Retrieved from [www.pravno-informacioni-sistem.rs](http://www.pravno-informacioni-sistem.rs/)

Pursuant to Article 79, paragraph 6 of the Law on Public Procurement (“Official Gazette of the Republic of Serbia”, No. 91/19), and Article 17, paragraph 1 and Article 42, paragraph 1 of the Law on Government (“Official Gazette of the Republic of Serbia”, Nos. 55/05, 71/05 - correction, 101/07, 65/08, 16/11, 68/12 - Constitutional Court, 72/12, 7/14 - Constitutional Court, 44/14 and 30/18 - other law),

The Government adopts the following

**DECREE**

**on the organisation and manner of performing centralised public procurement at the national level**

“Official Gazette of the Republic of Serbia”, No. 116 of 16 September 2020

I. BASIC PROVISION

Article 1

This Deree regulates in more detail the organisation and manner of performing centralised public procurement at the national level.

II. CENTRAL PUBLIC PROCUREMENT AUTHORITY

Article 2

The activities of centralised public procurement at the republic level are performed by the Joint Services Administration, as a body for centralised public procurement at the national level.

III. CONTRACTING AUTHORITIES WHOSE NEEDS ARE PROVIDED THROUGH THE JOINT SERVICES ADMINISTRATION

Article 3

The contracting authorities whose needs are provided through the Joint Services Administration are:

1. National Assembly;

2. President of the Republic;

3. Government, cabinets and government services;

4. Ministries and special organisations, in accordance with the law establishing ministries, except the ministry in charge of defence and the ministry in charge of the interior;

5. Special organisations formed in accordance with a special law, except the Security Intelligence Agency;

6. Judicial authorities, as follows:

1) Judiciary:

(1) Constitutional Court;

(2) High Judicial Council;

(3) Supreme Court of Cassation;

(4) Administrative Court;

(5) Commercial Court of Appeals; and

(6) Misdemeanour Court of Appeals;

2) Prosecutor’s offices:

(1) State Council of Prosecutors;

(2) National Public Prosecutor’s Office;

(3) War Crimes Prosecutor’s Office; and

(4) Prosecutor’s Office for Organised Crime;

3) State Attorney’s Office;

7. Independent bodies, i.e., organisations:

1) Protector of Citizens (Ombudsman);

2) State Audit Institution;

3) Anti-Corruption Agency;

4) Fiscal Council;

5) Commissioner for Information of Public Importance and Personal Data Protection;

6) Commissioner for the Protection of Equality;

7) National Commission for Protection of Rights in Public Procurement Procedures;

8) Commission for Protection of Competition;

9) Securities Commission.

The change of the name of the contracting authority referred to in paragraph 1 of this Article shall not affect the right of the contracting authority to provide needs through the body for centralized public procurement.

IV. SUBJECT MATTER OF CENTRALISED PUBLIC PROCUREMENT

Article 4

The subject matter of centralised public procurement conducted by the Joint Services Administration are the following goods and services:

1) goods:

(1) office supplies;

(2) computer materials - toners (except toners purchased on the basis of centralised public procurement conducted in the previous year);

(3) fuels and lubricants;

(4) means of transport (if the contracting authorities obtain consent in accordance with applicable regulations);

(5) computer equipment - hardware (whose individual value does not exceed the amount of 500,000.00 dinars);

(6) computer equipment - hardware (whose individual value exceeds the amount of 500,000.00 dinars);

(7) electricity;

(8) stationery and

(9) office furniture.

2) services:

(1) sanitary services and other related services (disinfection, disinsection and deratisation);

(2) maintenance and repair services (maintenance of computer equipment - computers, printers and communication equipment) - only for equipment that was not the subject of centralised public procurement in the previous year or was procured in the previous year);

(3) electronic communications services - fibre optic transmission services;

(4) security services (physical-technical and fire safety of facilities);

(5) electronic communication services - mobile telephony;

(6) electronic communication services - internet;

(7) building cleaning services;

(8) property insurance;

(9) employee insurance;

(10) vehicle insurance.

Article 5

At the proposal of the Joint Services Administration, the Government determines centralised public procurements of goods and services by 1 July of the current year, which will be conducted by the Joint Services Administration depending on the duration of framework agreements previously concluded with the same subject matter of public procurement.

V. MANNER OF PLANNING AND IMPLEMENTATION OF CENTRALISED PUBLIC PROCUREMENT

Article 6

The Joint Services Administration may initiate a centralised public procurement procedure if the following conditions are met:

1) that the procurement is envisaged in the annual plan of centralised public procurement for the current year;

2) that the procurement is carried out for contracting authorities referred to in Article 3 of this Decree, the needs of which are provided through the body for centralised public procurement.

Obligations that the contracting authorities assume in the public procurement contract must be contracted in accordance with the regulations governing the budget system, i.e., the disposal of financial resources.

Article 7

The Joint Services Administration for the needs of centralised public procurement shall establish the Information System of Centralised Public Procurement (hereinafter referred to as: IS CJN) with appropriate instructions for use.

IS CJN will be available to clients on the website of the Joint Services Administration.

In the IS CJN, contracting authorities enter data on public procurement, no later than 15 October of the current year for the following year.

Article 8

The annual plan of centralised public procurement is prepared by the Joint Services Administration on the basis of data contained in the IS CJN.

The Joint Services Administration submits to the Government for approval the Proposal of the Annual Plan of Centralised Public Procurement, no later than 15 November of the current year for the following year.

Within ten days from the day of obtaining the consent of the Government, the Joint Services Administration shall publish the Annual Plan of Centralised Public Procurement on the Public Procurement Portal.

The Joint Services Administration shall publish on its website an excerpt from the annual plan of centralised public procurement with data on the subject matter of public procurement and the approximate date of initiating the public procurement procedure.

Article 9

Contracting authorities for whose needs the Joint Services Administration conducts centralised public procurement procedures referred to in Article 4 of this Decree, plan procurement on an annual basis, except for procurement of goods and services within account group 42 - use of goods and services and 62 - procurement of financial assets, which can be planned on a biennial basis.

Article 10

The Joint Services Administration conducts all types of procedures in accordance with the Law on Public Procurement and is obliged to conduct centralised public procurement in a way that provides market access to small and medium enterprises, whenever possible.

After the completion of the public procurement procedure, the Joint Services Administration concludes a framework agreement or awards a contract for goods and services.

Article 11

Contracting authorities may, under the conditions and within the limits prescribed by the framework agreement, conclude contracts with the most favourable supplier.

The Joint Services Administration monitors the implementation of the framework agreement.

The contracting authorities must, within three days from the day of concluding the contract, enter the data in the IS CJN, as follows:

1) name and address of the contracting authority;

2) the value of the contract;

3) date of concluding the contract, and

4) the period of validity of the contract, in order to monitor the implementation of framework agreements by the Joint Services Administration.

The framework agreement may be used only by the contracting authorities which are precisely specified in the framework agreement or on the basis of the framework agreement it can be clearly determined which contracting authorities it is intended for.

Article 12

The Joint Services Administration publishes on the Public Procurement Portal and on its website all types of advertisements and tender documentation (changes, amendments, additional information or clarifications) in accordance with the provisions of the Law on Public Procurement.

In order to timely inform the contracting authorities, the Joint Services Administration shall publish on its website:

1) excerpt from the annual plan of centralised public procurement;

2) concluded framework agreements with the necessary supporting documentation for their implementation.

VI. CONDITIONS FOR PERFORMING AUXILIARY PUBLIC PROCUREMENT ACTIVITIES

Article 13

The Joint Services Administration, in addition to the tasks of centralised public procurement, may also perform ancillary tasks consisting in providing support to procurement activities, especially with regard to:

1) providing technical support and assistance that enables contracting authorities to award public procurement contracts or conclude framework agreements for goods and services;

2) advising on the preparation and implementation of public procurement procedures;

3) preparation and implementation of public procurement procedures in the name and for the account of a certain contracting authority.

Article 14

The Joint Services Administration may perform ancillary tasks referred to in Article 13 of this Decree to the extent that it is staffed and technically qualified and adequately spatially equipped with the necessary working conditions.

VII. OTHER MATTERS OF RELEVANCE FOR THE WORK OF THE BODY FOR CENTRALISED PUBLIC PROCUREMENTS

Article 15

In the implementation of centralised public procurement procedures, especially in terms of conducting procurement procedures, maintaining a system for timely and valid data entry in the Information System of Centralised Public Procurements, compiling specifications for individual procurement items, engage available resources of relevant sectors formed within the Joint Services Administration.

VIII. TRANSITIONAL AND FINAL PROVISIONS

Article 16

The Joint Services Administration will, exceptionally for 2021, conduct centralised public procurement for:

1) goods:

(1) office supplies;

(2) computer materials - toners (except toners purchased on the basis of centralised public procurement launched in 2020);

(3) fuels and lubricants;

(4) means of transport (if the contracting authorities obtain consent in accordance with applicable regulations);

(5) computer equipment - hardware (whose individual value does not exceed the amount of 500,000.00 dinars);

(6) computer equipment - hardware (whose individual value exceeds the amount of 500,000.00 dinars);

(7) electricity;

(8) stationery and

(9) office furniture.

2) services:

(1) sanitary services and other related services (disinfection, disinsection and deratisation);

(2) maintenance and repair services (maintenance of computer equipment - computers, printers and communication equipment) - only for equipment that was not the subject matter of centralised public procurement in 2020 or was procured in 2020;

(3) electronic communications services - fibre optic transmission services;

(4) security services (physical-technical and fire safety of facilities);

Article 17

This Decree shall enter into force on the day following the date of its publication in the “Official Gazette of the Republic of Serbia”.

05 No. 110-7087/2020

In Belgrade, dated 15 September 2020

**Government**

Prime Minister,

**Ana Brnabić**, signed personally