authorities on preventing **conflicts of interest** in public procurement processes:

http://anap.gov.ro/web/wp-content/uploads/2017/03/Coi-Guide-Final-Version-17082017-agreed-with-ANAP-TT_v1.pdf

Guidance on the implementation of **internal control standards** to large contracting authorities:

<http://anap.gov.ro/web/wp-content/uploads/2017/08/Indrumar-AC-MARI-24072017.pdf>





Questions
Answers

