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# REPORT

## THE ANALYSIS OF THE STATE OF PLAY AND RECOMMENDATIONS FOR IMPROVEMENT OF THE REPORTING SYSTEM IN PUBLIC PROCUREMENT

Belgrade, April 2019



REPUBLIC OF SERBIA  
PUBLIC PROCUREMENT OFFICE  
MINISTRY OF FINANCE  
Department for Contracting and Financing  
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### Information about the Project

This paper has been prepared within a framework of the project “Support for Further Improvement of Public Procurement System in Serbia” which is funded by the European Union and implemented by a consortium led by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH.

The main purpose of the project is to support the strengthening and developing of a stable, transparent and competitive public procurement system in the Republic of Serbia in accordance with EU standards, including improved implementation of the public procurement strategic and policy framework for an effective and accountable public procurement system.

The results required from the project include:

- strengthened and further developed the strategic, legal and institutional framework for public procurement aligned with the EU legislation,
- improved implementation of regulations in area of public procurement in practice
- E-procurement platform developed and established and
- strengthened capacities and professional skills of the Serbian Public Procurement Office and other relevant target groups.



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## INTRODUCTION

The key performance indicators of the public procurement system are used to establish the extent to which the public procurement strategic goals are achieved. These goals are set in the document: “The Strategy of Public Procurement Development in Serbia for the Period 2014-2018”, which clearly defines the desired characteristics of public procurement. The general goal is defined as establishment of a single, efficient and well-ordained public procurement system.

Beside the Strategy, another document relevant for defining the main goals is “The Common Position of the European Union”, adopted at the Inter-Governmental Conference on Serbia’s accession to the EU held on 13 December 2016 in Brussels, with set of closing benchmarks for Chapter 5.

The achievement of the goals related to the implementation of regulations and the effects in practice call for development of a set of indicators capable of objective and reliable measuring of the progress in their implementation, as well as of indicating the achievement of the goals. The goals like achieving full transparency, equal treatment of tenderers, free competition, non-discrimination and proportionality are set in the Strategy of Public Procurement Development in Serbia as general, which is why it is necessary to define the indicators for a reliable and objective verification that the goals enshrined in the Strategy have been met.

On the basis of such indicators, the public procurement policy-makers can follow not only the realisation of the key goals, but also the remaining requirements for their full achievement, which is to serve as a basis for drafting annual action plans.

### Methodological remarks

The degree of achieving public procurement strategic goals is monitored against a set of indicators that must meet certain requirements. Namely, the indicators used for assessment of the state of play in a system, process or phenomenon must be set as specific, measurable, relevant and time-bound.

Defining reliable performance indicators is a demanding process, given that the indicators are supposed to provide reliable, objective and relevant information. In order to achieve that, the indicators must be:

- specific, in terms of clear connection with the analysed phenomenon,
- evidence-based,
- simple for calculation from available data and
- sensitive to change.

At selection, definition and measurement of performances, it is necessary to answer the following questions, *inter alia*:





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- What performances are measured?
- How many indicators should be defined for each performance?
- How often should they be measured?
- What are the target values?
- What can be used as a yardstick for comparison?



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## 1) AN OVERVIEW OF THE STATE PLAY

The Public Procurement Office (PPO) prepares semi-annual reports on public procurement for the Serbian Government and publishes them on its website. These documents are based on data submitted to the PPO by contracting authorities in their quarterly reports. The list of data from quarterly reports is provided in [Appendix A](#) to this report.

The Public Procurement Law (PPL)<sup>1</sup> stipulates that contracting authorities shall collect and register data on public procurement and submit their quarterly reports to the PPO by 10<sup>th</sup> day of month following the end of the quarter.

The key elements of quarterly reports on public procurement are envisaged by the PPL itself, whereas the report's contents and a manner of record keeping are regulated by the Rulebook on Contents of Reports on Public Procurement and Method of Record Keeping in Public Procurement<sup>2</sup>.

More specifically, it is envisaged that contracting authorities submit to the PPO their quarterly reports on conducted procurement procedures and concluded contracts, on conducted procurement procedures exempted from provisions of the PPL, on cancelled and annulled procedures, as well as the contract execution report.

Quarterly reports on public procurement are prepared and submitted in electronic form, through the PPO's application software. Besides the defined forms for record keeping, the software also contains instructions for users and is available on the PPO's web page ([www.ujn.gov.rs](http://www.ujn.gov.rs)).

The data on contracts concluded in low-value public procurement procedures, as well as data on procurement exempted from the PPL are aggregated in the reports, unlike other types of procedures where contracting authorities are obliged to keep records on each individual contract. In accordance with the given data collection methodology, aggregate statistical indicators are generated.

The responsibility for data correctness and accuracy rests with the contracting authorities.

The PPO is obliged to prepare consolidated annual and semi-annual reports on public procurement based on individual reports from contracting authorities, with proposed general and individual measures for improving the public procurement system and to publish them on its web page upon submission to the Government of the Republic of Serbia.

Also, on the basis of the submitted quarterly reports, the PPO prepares an overview of the conducted procedures and concluded contracts and publishes it on the Public Procurement Portal (<http://portal.ujn.gov.rs>), hereinafter 'the Portal', in order to keep the public informed.

<sup>1</sup> „The Official Gazette of RS”, no. 124/12, 14/15 i 68/15.

<sup>2</sup> „The Official Gazette of RS”, no. 29/13.





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In quarterly reports, indicators included are, *inter alia*, estimated value, contract value, type of procurement, type of procedure, criteria, etc. on the basis of which, by aggregation, national indicators are generated.

Besides, quarterly reports also contain data that are not indicators *per se*, but enable the creation of indicators. Those are, for instance, data on supplier's registration number, supplier's name, CPV code, etc.

The indicators included in PPO's semi-annual and annual reports are more numerous than those from quarterly reports. The reason for that is that these indicators are formed for higher aggregation levels, in form of absolute and relative values. The list of indicators provided in PPO's reports is listed in [Annex B](#) to this report.

The key report of the European Commission (EC) on the public procurement area is included in the Progress Report published each year, assessing the country's progress in all sectors that are subjects of accession negotiations (chapters). The assessments in the Progress Report are descriptive and note progress, stagnation or backsliding for each chapter.

Besides the indicators from PPO reports and reports on implementation of annual action plans, these reports also use assessments prepared by the Programme "Support for Improvement in Governance and Management" – SIGMA, which is a joint initiative of the Organisation for Economic Co-operation and Development – OECD and the European Union. SIGMA assesses relevant aspects of public procurement against a set of indicators provided in [Annex C](#) to this report.

Regarding the assessment of data sources for indicators, it should be emphasised that the current system of reporting and indicators are based on data submitted by contracting authorities to the PPO in a form of "paper" reports. These reports are checked by the PPO and subsequently entered into database. Such a system of database feed could be assessed as outdated, slow and inefficient. At the same time, it is important to point out that, following the interviews with PPO officers working on quarterly data entry and drafting semi-annual and annual reports for the PPO, contracting authorities quite often enter incorrect data. For example, they very often overlook the requirement to provide the value in thousand dinars, make errors in amounts, which can result in significantly different values of the given indicators, especially in the case of large contracting authorities. In cases like this, the PPO has contacted contracting authorities and through direct communication obtained actual value data.

The new, improved public procurement system includes development of a new Public Procurement Portal. The Portal is designed in such a way that contracting authorities can independently enter data on public procurement that they have conducted. Thus, the source of data for all indicators is the Portal itself. Such a model undoubtedly constitutes significant improvement in the reporting efficiency and in public procurement at large. Besides numerous advantages of the new way of data collection and database feeding by contracting authorities directly on the Portal, a mechanism preventing the entry of erroneous data by contracting



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authorities should be in place, *i.e.* their quick identification and removal by those who administer the Portal, once it happens.

As long as the new Portal is becomes functional, data sources for national-level reporting remain the contracting authorities' quarterly reports, while the PPO's semi-annual and annual reports will be the source for one group of indicators. Accordingly, with defining data sources for each indicator, distinction shall be made between the periods before and after commencement of functional operations of the Public Procurement Portal.

## 2) RECOMMENDATIONS FOR IMPROVEMENT OF REPORTING IN PUBLIC PROCUREMENT

### 2.1 General indicators

The general indicators of the public procurement system indicate the volume and basic characteristics of public procurement. Pursuant to these indicators, it is possible to estimate the resources, including time, needed for realisation of strategic goals in public procurement. Besides, these indicators show the relative importance of public procurement for a country, especially for its economy.

Indicator	Total number of public procurement contracts
<b>The meaning of the indicator</b>	It indicates the size of public procurement market, along with the indicator of public procurement value, for the observed period. The number of concluded contracts is different from the number of conducted procedures because division of procurement into lots and award of framework agreements may result in several contracts being concluded as a result of one public procurement procedure. It is useful to monitor the value of this indicator in various time periods (e.g. for two calendar years or during a multiannual period), in order to establish changes in the public procurement market. The indicator can also be monitored on a quarterly basis in order to identify the public procurement dynamics within one calendar year.
<b>Data source</b>	Public Procurement Portal

Indicator	The number of public procurement contracts by type of the subject-matter of public procurement
<b>The meaning of the indicator</b>	It enables mapping of the public procurement market by types of a subject-matter of public procurement. There is a risk of imprecision with this indicator caused by the erroneous definition of the subject - matter by contracting authorities when entering data, especially in cases of mixed procurement, which creates a dilemma of record-keeping on the side of







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	contracting authorities. The indicator is possible to be further elaborated (broken down) according to CPV.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The number of public procurement contract by categories of contracting authority</b>
<b>The meaning of the indicator</b>	It constitutes a structure of the number of contracts by categories of contracting authorities. An additional significance of this indicator is generated when juxtaposed with contract values by categories, which gives the average contract value per category.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>Number of contracts by type of procedures</b>
<b>The meaning of the indicator</b>	It presents the structure of the number of contracts per type of procedure. An additional significance of this indicator is generated when juxtaposed with the indicator of contract value by type of procedure, which gives the indicator of the average value of contract per type of procedure.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>Total value of public procurement contract</b>
<b>The meaning of the indicator</b>	It indicates the volume of public procurement market in Serbia. In order to take a closer look at the importance of the public procurement market, it is necessary to juxtapose this indicator with the annual budget value or, rather, GDP, bearing in mind the that public procurement is not financed from the budget only.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of total annual value of public procurement in the gross domestic product (GDP)</b>
<b>The meaning of the indicator</b>	It is useful to observe the relative importance of the public procurement market in national economy. The change of the indicator signals whether the relative importance of the public procurement market in the country grows or declines year in, year out, or remains unaltered. Also, it is possible to compare this indicator to its values in other countries, as well as with the EU average, or another, larger group of countries.
<b>Data source</b>	Public Procurement Portal, reports of the National Statistical Office





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<b>Indicator</b>	<b>The average value of public procurement contracts</b>
<b>The meaning of the indicator</b>	The change in a total average value of public procurement contracts within a certain period of time indicates the attractiveness of a certain public procurement contract for tenderers and the cost-effectiveness of the public procurement procedure for contracting authorities.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The average contract value per type of procedure</b>
<b>The meaning of the indicator</b>	One of the most important indicators of transparency and competition in public procurement is the share of competitive procedures vs. the so-called “non-competitive procedures” such as negotiated procedure without prior publication of a contract notice. The higher the value of this indicator, the more transparent and competitive the system is from this aspect.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The value of public procurement by category of contracting authorities</b>
<b>The meaning of the indicator</b>	It enables the identification of categories of contracting authorities spending most public funds. Also, change can be monitored with each category of contracting authorities over a certain period of time, to assess its relative importance vis-à-vis other categories.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The average contract value per category of contracting authorities or per specific contracting authorities</b>
<b>The meaning of the indicator</b>	It indicates the structure of demand in the public procurement market. It is advise to monitor the indicator in a multiannual period and compare with that of the average number of tenders in order to infer conclusions on whether the supply side follows the changes in demand in the public procurement market. A higher average contract value is assumed to be followed by higher average number of tenders, in order to have more competition for a higher-value contract by attracting more interested tenderers.
<b>Data source</b>	Public Procurement Portal



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<b>Indicator</b>	<b>The number of modified contracts and their share in total number of concluded public procurement contracts</b>
<b>The meaning of the indicator</b>	It indicates the share of contract modifications in the phase of their execution. It is important to monitor the change in number and share in a multiannual period.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The value of modified contracts and their share in total value of concluded public procurement contracts</b>
<b>The meaning of the indicator</b>	It indicates the share of problems (deviations) in contract execution. Shortcomings in the phase of public procurement planning are reflected onto the execution phase, causing the need for contract modifications. Therefore this indicator indirectly shows the quality of public procurement planning. The indicator's trend is to be monitored in multi-annual periods.
<b>Source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of value of contracts for social and other special services in total value of public procurement contracts</b>
<b>The meaning of the indicator</b>	It indicates a relative importance of social and other special services in the public procurement market.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of number of public procurement contracts for social and other special services in total number of public procurement contracts</b>
<b>The meaning of the indicator</b>	It indicates the share of social and other special services in total public procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of number and value of reserved public procurement contracts in the total value of public procurement</b>
<b>The meaning of the indicator</b>	It indicates the share of procurement which, besides achieving the individual interests of the contracting authority, leads towards general social goals, such as professional development, professional rehabilitation and employment of persons with disabilities. The trend of this indicator is to be monitored in multi-annual periods, encouraging its increment.
<b>Data source</b>	Public Procurement Portal





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<b>Indicator</b>	<b>The share of number and value of social procurement in the total value of public procurement (e.g. procedures where social aspects are taken into consideration in technical specifications, by using additional requirements with social elements or applying social award criteria)</b>
<b>The meaning of the indicator</b>	It indicates the share of procurement leading towards achievement of general social goals envisaged by Law. The trend of this indicator is to be monitored in multi-annual periods, encouraging its increment.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of public procurement by number and type where the criterion included the environmental aspects of the so-called “green procurement” in total number and value of public procurement contracts</b>
<b>The meaning of the indicator</b>	Indicates the share of procurement taking into consideration the environmental aspects with twofold influence on the standard of living – environment protection and reduction on the costs for mitigating the negative environmental impact, which reduces the total life cycle costs.
<b>Data source</b>	Public Procurement Portal

## 2.2 Special indicators

### Transparency indicators

<b>Indicator</b>	<b>The number of “active” contracting authorities</b>
<b>The meaning of the indicator</b>	The indicator includes all the contracting authorities that publish the documents on the Public Procurement Portal. This indicator is used in combination with the indicator of the total value of the contract, the total number of contracts etc. for calculating average values.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>Public procurement planning</b>
<b>The meaning of the indicator</b>	Transparency of the procurement procedure is significantly improved when procurement plans are published. Publication of procurement plans provides essential information to tenderers for the preparation of tenders.





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<b>Data source</b>	Public Procurement Portal
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<b>Indicator</b>	<b>The number of procedures in which a prior information notice was published</b>
<b>The meaning of the indicator</b>	Publication of a prior information notice, although not mandatory, allows tenderers to prepare in advance for future public procurement procedures and allows the contracting authority to shorten the minimum time limit for submission of tenders/requests to participate.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The number of visits to the Public Procurement Portal during one year</b>
<b>The meaning of the indicator</b>	The indicator includes visits by contracting authorities advertising public procurement contracts, the tenderers interested in participating in public procurement procedures, as well as third parties, such as regulatory agencies, civil society organisations, etc. that are interested in monitoring public procurement. The more useful the Portal is, the higher the number of visits of its users. Therefore, the movement of the value of this indicator should be monitored over a period of years and the comparison should be made in order to obtain a reliable picture of the usefulness of the Portal and its real significance for transparency.
<b>Data source</b>	Public Procurement Portal

## Indicators of cost-effectiveness (value for money)

Achieving the highest value for money (VfM) is one of the main goals of public procurement. VfM implies providing the necessary quantities of items for the acquisition of adequate characteristics and quality, while minimising the costs.

Value for money is achieved by applying the criteria of the most economically advantageous tender. The next prerequisite for growth of VfM is the increase in the cost-effectiveness and efficiency of the public procurement procedure. The cost-effectiveness shows whether the contracting entity achieves its main goals, *i.e.* “whether it does the right things”, while efficiency measures whether it “does things in the right way”.

Significant instruments for increasing the cost-effectiveness are framework agreements that allow the contracting authority to procure the subject-matter of procurement from qualified tenderers in time and in quantities that follow the dynamics of its needs. The cost-effectiveness and centralised public procurements enable the consolidation of the needs of several smaller





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contacting authorities in order to achieve positive effects of reducing the number of procedures and more favourable conditions on the basis of “wholesale purchase”.

<b>Indicator</b>	<b>The number of public procurement procedures where the price is the only criterion for the selection of the most economically advantageous tender</b>
<b>The importance of the indicator</b>	The price criterion for selection of the most economically advantageous tender only takes into account the purchase price, while other costs, such as life cycle costs, are neglected.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the number of public procurement procedures where the price is the only criterion for the selection of the most economically advantageous tender in the total number of public procurement procedures</b>
<b>The importance of the indicator</b>	Indicates a relative importance of the criterion of the lowest price.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the value of public procurement procedures where the price is the only criterion for the selection of the most economically advantageous tender in the total value of public procurement procedures</b>
<b>The importance of the indicator</b>	Indicates a relative importance of the criterion of the lowest price.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The value of public procurement procedures carried out using cost criteria by applying cost-effectiveness approach</b>
<b>The importance of the indicator</b>	The cost-effectiveness criterion, such as a life cycle cost, allows covering the overall costs related to the subject-matter of procurement, which gives a realistic picture of the cost-effectiveness of the procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the value of public procurement procedures conducted by using the cost criteria in the total value of the contract, by categories of the contracting authorities</b>
<b>The importance of the indicator</b>	Indicates a relative importance of cost-effectiveness in public procurement.



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<b>Data source</b>	Public Procurement Portal
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<b>Indicator</b>	<b>The value of public procurement procedures conducted by using the criterion of price/quality ratio or cost/quality ratio</b>
<b>The importance of the indicator</b>	The criterion indicates the importance of “value for money” in public procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of value of public procurement procedures conducted using the criterion of price/quality ratio or the cost/quality ratio in the total value of public procurement</b>
<b>The importance of the indicator</b>	The criterion allows monitoring the share of “value for money” in public procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The value structure of public procurement procedures conducted using criteria: price, cost and price/quality ratio by the categories of contracting authorities</b>
<b>The importance of the indicator</b>	Indicates how each of the three criteria is represented in each of the categories of contracting authorities. A significant piece of data for public procurement policy bodies to determine which categories of contracting authorities should work more on promoting the criteria that take into account cost-effectiveness and cost-quality ratio.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The value of the concluded framework agreements</b>
<b>The importance of the indicator</b>	The framework agreement has a positive impact on the cost-effectiveness of public procurement procedures as it replaces several procedures with one and allows for flexibility. The evolution of indicators should be monitored over a multi-year period.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the value of concluded framework agreements in the total value of public procurements</b>
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<b>The importance of the indicator</b>	The growth of indicators indicates an increase in the cost-effectiveness of public procurement based on a reduction in transaction costs. The evolution of the indicator should be monitored over a multi-year period.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The number of the concluded framework agreements</b>
<b>The importance of the indicator</b>	A higher number of contracts concluded on the basis of the framework agreements indicates an increase in the cost-effectiveness of public procurements.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the number of concluded framework agreements in the total number of public procurement contracts</b>
<b>The importance of the indicator</b>	The growth of this indicator indicates an increase in the cost-effectiveness of public procurement based on a reduction in transaction costs. The evolution of the indicator should be monitored over a multi-year period.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the number of framework agreements concluded with one supplier in the total number of framework agreements</b>
<b>The importance of the indicator</b>	It allows monitoring changes in the relative importance of framework agreements concluded with one supplier.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the value of the framework agreements concluded with one supplier in the total value of the framework agreements</b>
<b>The importance of the indicator</b>	It enables monitoring the relative importance of framework agreements concluded with one supplier in relation to the total value of concluded framework agreements.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the number of framework agreements concluded with several suppliers in the total number of framework agreements</b>
<b>The importance of the indicator</b>	It allows monitoring changes in the relative importance of framework agreements concluded with one supplier.



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<b>Data source</b>	Public Procurement Portal
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<b>Indicator</b>	<b>The share of the value of the framework agreements concluded with several suppliers in the total value of the framework agreements</b>
<b>The importance of the indicator</b>	It enables monitoring of the relative importance of framework agreements concluded with one supplier in relation to the total value of concluded framework agreements.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the value of the framework agreements in the total value of the contract, by the categories of the contracting authorities</b>
<b>The importance of the indicator</b>	Indicates the share of framework agreements by category of contracting authorities. A significant piece of data for bodies implementing public procurement policies to determine which categories of contracting authorities should work more on promoting the use of framework agreements. Changes in indicators should be monitored over a multi-year period.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the value of the framework agreements in the total value of the contract, on selected items of the public procurement</b>
<b>The importance of the indicator</b>	The evaluation of the value structure of the use of framework agreements for procurement items that have the highest value or which are most often procured allows it to identify priority procurement items where it is justifiable to increase the use of framework agreements.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The value of the public procurement contracts carried out at the centralised level</b>
<b>The importance of the indicator</b>	The centralisation of public procurement has positive impact as more procedures are replaced by a single one. In addition, the buyer achieves more favourable conditions on the basis of wholesale purchase. The movement of indicators should be monitored over a multi-year period.
<b>Data source</b>	Public Procurement Portal





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<b>Indicator</b>	<b>The share of the value of public procurement contracts carried out at the centralised level in the total value of public procurements</b>
<b>The importance of the indicator</b>	The growth of indicators indicates an increase in cost-effectiveness. The movement of indicators should be monitored over a multi-year period.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The number of public procurement contracts concluded in centralised public procurement procedures</b>
<b>The importance of the indicator</b>	The higher number of contracts concluded in centralised procedures indicates an increase in the cost-effectiveness of the public procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the number of public procurement contracts concluded at the centralised level in the total number of public procurement contracts</b>
<b>The importance of the indicator</b>	The growth of indicator shows an increase in cost-effectiveness. The evolution of the indicator should be monitored over a multi-year period.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the value of the contracts concluded in centralised public procurement procedures in the total value of the contract, by the categories of the contracting authorities</b>
<b>The importance of the indicator</b>	It shows which categories of contracting authorities more often and which rarely apply centralised procurement. In case of those categories of contracting authorities where it observed a slower growth in centralisation, the causes of this should be examined and measures should be taken to apply centralisation in cases where it is economically justifiable.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the value of contracts concluded in centralised public procurement procedures in the total value of the contract, per selected subject-matter of procurement</b>
<b>The importance of the indicator</b>	The evaluation of the value structure of the application of centralized procurement by subject-matter of procurement that have the highest value or which are most often procured allows it to identify priority





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	subject-matter of procurement where it is justifiable to increase the use of framework agreements.
<b>Data source</b>	Public Procurement Portal

## Indicators of efficiency

The effectiveness of public procurement implies that a contracting authority with the lowest possible cost of labour and other resources achieves its goals, *i.e.* “does things the right way”. The duration of the procedure should be shortened and the number of procedures which are cancelled or annulled should be reduced in order to diminish unnecessary waste of resources used for the implementation of the procedures. Electronic public procurement processes, such as electronic auctions, also significantly contribute to the efficiency of the process.

<b>Indicator</b>	<b>The average number of days from the date of contract notice publication on the Public Procurement Portal until the date of conclusion of the contract</b>
<b>The importance of the indicator</b>	A key indicator of the efficiency of the process that measures the consumption of resources expressed by the number of days: the longer the process lasts, the lower the efficiency level and <i>vice versa</i> . The indicator can be calculated aggregately for all public procurements, by the contracting authority or by the subject-matter of procurement. The differences in the duration of the procedure for the same subject-matter of procurement, in approximately the same quantities, among the contracting authorities indicate differences in their efficiency. Monitoring indicators over a multi-year period at the national level shows how changes in efficiency. Similarly, the movement of indicators can be followed by the categories of contracting authorities, then by individual contracting authority, by subject of procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The average time from publication of a contract notice until the date of conclusion of the contract in the open procedure</b>
<b>The importance of the indicator</b>	The indicator measures the time required for the implementation of an open procedure that has a dominant share in the total value of concluded public procurement contracts. The evolution of the indicator should be monitored over a multi-year period, on the basis of which a conclusion can be drawn on changes in the efficiency of the implementation of public procurement.
<b>Data source</b>	Public Procurement Portal



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<b>Indicator</b>	<b>The average time from publication of a contract notice until the date of conclusion of the contract in the restricted procedure</b>
<b>The importance of the indicator</b>	The indicator measures the time required for the implementation of a restricted procedure and should be monitored over a period of several years, based on which a conclusion can be drawn on the changes in the efficiency of the implementation of public procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The average time from publication of a contract notice until the date of conclusion of the contract in the competitive procedure with negotiations</b>
<b>The importance of the indicator</b>	The indicator measures the time required for the implementation of a competitive procedure with negotiations and should be monitored over a multi-year period, based on which a conclusion can be drawn on the changes in the efficiency of the implementation of public procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The average time from publication of a contract notice until the date of conclusion of the contract in the competitive dialogue</b>
<b>The importance of the indicator</b>	The indicator measures the time required for the implementation of a competitive dialogue and should be monitored over a period of several years, based on which a conclusion can be drawn on the changes in the efficiency of the implementation of public procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The average time from publication of a contract notice until the date of conclusion of the contract in the innovation partnership</b>
<b>The importance of the indicator</b>	The indicator measures the time needed to implement the Innovation Partnership and should be monitored over a number of years, based on which a conclusion can be drawn on changes in the efficiency of public procurement implementation.
<b>Data source</b>	Public Procurement Portal



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<b>Indicator</b>	<b>The average time from publication of a contract notice to the date of conclusion of the contract in the negotiated procedure with the publication of contract notice</b>
<b>The importance of the indicator</b>	The indicator measures the time required for the implementation of the negotiated procedure with publication of a contract notice and should be monitored over a period of several years, based on which a conclusion can be drawn on the changes in the efficiency of the implementation of public procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The average time from sending a invitation to tender until the contract conclusion date in negotiated procedure without publication of contract notice</b>
<b>The importance of the indicator</b>	The indicator shows how much time is needed for the implementation of negotiated procedure without publication of contract notice, which, in the previous practice, based on the knowledge of the Public Procurement Office, has been perceived by the contracting authorities as the fastest but which is least transparent and competitive in comparison to other public procurement procedures.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The average duration of electronic auction</b>
<b>The importance of the indicator</b>	The indicator allows to monitor time consumption, expressed in days when an electronic auction is being conducted.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the number of electronic auctions in which the price was the only award criterion in the total value of public procurement procedures conducted with the use of electronic auctions</b>
<b>The importance of the indicator</b>	The indicator allows to see the share of the price as an element of the criteria in electronic procurement.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the number of electronic auctions where the price and quality ratio or cost efficiency were used as the award criteria in the total value of public procurement procedures conducted with the use of electronic auctions</b>
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<b>The importance of the indicator</b>	The indicator allows to see the contribution of electronic auctions to achieving “value for money”.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share in the number of cancelled public procurement procedures in the total number of procedures</b>
<b>The importance of the indicator</b>	It indicates the extent of waste of resources of resources unnecessarily spent on implementation of public procurement procedures. At the same time, it is an indicator of irregularities in public procurement, so it should be interpreted from both aspects. It should also be observed over a multi-year period.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share in the number of annulled procedures (partly and entirely) in the total number of public procurement procedures</b>
<b>The importance of the indicator</b>	Indicates the extent of waste of resources unnecessarily spent on implementation of public procurement procedures. At the same time, it is an indicator of irregularities in public procurement, so it should be interpreted from both aspects. It should also be observed over a multi-year period.
<b>Data source</b>	Public Procurement Portal

## Indicators of competition

Achieving intense competition in the public procurement market is one of the main strategic goals. In the function of its implementation, other goals were set at a lower level, such as the prevention of discrimination, the provision of effective protection of rights, the prevention of “fixing” procedures and other irregularities. Therefore, the effectiveness of these measures can be evaluated by the effects that have been achieved in the form of indicators of the intensity of competition. In other words, without improving the indicators of the intensity of competition, indicators relating to the protection of rights and the taking of measures to tackle discrimination and irregularities cannot be assessed positively.

<b>Indicator</b>	<b>The average number of tenders per public procurement procedure</b>
<b>The importance of the indicator</b>	A key indicator of the intensity of competition in public procurement. Monitoring at the national level is mandatory for all public procurement. It should also be monitored over a multi-year period and its values should





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	be compared with the average of the EU and the countries from the region.
<b>Data source</b>	Public Procurement Portal

<b>Indicator</b>	<b>The share of the number and value of public procurement contracts awarded to small and medium-sized enterprises (SMEs) in the total number and value of public procurement contracts</b>
<b>The meaning of the indicator</b>	It shows the share of public procurement contracts awarded to SMEs that have the largest share in the total number of economic operators, according to the Serbian Chamber of Commerce. Enabling broader participation of SMEs has a direct impact on the increase of the average number of tenders per public procurement procedure.
<b>Data source</b>	Public Procurement Portal



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### 3) CONCLUSION

The new public procurement reporting system is characterised by two significant developments.

The first one is the introduction of a new Public Procurement Portal that will enable a much more efficient collection and analysis of public procurement data.

Secondly, the introduction of additional indicators of public procurement as proposed in this report that will provide a broader and clearer picture of public procurement, seen from several different aspects.

The indicators are grouped according to the basic principles of public procurement such as: transparency, economy, efficiency and competition. Most new indicators have been proposed in the domain of the efficiency of public procurement procedures in order to monitor the spending of the time necessary for the implementation of each of the procurement procedures envisaged by the draft law. In the domain of competition, the systematic monitoring of the intensity of competition is foreseen in particular with the average number of tenders per procedure, as well as by categories of contracting authorities. It is also foreseen to regularly monitor the share of public procurements allocated to small and medium-sized enterprises, which are expected to be the biggest contributor to the strengthening of competition, taking into account of their dominant share in categories of enterprises in Serbia.

Finally, it is important to point out that the indicators proposed in this report cannot be considered final, but that the improvement of the reporting system should be viewed as a process that, like any other process, can and should be further improved by looking from new aspects.



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## ANNEX A

### Data from quarterly reports submitted by contracting authorities to the Public Procurement Office

1. Internal procurement number
2. The type of procurement (framework, centralised, civil supervisor....)
3. Type of procedure
4. The type of subject (goods, services, works)
5. Subject-matter of procurement
6. ORN code
7. Estimated value excluding VAT
8. Contract value excluding VAT
9. Contract value with VAT
10. The contract conclusion date
11. Internal contract number
12. Supplier's identification number
13. Supplier's name
14. Supplier's seat
15. The type of legal entity
16. The number of tenders
17. The criterion
18. Data on execution of the contract
19. Data on modification of the contract
20. Data on low-value public procurements (aggregate by type of item)
21. Data on contracts exempted from the PPL (collectively on the basis of the exemption)
22. Data on results of procedures
23. Data on cancelled and annulled procedures





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## ANNEX B

### Indicators from semi-annual and annual reports of the Public Procurement Office

1. The total number and value of public procurement contracts.
2. Average value of public procurement contract
3. The share of public procurement in gross domestic product
4. The share of low-value public procurement in the total value of the public procurement contracts.
5. The number and value of public procurement by category of contracting authorities
6. The average length of open procedure and low-value public procurement from the date of advertising the contract on the Portal until the date of conclusion of the contract (in days)
7. The share in the number of cancelled procedures in the total number of public procurement procedures
8. The average number of tenders by the public procurement procedure
9. The share of procedures with only one tender submitted in the total number of public procurement procedures
10. The share of contracts concluded in procedures in which procurement was divided into lots in the total number of concluded contracts
11. The structure of high value public procurement by type of procedure, by number of procedures and values.
12. The number and value structure of negotiated procedure without prior notice, by categories of contracting authorities
13. The structure of negotiated procedure without prior contract notice by the basis for application
14. The number of tenderers registered in the Bidders' Register
15. The number of public procurements published on the Public Procurement Portal
16. Annual and daily number of visits to the Public Procurement Portal
17. The share of domestic and foreign tenderers in the total value of concluded contracts
18. Outcomes of procedures (successfully implemented, cancelled and completely annulled), in absolute (numerical) and relative (%) expression
19. The share of grounds for cancellation of procedure by the contracting authority





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20. The number and value of procurements to which the Public Procurement Law was not applied
21. The share of grounds for exemption from the implementation of the Law on Public Procurement
22. Numerical and value structure of procurement excluded from the implementation of the Public Procurement Law, by categories of contracting authorities
23. The value of the concluded framework agreements
24. The share of centralised public procurements in the total value and the number of concluded public procurement contracts
25. The number and value of centralised public procurement
26. The share of centralised public procurements in the total value and the number of concluded public procurement contracts
27. Five most common procurement cases with centralised public procurement
28. The share of the criteria of the most economically advantageous tender and the lowest price criteria in the total value of concluded public procurement contracts





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## ANNEX C

### SIGMA indicators

In the document “Monitoring Report: Principles of Public Administration”, SIGMA quoted indicators with sub-indicators on the basis of which it assessed the public procurement system in Serbia in 2017. Each indicator and sub-indicator was given an estimate based on the methodology developed by SIGMA and data collected from relevant documents and public procurement reports for 2017.

Below are the indicators and sub-indicators used by SIGMA to evaluate the public procurement system in Serbia.

#### Indicator

Quality of legislative framework for public procurement and PPP/concessions

#### Sub-indicators

Level of alignment of public procurement legislation with the EU Directives

Scope of public procurement legislation

Public procurement procedures

Publication and transparency

Choice of participants and award of contracts

Availability of procedural options

Public procurement procedures below EU thresholds

Advertising of public procurement procedures

Contract award procedures

Opportunities for participation of SMEs in public procurement

Opportunities for participation of SMEs in public procurement

Availability of measures for the practical application of the legislative framework

Availability of measures for the practical application of the legislative framework

Quality of legislation concerning PPPs/concessions

Coverage of legislation on PPPs/concessions

Value for money, free competition, transparency, equal treatment, mutual recognition and proportionality for PPPs/concessions

#### Indicator



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Central institutional and administrative capacity to develop, implement and monitor public procurement policy effectively and efficiently

### Sub-indicators

Quality of the strategy for development of public procurement and PPPs/concessions

Quality of the operational action plan

Implementation of the strategy and the action plan

Monitoring of strategy implementation

Adequacy of the legal framework to ensure capable institutions

Clarity in definition and distribution of central procurement functions in the legislation

Performance of the institutions involved, their capacity and resources

Comprehensiveness and efficiency of systems for monitoring and reporting on public procurement

Presence and quality of monitoring and data collection<sup>4/109</sup>. Accessibility of public procurement data

### Indicator

Independence, timeliness and competence of complaints handling system

### Sub-indicators

Right to challenge public procurement decisions

Time limit for challenging decisions taken by contracting authorities/entities

Transposition of mechanisms to avoid ineffectiveness of contracts and impose penalties

Mechanisms to ensure implementation of the review body's resolutions

Right to challenge decisions of the review body

Legal provisions establishing the review body ensure independence of the institution and its members

Adequacy of the organisational set-up and procedures of the review body

Public availability and timeliness of data on the review system

Fairness of fee rates for initiating review procedures

Actual processing time of complaints

Complaint submission in practice

Quality of decision making by the review body

Cases changed or returned after verification by the court (%)





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Right to challenge lawfulness of actions/omissions in PPP/concessions procedures

Legal provisions ensure independence of the review body for PPPs/concessions and its members

Timeliness and effectiveness of complaints handling system for PPPs/concessions

### Indicator

Efficiency, non-discrimination, transparency and equal treatment practiced in public procurement operations

### Sub-indicators

Due attention is given to the planning process

Presence and use of cost estimation methods and budgeting

Perceived quality of tender documentation by contracting authorities and economic operators (%)

Perceived fairness of procedures by businesses (%)

Contracts awarded by competitive procedures (%)

Contracts awarded based on acquisition price only (%)

Average number of tenders submitted per competitive procedure

Contracts awarded when one tenderer submitted a tender (%)

Adequacy of regulatory framework for and use of framework agreements

Adequacy of regulatory and institutional framework and use of centralised purchasing

Penetration of e-procurement within the procurement system

Presence of mechanisms requiring and enabling contract management

Contracts amended after award (%)

Extent of *ex post* evaluation of the procurement process and of contract performance

Existence of basic integrity tools

### Indicator

Availability and quality of support to contracting authorities and economic operators to strengthen professionalisation in public procurement operations

### Sub-indicators

Availability and quality of manuals and guidelines

Availability and quality of standard tender documents, standard forms and standard contract models





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Access to quality training for procurement staff

Availability of advice and support for contracting authorities and economic operators

Procurement procedures cancelled (%)



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