



State Agency for Antimonopoly
Policy and Supervision of the
Consumer Market under the Ministry
of Economy of the Republic of
Azerbaijan



Center for Analysis of Economic
Reforms and Communication of the
Republic of Azerbaijan

REFORMS REVIEW

SPECIAL ISSUE



PUBLIC PROCUREMENT REFORMS



PUBLIC PROCUREMENT REFORMS

BEFORE

NOW

Preliminary determination of qualification compliance of consignors (contractors)

During qualification compliance determination procedure, the procurement agency presents or sends to the consignor (contractor) a collection of documents related to the given procedures.



During **preliminary** qualification compliance determination procedure, Tender Commission determines a **period of at least 10 banking days** in order for the consignor (contractor) that applied **to submit a collection of documents on these procedures.**

The procurement agency provides the consignor (contractor) with information on the results of **preliminary qualification compliance determination no later than 10 banking days after the deadline for submission of documents for preliminary qualification compliance determination.**

E-procurement

The purchase of goods (works, services) with an estimated cost of the subject of procurement in the amount of 3.0 million US dollars in manat equivalent or less is carried out only with the participation of micro, small and medium-sized businesses, through electronic procurement using the open tender method.

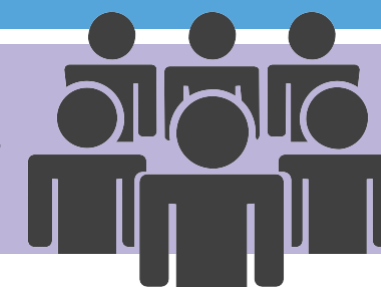
The purchase of goods (works, services) with an estimated cost of the subject of procurement in the amount of 3.0 million US dollars in manat equivalent or less is carried out only with the participation of micro, small and medium-sized businesses, through electronic procurement using the open tender method or **request for quotations.**

Coordination of procurement methods

The appropriate executive authority considers the **application of other procurement methods within 10 banking days**

Tender Commission

The composition of the Tender Commission is formed from **an odd number (at least 5 people)** of the procurement agency's specialists in the relevant field



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Tender participation fee

Total sum of tender participation fee shall be set by procurement agency provided that it does not exceed **0,5 percent** of supposed price of tender subject and **1,5-times** of tender costs.

To receive a package of basic tender conditions and register as a bidder, the consignor (contractor) makes payment of tender participation fee to the **procurement agency**.



Total sum of tender participation fee shall be set by procurement agency provided that it does not exceed **0,3 percent** of estimated price of tender subject and **1,2-times** of tender costs.

During electronic procurement, carried out by the method of open tender or request for quotations, the amount of the participation fee, payment, and rules of use are approved by the body (institution), determined by the relevant executive authority. (The amount will be determined and presented).

Opening of tender packages

The tender procedure shall be conducted by the Tender Commission in established place and time in accordance with procedures provided for in collection of basic tender conditions, and tender proposals shall be opened in the same consecution as they have been received

The tender procedure shall be conducted by the Tender Commission in established place and time in accordance with procedures provided for in collection of basic tender conditions, and **after the final date of the determined period**, tender proposals shall be opened **during 1 banking day**.

Rejection of proposals

The information about rejection of a proposal is provided to the consignor (contractor) **within 1 banking day**



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Evaluation of proposals

The Tender Commission within 1 banking day evaluates a proposal in accordance with the present Law, adopts the decision, and places the decision on the same day on the single web portal for public procurement.

The Tender Commission evaluates and makes a decision on a proposal **10 banking days prior to the expiration of the validity period of the proposals, specified in the collection of the main tender conditions**, and places the decision on the single web portal for public procurement on the same day.

Receipt of permits (consents) and notification on the commencement of work

If the permissions (consents) from the corresponding bodies are required for the commencement of contract implementation, the procurement agency ensures receipt of such permission (consent) till the commencement of contract implementation. Unless otherwise provided by the procurement contract, **within 5 banking days after signing the contract**, the procurement agency sends the consignor (contractor) a **notification on the start date of the contract implementation, as well as regarding the permits (consents) received**, in case they are required

Approval of a contract by a superior management body

The superior management body approves the submitted procurement contract **no later than 5 banking days**

5 Banking days



Terms of procurement contract performance guarantee

The validity period of the procurement contract performance guarantee **shall be 30 banking days longer than the validity period of the procurement contract performance (including the period of technical provision, if required)**

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Delivery and acceptance act

After the consignor (contractor) submits the **documents on the implementation of the contract, the procurement agency must confirm these documents within 15 banking days or refuse confirming by providing explanations.** If, during this period, the procurement agency **does not confirm the documents or does not provide a refusal to confirm** these documents with an explanation, the submitted documents are **considered approved** by the procurement agency.



Request for proposals

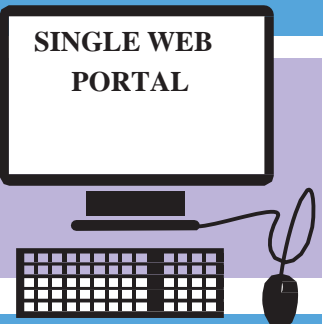
To arouse interest in the submission of proposals, the procurement agency shall publish an announcement **in local and internationally distributed mass media agency**

To arouse interest in the submission of proposals, the procurement agency shall publish an announcement **on the single web portal for public procurement at least 10 banking days before** the date of opening of the tender bids.

Tender announcement (invitation)

Tender announcement (invitation) shall be published in the **official state newspapers and on a single web portal for public procurement**

Tender announcement (invitation) shall be published **on a single web portal for public procurement**



Changing the terms of a contract

According to this Article, official requests of the parties to each other about changing the terms of the procurement contract are considered **within 10 banking days.**