

Comments, proposals, suggestions and remarks
-eConsultations, period 25 January - 15 February 2024-

No.	Section/Proposal	Response
1.	<p>The general comment on the Programme Proposal is that the general and special goals, as well as the outcome indicators for their achievement, should contain concrete numerical indicators on the basis of which it would be established whether certain indicators have progressed or regressed in the future.</p>	<p>The proposal is partially accepted.</p> <p>When preparing annual action plans, the Public Procurement Office will take into account the definition of qualitative and quantitative indicators of effects, outcomes and results in accordance with the provisions of the Law on the Planning System and the Decree on the Methodology of Public Policy Management, the analysis of the effects of public policies and regulations and the content of individual public policy documents. These regulations do not define that planning documents must contain numerical indicators. The law on the planning system defines that effect indicators are quantitative and/or qualitative and serve to monitor the level of achievement of general or special goals of public policy, in relation to the initial values of those parameters, and accordingly the Office will define the indicators in this planning document.</p>
2.	<p>The Programme Proposal, in part 3.3 - Key weaknesses and challenges for their elimination - missed to identify one of the weaknesses that affects and harms the public procurement system, which is the frequent use of special laws for contracting the most valuable projects and bypassing the rules prescribed by the Law, was omitted on public procurement for those projects.</p>	<p>The proposal is not accepted.</p> <p>When preparing the Programme Proposal (general and specific goals, measures and weaknesses and challenges), the Public Procurement Office had in mind, first of all, the criteria defined in Chapter 5 - Public Procurement. Bearing in mind that the problem</p>

		<p>stated in the comment affects the closure of this chapter, as well as the full fulfilment of the general goal of this program, the Office will submit the Program Proposal and the accompanying action plan to the public administration bodies that are responsible for the adoption of the “lex specialis”, and the document will be amended according to the received opinions.</p>
<p>3.</p>	<p>The proposal for amending or supplementing the Program Proposal in terms of “general and specific goals/objectives (goals and objectives)” is to set numerical benchmarks for the outcome indicators for the year 2028 (Increasing competition in public procurement procedures, which will have the effect of reducing the percentage of procedures with only one offer, Increasing competition in public procurement procedures, which will have the effect of reducing the percentage of procedures with only one offer, increasing the participation of criteria for awarding contracts that are not based only on price)</p>	<p>The proposal is partially accepted.</p> <p>When preparing annual action plans, the Public Procurement Office will take into account the definition of qualitative and quantitative indicators of effects, outcomes and results in accordance with the provisions of the Law on the Planning System and the Decree on the Methodology of Public Policy Management, the analysis of the effects of public policies and regulations and the content of individual public policy documents. These regulations do not define that planning documents must contain numerical indicators. The law on the planning system defines that effect indicators are quantitative and/or qualitative and serve to monitor the level of achievement of general or special goals of public policy, in relation to the initial values of those parameters, and accordingly the Office will define the indicators in this planning document.</p>

4.	In the Programme Proposal within Measure 4 “Improvement of the electronic system of public procurement” for the achievement of Special objective 1, include as an indicator of results the following outcome “Implemented additional functions on the Public Procurement Portal” - implemented profile of the contracting parties.	The proposal is not accepted. The profile of the contracting authority is envisaged by Article 110 of the Law on Public Procurement (“Official Gazette of the Republic of Serbia”, Nos. 91/19 and 92/23), the specialist aforementioned article stipulates that the contracting authority may publish a profile on its website. Therefore, as the contracting authority’s profile is provided as an option for the procuring agent, the same cannot necessarily be provided on the Public Procurement Portal.
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