



TURKISH PUBLIC PROCUREMENT AUTHORITY (PPA)





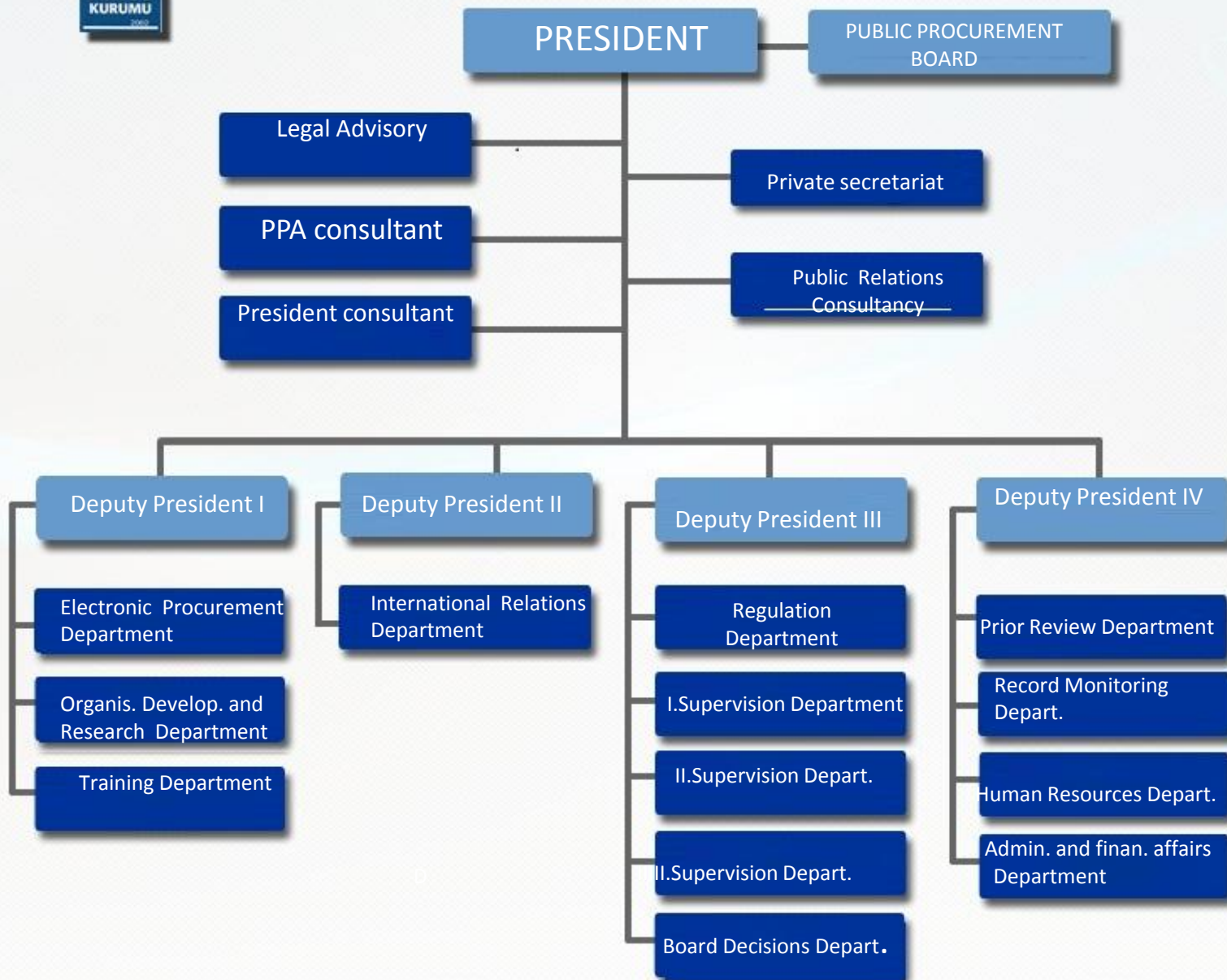
Public Procurement Authority (PPA)



- Public Procurement Law (PPL); establishment of Public Procurement Authority (PPA)
- an independent regulatory and monitoring body.
- public legal entity
- administrative and financial autonomy
- a linkage to the Ministry of Finance.
- independent in fulfillment of its duties



Organisational chart of PPA





Organisational Structure



- ✓ Decision making; Public Procurement Board (nine members),
 - ✓ Executive body; Presidency, 4 deputy president and 13 departments.
 - ✓ Four of departments are responsible for complaint review
 - ✓ There are 68 specialist, 23 Specialist assistants and 141 administrative staff in different departments.
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- The chairman of the PPA is also the chairman of the Board.
 - The Board members are appointed by the Council of Ministers upon the proposal of the Ministry of Finance.



Responsibilities and duties of PPA

- Regulation
- Supervision
- Others



Regulation Operations

- Application regulations for goods, works, services, consultancy, framework agreements and e-procurement
- General communiqué , communiqué of complaints, communiqué for EKAP, communiqué for price differences, communiqué of works similarities' group
- Regulatory board decisions



Dispute Resolution System

To evaluate and conclude any complaints claiming that the proceedings carried out by contacting authority within the period from the commencement of the tender proceedings until the signing of the contract are in violation of this Law and the related legislative provisions.



Remedies System

Complaint process to Contracting Authority

Complaint against the decision of Contracting Authority to Public Procurement Authority

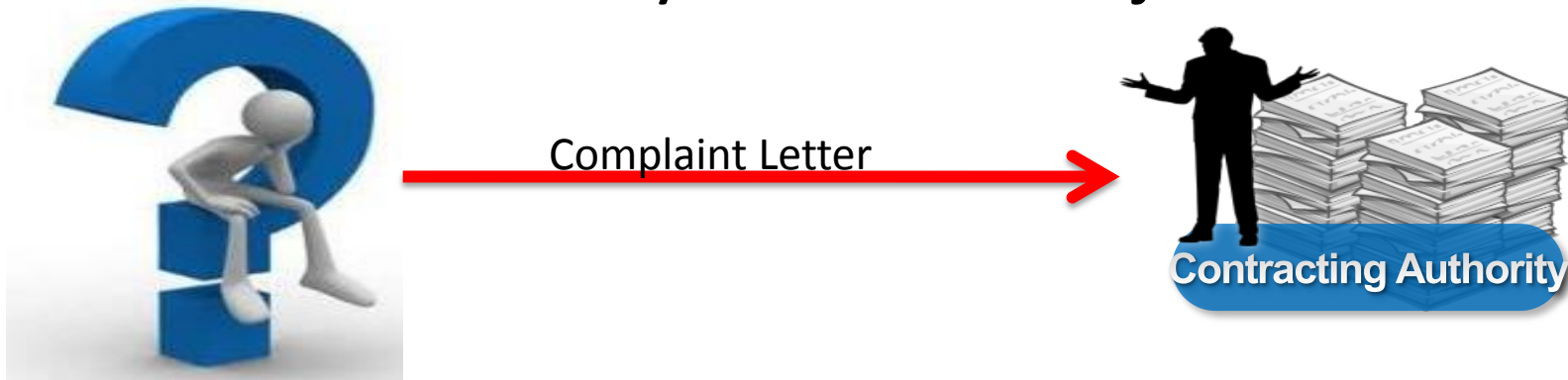
Judicial process

- Approximately 20% percent of PPA Board decision has been submitted to Court and 80% of PPA Board decision have been approved by Court.



Complaint Process

- ❖ Candidate, tenderer and potential tenderer who thought ruined his/her right related to the tender may submit its rejection to CAs.



There are two options for CAs:

- 1) Approve the complaint and re-correct their decisions
- 2) Reject the complaint directly or implicitly deemed rejected by omitting the answer



Appeal Application Against the Decision of Contracting Authorities to PPA



Minimum application periods

Time limits for Complaint application:

- Generally; within ten days
- Within five days in urgent cases (For procurement procedures based on urgency)
- Appeal application may apply after rejection of CAs or no answered by CAs to PPA.



Supervision process by PPA

- Public Procurement Specialist reviews the complaint,
- Prepares a report to Public Procurement Board,
- Justified decisions to be made by Public Procurement Board;
 - a) Ordering the termination of the procurement proceedings in case of violation of law
 - b) Determining the corrective action in cases where the problem may be remedied through correction
 - c) Rejecting the application in cases where the application does not comply with related procedural rules, or where no violation is determined



Supervision process by PPA

- PPA has to finalized its investigations in 10 and 20 days (after completed file).
 - PPA has to finalize in 10 days for urgent cases
 - And it has to finalize 20 days for rest of the tenders.



Dispute Resolution Decisions

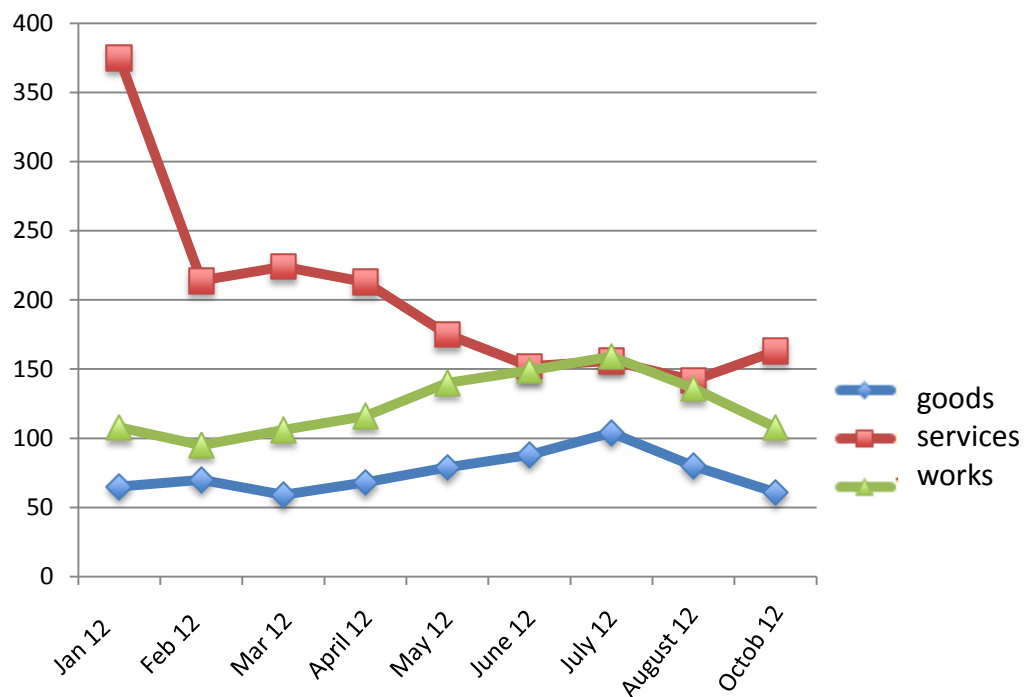
Number of Procurement and Types of decisions by the years

Years	Number of Procurement	Number of Complaint
2012	127,701	5,111
2011	136,926	4,392

In 2011, approximately 3% complaint has been submitted. In 2012, this percentage has been reached 4%.



Complaints and dispute resolutions



The number of complaints

Complaint against the transaction of contracting authorities have increased in some months. Particularly, the first and the last month of the year, it has reached summit. Mainly, those are against service tenders.



Electronic Procurement

Historical Improvement

- 2004 Receiving notification by e-mail, and publish
- 2005 Public Procurement Platform
- 2007 Initiate outsourcing for software development Project (EPPP)
- 2010 EKAP (Electronic Public Procurement Platform)

Development

- Electronic notification
- Preparing tender documents and download on EKAP
- Run all necessity works on EKAP related to tenders

Target

- Start to e-procurement, include evaluations and contract management
- Integration to the other e-procurement system



Electronic Public Procurement Platform (EPPP)



Returns of the Electronic Procurement

- Standardisation, Transparency, Speed, Coherency and Public Supervision in Public Procurement Procedures
- Increase in Effectiveness and Efficiency of the Processes regarding Procurement, Preparation of Tenders and Evaluation of Tenders
- Improvement in Public Procurement Costs up to %20
- Elimination of Perception “Procurement = Fraud + Corruption”

Figures related EPPP

- EPPP was used intensively by contracting authorities and tenderers during the two- year period, from 1 September 2010, the date on which it was put into use, until the date of 31 August 2012.

01 September 2010 – 31 August 2012	EPPP
Number of Registered Contracting Authorities	25.042
Number of Registered Tenderers	29.553
Number of Registered User	370.140
Number of Contracting Authorities Awarding Contracts	18.611
Number of Contracting Authorities Registered for Direct Procurement	12.521
Number of Entered Direct Procurement	766.005
Number of Obtained Procurement Registration Number	421.952
Number of Advertised Procurement	209.401
Number of Notified Contracts	427.209
Number of Visitors	33.463.651
Number of Documents Downloaded with E-signature/m-signature	508.578
Number of Documents Purchased From Contracting Authority	693.593



Training activities

Training of PPL
and Regulations

- With certified
- Training of companies
- Training, meet the CA needs, by joint their programme

In-service
training

- Training for assistant public procurement experts
- Training for other staff.

Years	Certified	Prograamed Training	Joint Training with CAs
2012	-	-	7,284
2011	-	-	4,404
2010	1,307	11,140	560
2009	860	7,931	1,555



Capacity



Public
Procurement
Authority

Total number of personel: 246

- Specialist and assistant Specialist number was increased
- Three departments were established
- E-tools were started for supervision



International Relations Activities

- Relations with EU, OECD and other international institutions.
- Relations with South Korea, Japan and USA



Future Perspectives of PPA

- Considering EU rules and GPA (Government Procurement Agreement) for regulations
- Quick, easy accessible and effective dispute resolution system
- Increasing administrative capacity
- Increasing EPPP role in Turkish Public Procurement System

Thank You!

