



BOSNA I HERCEGOVINA  
БОСНА И ХЕРЦЕГОВИНА  
BOSNIA AND HERZEGOVINA  
**AGENCIJA ZA JAVNE NABAVKE - NABAVE**  
**АГЕНЦИЈА ЗА ЈАВНЕ НАБАВКЕ**  
**PUBLIC PROCUREMENT AGENCY**

# **Public procurement system development in Bosnia and Herzegovina**

*Public Procurement Agency*

# Legislative activities

- On 15<sup>th</sup> October 2012 the PPA sent to the Government the Draft Public Procurement Law which fully transposes the provisions of the 2004/17 and 2004/18 Directives and a minor part of the 2009/81 Directive.
- The competent authorities have not yet examined the Draft Law.

## PPL in relation to utilities sector

- According to the current Public Procurement Law, when defining the procurement entities which are obliged to apply public procurement procedures when they acquire goods, services or works, defines the procurement entities that perform the activities in utilities sector.
- In the application of procedures, value categories, exemptions and other elements, the Law does not differentiate between “classical sector” and “utilities sector”.

# PPL in relation to defense and security procurement

- The current law provides for the possibility of exemption from the application of the Law for defense related contracts, i.e. those related to the production or trading in armament, military equipment or related material.
- The Article 5 of the Law which regulates the exemptions from the application in the area of defense and security is applied solely in specific situations when the regime of such procurement is governed by other laws, regulations and administrative provisions in force in Bosnia and Herzegovina.

## PPA activities in then last 2 years

- Besides regular, continuous activities, provided for by the Law, the following activities have been performed:
- Upgraded system for electronic submission of reports on completed public procurement procedures – WisPPA,
- Upgraded information system for online notification of public procurement notices – Go procure,
- Register of contracting authorities and suppliers has been made available online.

# Legal Framework Activities Plan

- The Draft Public Procurement Law envisaged 12 bylaws to be passed within 6 months as of the enactment of the Law;
- New bylaws regulate for the first time:
  - Defense related procurement,
  - Procurement for diplomatic-consular mission,
  - Non-priority services procedure from the Annex II to the Part B,
  - Public procurement staff training and certification system,
  - General public procurement glossary.

# Legal Framework Activities Plan

- Prepare model decisions for the starting of public procurement, as well as the decisions in the cases of exemptions from the application of the Law;
- Prepare model procurement plan and contract enforcement after;
- Amend the Authorized Lecturers Accreditation Rulebook;
- Prepare the amendments to the Instruction for the implementation of the Law;
- Amendments to the Monitoring Rulebook;
- Prior notification form;
- Qualification system form.

# Other activities of the Public Procurement Agency

- Public Procurement Strategy System Review;
- Drafting the Action Plan for the implementation of the obligations from the Strategy with timeframe for the period 1<sup>st</sup> July 2013 – 30<sup>th</sup> June 2014;
- Special attention will be paid to the training system in line with the implemented Regional ToT project;
- E-public procurement development;
- Monitoring of written enquiries;
- Monitoring of telephone enquiries, with recording and the responses of the Agency staff;



# Other activities of the Public Procurement Agency

- Project implementation within the framework of the GIZ technical support, as follows:
  - e-tendering,
  - E-auction,
  - Additional training of accredited lecturers with re-certification exam,
  - Training of the PPA and Complaints Commission staff,
  - PPA communication strategy – internal and external,
  - PPA Quality Management,
  - PPA Library.

# Other activities of the Public Procurement Agency

- IPA 2012 Project which to the greatest possible extent refers to training programmes for target groups (courts, prosecution offices, audits – internal and external, etc.);
- Training sessions within the framework of the finalization of the Regional project and the implementation of the road map;
- Training sessions to be based in such a way that lecturers be specialized for certain narrow areas (for example, civil construction, software, drugs, medical equipment etc.).

# Other PPA activities in case the new law is not enacted soon

- Developing a set of forms for the conflict of interests;
- Preparation of views for the website, where all written enquiries will be referred to in case there is a published view,
- Amendments to the STD (Standard Tender Documents) model;
- Amendments to the Rulebook on Accredited lecturers;



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Thank you for your attention!