
mepps-md TOR

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Myroslav Opyr

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Contents:

1	Legislative framework	1
2	Terms	3
3	MePPS architecture	7
3.1	Components of the central unit of the MePPS system	8
4	Procurement plans	11
4.1	A brief overview	11
4.2	Introducing changes into the plan	13
5	Below Threshold Procurements	15
5.1	Creating a tender	15
5.2	Clarification period	17
5.3	Submission of offers	17
5.4	Auction	18
5.5	Qualification of participants and identification of the procurement winner	19
5.6	Procurement cancellation	20
5.7	Concluding an agreement	20
6	Tender fields and data validation	21
7	Report on concluded agreements	25
7.1	Publication of a decision on intent to conclude an agreement	25
7.2	Entering information on EO on the basis of the concluded agreement	26
7.3	Concluding an agreement	27
7.4	Procedure completion	29
8	Complaint Procedure	31
8.1	Below Threshold Procurements	31
8.2	Detailed overview of the process	32
9	Working with agreements	35
9.1	Agreement termination	36
9.2	Agreement execution	36
10	Statuses in Below Threshold Procurements	37

11	Grounds for cancellation of a procurement	39
12	Bid encryption	41
13	Codebooks and classifiers	43
13.1	Common Procurement Vocabulary	43
13.2	Calendar information	43
13.3	List of measurement units used	43
13.4	List of the currencies used	43
13.5	Codelists of Moldovan regions	44
13.6	Codelists of procedure types	44
14	Indices and tables	45

CHAPTER 1

Legislative framework

Provisions of the Republic of Moldova – European Union Association Agreement (AA), which provides the roadmap to a greater European integration; after joining World Trade Organization Government Procurement Agreement (WTO GPA) on **14 July 2016** the Republic of Moldova officially became the 47th WTO GPA Party.

Law on Public Procurement no. 131 (PPL no. 131) dated 3 July 2015, amended on 3 July and 3 October 2016 (in the Russian language)

The EUPD 2014, published in the OJEU on 28 March 2014, came into force on 17 April 2014, and are due to be transposed into national legislation by 2019 and 2021, as foreseen by Annex XXIX-B of the EU-Republic of Moldova Association Agreement.

CHAPTER 2

Terms

API - a set of classes, procedures, functions, structures, and constants provided by an app (a library, a service) to be used in the external software products. API constitutes a part of the CDB which ensure interaction services of Electronic Platforms and the CDB.

Accreditation - the provision to the CA the right to participate in the process of bids, offers, and works placement in the closed part of the Operator in accordance with the provisions set in the Regulations of bid and offer placement using the specialized Electronic Platform.

Administrator - an Operator's employee that has all the credentials foreseen by the Operator, including the accreditation of organizations on the Electronic Platform and access provision to the personal cabinet to other users of the Operator.

Annual plan contains information on the planned procurements by the CA and is published within the period of fifteen days from the moment of its approval and five days within its modification date.

Authorized Electronic Platform authorized by the Responsible Body/Relevant Authority - an information and telecommunication system, which is a part of the electronic procurement system and ensures registration of persons, automatic publication, receipt and transfer of information and documents over the course of electronic procurement procedures, usage of services with automatic information exchange. Platforms are remote components of the system which interact with the CDB with the help of/via API.

Authorized body - Public Procuring Agency (thereinafter PPA).

Below threshold procurements - procurements with the expected price of the procurement item of less than LEI 80,000 for goods and services and LEI 100,000 for works.

Candidate - a participant of the Electronic reverse auction which made the lowest bid among the participants who passed the qualification stage or whose application has not yet been reviewed.

Catalogue - a logical object containing a set of attributes securing storage of catalogue and reference intervals of attributes CDB objects. The catalogue is characterized by a relatively constant set of attributes and their values which allow to control and unify the values of attributes of the CDB objects. The catalogue is the prototype of the physical implementation of the system database.

Central Database (thereinafter CDB) - a system's component which contains a centralized database as a part of storage objects and system's data processing, API which ensure interaction between the electronic platforms, Auction service and Administrator's service.

Changes to the annual procurement plan - introduction of the respective changes to the planned procurements of the CA.

Complainant - any registered system user (excluding CAs) willing to submit a demand or a complaint on procurement requirements, or a Tenderer willing to submit a demand or a complaint on the qualification decision of the CA.

Common Procurement Vocabulary (thereinafter CPV) - the Common Procurement Vocabulary as adopted by the Regulation (EC) No 2195/2002.

Review Commission for below threshold procurements - a body established by non-governmental organizations that are legally entitled to issue only recommendations to the CA.

Role - a characteristic of the user of the system which defines a set of functions which a User is obliged to / can execute while working with the electronic procurement system.

Database Object. Operational Data Store Object - a logical object that reflects the system object (process) in the CDB. It contains a number of attributes which characterize the system object, storage rules, restriction in relation to the other objects. Database Object - a prototype of the physical realization object of the system's database. Database Object is characterized by a constant increase in number and change in attribute values - operational data change.

Electronic reverse auction (thereinafter E-Auction) - a procedure of identifying a Candidate with the lowest bid-offer, during the which participants can change the bid price making a bid in every round.

Economic operator (thereinafter EO) - any person, public entity, or group of such persons and entities, including any temporary association of undertakings, which offers the execution of work, the provision of services, or the supply of products on the market.

Notice to remove violations, notice - an official appeal to the CA with the demand to remove violations.

Notice to remove violations - an appeal submitted to the CA by a potential tenderer on elimination of violations in the procurement requirements.

Observer - a user's role in the System which gives viewer rights, without a right to initiate Procurement or participate in the Procurement Process as a participant.

Offer price - the price suggested by the supplier. An agreement with the winner of the procedure has to be signed at this price.

Personal cabinet - a part of the electronic platform accessible only to the registered users of the respective authorized electronic platform.

Contracting Authority (thereinafter CA):

- a state body, organization, institution or other direct or indirect budget user according to the law regulating the budget system, as well as an organization ;
- a legal entity established by a direct or indirect budget user with a specific interest of meeting needs in the general interest, having a management board more than a half members of which are budget users representatives or where more than half of the votes in the management board belong to budget users representatives;
- a public undertaking or an undertaking established by a public undertaking wherein a direct or indirect budget user, that is, another procuring entity, pursuant to the Law owns more than 50% of shares.

Public procurement - the provision of goods and services or awarding of work assignments by a state body, organization, institution or some other legal person regarded as a procuring entity pursuant to the Law on Public Procurement no. 131 (PPL no. 131) dated 3 July 2015, amended on 3 July and 3 October 2016 in the manner and under conditions prescribed by this Law.

Public procurement contract - the contract concluded following the procedure prescribed by this Law between a procuring entity and a goods supplier, service provider or work contractor, concerning the procurement of goods, provision of services or performance of work assignments.

Suggested price - the price suggested by the EO. This price should be indicated in the agreement with the winner of the procedure.

Qualification documents - statute, financial, other documents, certificates, copies, as well as records/statements certified by the Authorized Body which the CA has the right to demand from a participant in accordance with the current legislature. Participant shall be obliged upon the CA's request to present the required documents as a part of its bid.

Qualification - a stage of the process in the framework of which CA has the right to demand qualification documents from the considered candidate. Candidate has the right to provide qualification documents.

Role- a feature of the system user which sets out a number of functions which a User is obliged to/can execute working in the electronic public procurement system.

Request - a demand to eliminate violations that can be escalated (provided the dispute between the complainant and the CA cannot be settled) to the Review Commission.

Tenderer - a domestic or foreign legal or natural person offering to supply goods, provide services, or perform work assignments.

Tender offer - an offer regarding a subject of purchase which participant provides to CA in accordance with the requirements set in tender documentation.

Tender documentation - the documentation regarding the public procurement conditions which is developed and certified by the CA and is published to be freely accessed.

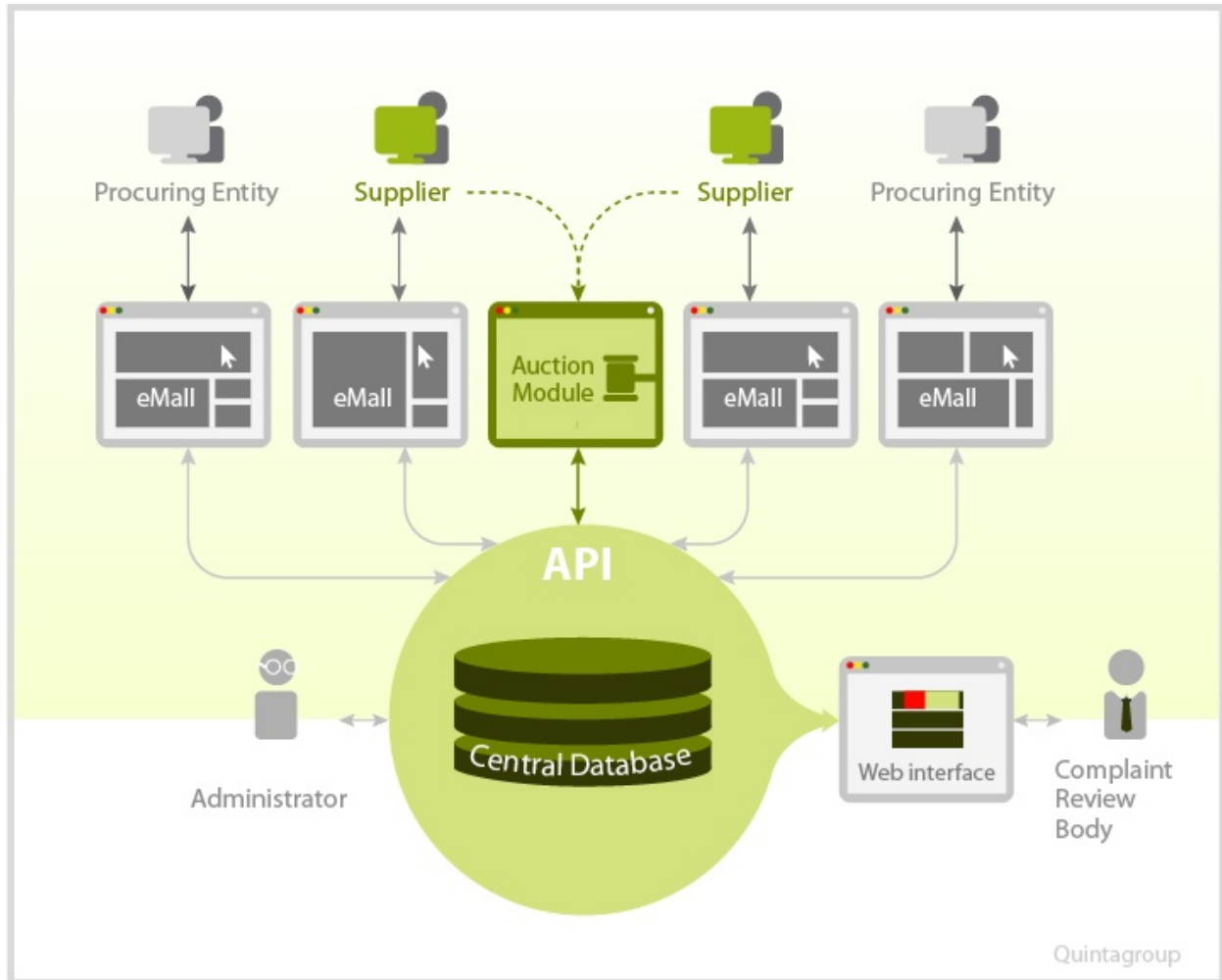
Winner - a participant whose tender offer is in compliance with all the criteria and requirements set in the tender documentation, and recognized as the most cost-effective, and whom CA has notified of his/her intentions to sign the contract.

MePPS architecture

The MePPS system consists of two main components: the front-end platforms (aka eMalls), and the central unit, which includes a central database (CDB), an API and several front-end systems (public portal, commercial platforms, reporting systems, risk management systems, analytics systems, controlling body systems, etc.) to provide or exchange information with a range of stakeholders.

The front-end platforms are web platforms that implement eProcurement system features and provide access for CA and EO. The front-end platforms interact with the CDB via the OpenProcurement API over a secure connection, and provide suppliers with temporary credentials to access the auction module hosted on the central unit. These platforms are provided by a range of commercial electronic platform operators offering various additional services, depending on their market niche (ERP integration, business and legal consultancy on public procurement, geographical coverage, etc.).

The basic architecture of the MePPS system



3.1 Components of the central unit of the MePPS system

Commercial platform - commercial eProcurement platform independent from the central unit, through which CA conduct all their operations, and EO submit their offers as well as their questions and complaints. Connection between the commercial platforms and Central Unit is secured by an encrypted channel of communication. In order to take part in an eAuction, each EO receives through their commercial platform a unique link to their individual web page, which is generated by the CDB. There is no additional encryption over this connection. Requires Internet Connection.

CDB servers 1-n - cluster of servers, which provide read-write operations and cooperation between the commercial platforms and the CDB. Authorisation for each commercial platform is provided by the individual admin access tokens. Requires Internet Connection, through secure connection, only for allowed IP addresses.

CDB - central database, which contains information about the tender notice, received offers, qualification results, questions and complaints, and results of their review by the complaint body. Does not require Internet Connection.

File Repository Management System - server managing the access to the file repository. It controls the access to the files and reads the files from the repository. Requires Internet Connection.

File Repository - storage of the files attached to the tender notices, offers, and complaints. Does not require Internet Connection.

Front-end Auction Servers 1 - n - cluster of the front-end servers for the eAuction module, which serves eAuction

users: displaying individual user's page; retrieving the current status of the auction from the CDB server, etc.Requires Internet Connection.

Auction Public Server - front-end eAuction server, installed for the observers. It displays the web page for read-only users, so that everybody can watch how an eAuction is running. Current status of the auction is received from the DB auction server. It does not allow making bids.Requires Internet Connection.

Back-end Auction Server - back-end eAuction server. It receives bids uploaded through the front-end auction servers, saves them in the auction DB, and executes the logic of the eAuction module. During the auction, it keeps track of the time allocated to each bidder and it determines the sorting order of the bidders at the end of each round according to the award criteria. Does not require Internet Connection.

Auction DB Management Server - back-end server, which provides correlation between the back-end auction server and the auction DB.Does not require Internet Connection.

Auction DB - auction database, which contains information about the auctions in progress and bids provided by every participant.Does not require Internet Connection.

Logging server - server where logs generated by the API servers, DB servers and commercial platforms are saved. It provides an external interface to allow other stakeholders to consult the logs.Requires Internet Connection.

Automated Testing Server - server that runs test scripts on the Open Procurement and the software developed by commercial platforms in order to control the correctness of these elements.Does not require Internet Connection.

Web portal - website that presents procurement information in compliance with legislation, from the CDB through the Portal's Public . Contains general information pages as well.Requires Internet Connection.

Portal Index Server - server for indexing and storing indexes of records received from the CDB through the public API.Does not require Internet Connection.

Public server - server that displays CDB records in read-only mode. Only information allowed for publication by the current legislation is displayed (i.e. it does not show offers of the bidders until the opening session (disclosure) of the bids.Requires Internet Connection.

Portal DBMS - database that is used for storing web pages with static content that are displayed on the web portal.Does not require Internet Connection.

Complaint Review Web App - web interface for the representatives of the Complaint Review Body. Members of this entity can access the complaint, review it, accept or reject it, and finally publish the decision on the CDB through the API. Requires Internet Connection, only for allowed IP addresses.

4.1 A brief overview

Upon the approval of budget / business plan of an organization, this structured data is entered into the system. The record on the planned procedure in the annual procurement plan is elaborated until the third CPV digit. Gradually, this data is further elaborated by the CA by introducing changes into the annual plan where the procurement item details are indicated.

4.1.1 Plan creation

procuringEntity.identifier.scheme identification scheme according to the [IATI standard \(Codelist in JSON format\)](#)

procuringEntity.identifier.id CA code in the chosen identification scheme

procuringEntity.name* CA name

procuringEntity.identifier.legalName CA full name

budget.year year

budget.project.id project code

Important: Should be hidden in the platform's interface

budget.project.name project name

Important: Should be hidden in the platform's interface

budget.id procurement plan number

budget.description procurement item name

budget.source of financing.id source of finance
budget.source of financing.name source of finance title
budget.notes remarks
budget.amount expected procurement price with VAT

Important: Should be hidden in the platform's interface

budget.currency currency according to *Codebooks and classifiers*
budget.amountNet expected price without VAT
tender.tenderPeriod.startDate approximate beginning date of the procurement procedure (there should be an opportunity to choose a month (e.g. March, 2016))
tender.procurementMethodType procedure type
classification.scheme CPV according to *Codebooks and classifiers*
classification.id CPV classification code which defines the procurement item
classification.description CPV classification code name
id procurement plan identifier, required
planID procurement plan identifier, required

4.1.2 Data entered by CA introducing procurement plan details

items.description procurement item name, required
items.quantity amount of goods/the volume of work assignments or services provision, required
item.unit.code measurement unit code according to *Codebooks and classifiers*, required
items.unit.name measurement unit name according to *Codebooks and classifiers*, required
items.deliveryDate.endDate end time of goods delivery / work assignments execution / services provision, required
items.classification.scheme CPV according to *Codebooks and classifiers*, required
items.classification.id CPV classification code which defines the procurement item, required
items.classification.description CPV classification code name, required

4.1.3 Validations executed on the CDB level

procuringEntity.identifier.scheme filled out with one of the codes from the IATI list
procuringEntity.identifier.id filled out
procuringEntity.name filled out
procuringEntity.identifier.legalName filled out
budget.description filled out
budget.amount filled out
tender.tenderPeriod.startDate planned date of procedure start

tender.procurementMethod filled out

classification.scheme filled out according to *Codebooks and classifiers*

classification.id filled out according to *Codebooks and classifiers*

classification.description filled out according to *Codebooks and classifiers*

items.description filled out if there is at least one item

items.quantity filled out if there is at least one item

items.unit.code filled out according to *Codebooks and classifiers* if there is at least one item

items.unit.name filled out according to *Codebooks and classifiers* if there is at least one item

items.deliveryDate.endDate filled out if there is at least one item

items.classification.scheme filled out according to *Codebooks and classifiers* if there is at least one item

items.classification.id filled out according to *Codebooks and classifiers* if there is at least one item

items.classification.description filled out according to *Codebooks and classifiers* if there is at least one item

4.2 Introducing changes into the plan

CA can add new or modify earlier entered articles of the plan, increase or decrease the existing articles, and introduce other changes into the plan.

To delete an article of the plan, CA enters zero value into the Amount and Expected procurement value fields.

Below Threshold Procurements

Procedures not covered by PPL 131 (below 100.000 MDL - for work assignments - and 80.000 MDL - for goods and services) are held in line with this procedure. The procurement process is carried out in the following sequence:

1. Clarify the procurement conditions
2. Accept bids
3. Conduct an auction
4. Qualify the participants, determine a winner
5. Conclude an agreement

5.1 Creating a tender

Creating a tender, CA determines key fields of the yet-to-be announced procurement, uploads tender documentation, with the requirements to the procurement object indicated, EO, expected procurement price, and other information related to the tender, as well as that which determines winner selection criteria:

- Price

5.1.1 Features of a multi-lot tender

PE can split the procurement into several lots preserving the first three CPV digits. Creating a procurement, the first lot is created automatically. Provided PE has not created any new lots, the procurement is then regarded as a single lot one.

Lots can differ in goods or services quantity, estimated value, delivery place, procurement item (preserving the first three digits).

An example of the data structure of a multi-lot tender:

lots.status lot status (active, cancelled, unsuccessful), not displayed

lots.description lot remarks (other info PE sees as fit)

lots.title generalized lot name

lots.minimalStep.currency by default the same as `lots.value.currency`, not displayed

lots.minimalStep.amount minimal step (price and % from the estimated value, with automatic calculation)

lots.minimalStep.valueAddedTaxIncluded by default the same as `lots.value.valueAddedTaxIncluded`

lots.auctionPeriod.startDate start date of the auction

lots.auctionPeriod.endDate end date of the auction

lots.value.currency currency (MDL,EUR,USD)

lots.value.valueAddedTaxIncluded false

lots.auctionURL link to the auction

lots.id lot ID

5.1.2 Document types

Uploading documents into the tender announcement, CA can choose the document type. The following document types are not obligatory but it is best advised to regard them as such:

- Tender documentation (*biddingDocuments*)
- Technical requirements to the procurement item (*technicalSpecifications*)
- Qualification criteria (*eligibilityCriteria*)
- Evaluation criteria (*evaluationCriteria*)
- Draft contract (*contractProforma*)
- Other (no `documentType`)
- Commercial proposal (*commercialProposal*)
- Technical proposal (*technicalProposal*)

5.1.3 Procurement nomenclature

CA can divide a procurement into separate elements, determining the required quantity of every item. Items can differ according to the classification code (preserving the same CPV group, e.g. the first three digits shall not change), delivery place and time, along with the procurement process description. At least one nomenclature shall be created in the tender.

items.description procurement object name

items.classification.scheme CPV according to *Codebooks and classifiers*, not shown

items.classification.description CPV code which describes the procurement item according to *Codebooks and classifiers*

items.classification.id classification code title in Romanian according to *Codebooks and classifiers*

items.deliveryAddress.postalCode postal code

items.deliveryAddress.countryName country

items.deliveryAddress.streetAddress street

items.deliveryAddress.region region according to *Codebooks and classifiers*

items.deliveryAddress.locality town/city

items.deliveryDate.endDate goods delivery time/execution time of works/ services provision time

items.unit.code measurement unit code according to *Codebooks and classifiers*

items.unit.name measurement unit according to *Codebooks and classifiers*

items.quantity goods quantity or the scope of execution of works or services provision

items.estimatedValue expected value

5.2 Clarification period

Clarification period is separately distinguished in the procurement procedure during the which participants can ask questions regarding the procurement requirements (participant qualification requirements or procurement object requirements), demand issue resolution, and submit a complaint, while procuring entities can provide answers to questions and introduce changes into the procurement conditions. The duration of the clarification period and offer submission is determined by Procuring Entity.

5.3 Submission of offers

Legal entities, sole entrepreneurs and natural persons (residents and non-residents).

Once the clarification period is over, the system automatically chooses date and time of the auction, and Platforms inform participants and procuring entities about it; the latter can no longer introduce changes into the tender announcement. Participants submit offers that are confidential.

5.3.1 Fields filled out by the user

bids.value.amount offer value without VAT

5.3.2 Fields generated by the CDB automatically

bids.date offer submission date

bids.id offer ID

suppliers.contactPoint.telephone participant's contact phone

suppliers.contactPoint.name participant's name

suppliers.contactPoint.email participant's email address

suppliers.identifier identification scheme according to *Codebooks and classifiers* (for instance, for Moldova: MD-IDNO)

suppliers.id Moldovan National Registry ID

suppliers.name participant's name

suppliers.address.postalCode postal code

suppliers.address.countryName country

suppliers.address.streetAddress street name, building number and office number

suppliers.address.region region according to *Codebooks and classifiers*

suppliers.address.locality town/city

bids.value.currency currency

bids.value.valueAddedTaxIncluded false (VAT not included)

5.3.3 Peculiarities of a multi-lot tender

If a procurement was split into lots, Participant can submit one offer for one or several lots simultaneously. Participant can upload files on the entire procurement (if the documents for all the lots are the same) or for each lot separately (if the documents differ).

Fields filled out by User:

bids.lotValues.value.amount bid value

Fields filled out automatically:

suppliers.address.locality city/town

bids.lotValues.value.currency currency (MDL,EUR,USD)

bids.lotValues.value.valueAddedTaxIncluded false (VAT not included)

5.4 Auction

Platform receives the links to two pages from the CDB - an individual link of the auction participant which has to be sent to this participant only and no one else and a public link to the auction which is published on platforms and the official website.

Auction participant accesses his personal page via this link and participates in the auction. Auction is held centrally, with the help of separate CDB components.

5.4.1 Features of a multi-lot procurement

Auctions are held for each lot separately. Information disclosure on participants occurs once the last auction in the procurement is completed.

5.4.2 During the auction

Important: Do not accept a bid higher than the estimated value of the contract!

Date and time of the auction are determined by the CDB automatically, once the clarification period is over. Platforms have to inform their users about the upcoming auction beginning date. If no participant is registered after the end of the clarification period, the system automatically changes the procurement status to 'unsuccessful'. If only one participant submitted the offer, the System then automatically registers the participant as a candidate, and procurement procedure then moves to 'active:qualification' status.

If more than one participant is registered, the System activates the single 'Auction' module. Those participants who registered their offer for this particular procurement can participate in the auction. All the other users, including the procuring entity of this procurement process, can observe how the auction develops via a public link that is published on platforms and the official website.

Once the Auction begins, the Platforms are granted access to the auction Internet page for participant authorization and access provision to the auction. By clicking on the link, the Participant agrees to its conditions, after which he receives access to the auction. The following is on the auction page:

- Auction number
- Procurement objects
- ‘Participant’s auction number’ which ensures anonymous participation
- Every participant’s starting bid
- Time till the beginning of the auction and/or participant’s bid

Upon the auction beginning, the System makes a 5 minute pause and announces a round. After the pause, the System automatically announces a round. In every round participants in the order of bid registration during the time period of 2 minutes can make a bid to lower minimum for one reduction step their previous bid.

If the participant has made his choice earlier, the System allows him to introduce changes until the time runs out. If the participant has not performed any action, once the 2 minute period is over, the System keeps unchanged the earlier submitted bid and allows the next participant to make a bid. Once the first round is over, the System makes a 2 minute pause and announces round 2. Auction consists of 3 rounds.

5.5 Qualification of participants and identification of the procurement winner

Procuring entity sequentially reviews the received tender offers, beginning with the smallest suggested price till the highest. If the participant’s offer with the lowest bid is in compliance with the procuring entity’s requirements, Procuring entity uploads a document that reflects his decision and determines this offer a winner (**awards:status:active**).

If it is not in compliance with the requirements, Procuring entity uploads a protocol confirming his decision to disqualify the participant, and declines such an offer (**awards:status:unsuccessful**). The systems then begins to evaluate the next, from the lowest price point of view, participant (**awards:status:pending**).

If all the offers were declined by Procuring entity upon the completion of clarification process, the tender automatically changes to status ‘unsuccessful’.

While making the final decision (upload of the tender offer review protocol and tender offer change to one of the two possible statuses).

Additionally, CA confirms participant’s (that was determined as a winner) qualification with checkboxes:

- *Award.qualified* - complies with qualification criteria set by CA in the tender documentation
- *Award.eligible* - no grounds to reject the offer according to the Law of the Republic of Moldova exist

Having decided on the winner, the participant that was determined as a winner can upload additional documents to his tender offer (certificates).

Declining the offer, CA has to choose one or several reasons from the dropdown list. Based on his/her choice, fields **title** (grounds for declining) and **description** (argumentation). In case several reasons were selected, the respective fields are merged into one.

CA, in free form, indicates grounds for declining in the ‘argumentation’ field (**description**). The user cannot change the wording of the grounds for declining (**title**) chosen from the dropdown list. The procedure is executed for each declined participant and his tender offer separately.

Hint: Attempting to click the button to change status, the following warning should be displayed: ‘Attention! Pressing the button ‘Decline the offer’ is of irreversible character. This decision can changes only if the participants wishes to

appeal against the CA's decision in the prescribed by the Law order. Please make sure that all the published documents are in line and that you have made the right decision regarding qualification'.

If all the offers were declined by CA upon the qualification, the tender automatically changes to status '*unsuccessful*'.

5.6 Procurement cancellation

Procuring entity can cancel the procedure anytime before its completion, apart from terminal statuses (e.g. cancelled, unsuccessful, complete), with compulsory indication of cancellation reason (*cancellations:reason field*).

5.7 Concluding an agreement

No sooner than two working days after the announcement of the winner, procuring entity shall publish and change to active status the concluded agreement, filling out the following compulsory fields (meta-info):

Contracts.contractNumber contract number

Contracts.dateSigned signature date

Contracts.period.startDate contract term

Contracts.period.endDate contract term

Before the contact's status is changed to **active**, Procuring entity should be able to:

- Modify the information and the uploaded files (PUT / contracts / {cid} / documents / {did}). Upon it, procuring entity signs the agreement with EDS (in such case, the status changes to **active**)
- Change contract status to active without EDS (only for belowThreshold)

CA changes the agreement to signed status (active), upon which CA has to change tender to complete status by a separate action.

At this point, the process is completed, and no further actions are required.

Tender fields and data validation

Hint: It is best advised that the majority of information is retrieved automatically from the respective profile and not filled out manually.

Procuring entity creates a tender on the Platform and fills out the following fields, which are transferred to the CDB:

title procurement title

procurementMethod procedure kind = Open

procurementMethodType procedure type = belowThreshold

description procurement procedure

procuringEntity.name shortened entity name (for example - Ministry of Finance)

procuringEntity.identifier.legalName full entity name (for example - Ministry of Finance of Republic of Moldova), required

procuringEntity.identifier.scheme MD-IDNO (according to *Codebooks and classifiers*)

procuringEntity.identifier.id IDNO (according to *Codebooks and classifiers*)

procuringEntity.contactPoint.name first and last name of the person responsible for the procurement procedure

procuringEntity.contactPoint.telephone cell phone of the person responsible for the procurement procedure

procuringEntity.contactPoint.email email address of the person responsible for the procurement procedure

procuringEntity.contactPoint.url website address of the procuring entity

procuringEntity.address.countryName **Moldova** (for procuring entities that are residents only)

procuringEntity.address.postalCode postal code

procuringEntity.address.region region according to *Codebooks and classifiers*

procuringEntity.address.locality town/city
procuringEntity.address.streetAddress address: street number
documents.format “text/plain” text format
documents.title document title
documents.documentOf indication of what does the document concern - procuring procedure
value.amount procurement’s expected price
value.amount MDL, EUR, USD
value.valueAddedTaxIncluded false (without VAT)
items
items.description procurement’s nomenclature description
items.classification.scheme CPV name according to *Codebooks and classifiers*
items.classification.id CPV code which describes the procurement item
items.classification.description classification code title in Romanian
items.unit.code measurement unit code (has to go in line with the UN/CEFACT standard, for example - KGM) according to *Codebooks and classifiers*
items.unit.name measurement unit name in Romanian according to *Codebooks and classifiers*
items.quantity quantity
items.deliveryDate.startDate goods delivery period (beginning date)
items.deliveryDate.endDate goods delivery date (end date)
items.deliveryAddress delivery address
items.deliveryLocation delivery place’s geographical coordinates
enquiryPeriod.endDate date until which clarification period is valid
tenderPeriod.startDate offer submission beginning period date
tenderPeriod.endDate offer submission end period date
minimalStep.amount -minimum amount of price reduction (sum and % from the expected price, with automatic recalculation)

Checks that are performed on the CDB level:

title filled out
procurementMethod filled out
procurementMethodType filled out
description filled out
procuringEntity.name filled out
procuringEntity.identifier.legalName filled out
procuringEntity.identifier.scheme filled out with one of the codes from the IATI list
procuringEntity.identifier.id filled out
procuringEntity.contactPoint.name filled out
procuringEntity.contactPoint.telephone filled out if no email is indicated

procuringEntity.contactPoint.email filled out if no telephone is indicated. The following [validation rules](#) are applied additionally.

procuringEntity.contactPoint.url filled out if no telephone is indicated. The following [validation rules](#) are applied additionally.

procuringEntity.address.countryName filled out

procuringEntity.address.postalCode filled out

procuringEntity.address.region filled out

procuringEntity.address.locality filled out

procuringEntity.address.streetAddress filled out

documents.format filled out if documents can be uploaded

documents.title filled out if documents can be uploaded

documents.documentOf filled out if documents can be uploaded

value.amount filled out

value.currency filled out

value.valueAddedTaxIncluded filled out

items filled out

items.description filled out

items.classification.scheme filled out according to *Codebooks and classifiers*

items.classification.id filled out according to *Codebooks and classifiers*

classification.description filled out according to *Codebooks and classifiers*

items.unit.code filled out according to *Codebooks and classifiers*

items.unit.name filled out according to *Codebooks and classifiers*

items.quantity filled out with numeric value

items.deliveryDate.startDate if filled out, data has to be field type

items.deliveryDate.endDate if deliveryDate:startDate field is filled out, then this field type has to be a date further than deliveryDate:startDate

enquiryPeriod.endDate filled out, date is further than enquiryPeriod:startDate

tenderPeriod.startDate filled out, date is further than enquiryPeriod:endDate

tenderPeriod.endDate filled out, date is further than tenderPeriod:startDate

minimalStep.amount filled out, numeric value

Having received and validated the document, the CDB automatically fills out the following fields:

id ID (For example - 64fb59935cd5402691b1d1c43765a6ba)

tenderID procurement ID (for example - MD-2017-01-14-000160-a)

dateModified change date (publication)

status procurement status = **active.enquiries**

documents.url link to the document (generated while it's being uploaded)

documents.datePublished document publication date

documents.dateModified document change date

documents.id ID given to the document by the CDB

Report on concluded agreements

- procurementMethod: limited
- procurementMethodType: reporting

Having entered the information regarding the procedure, CA enters information on the winner and the agreement (*contracts: status:active*).

Hint: Provided the sum entered by the user adding the information regarding the participant (*awards:value:amount*) differs from the earlier entered estimated value of the procurement (*value:amount*) in five times (either bigger or smaller), the following message shall be displayed: *‘Please note that the procedure will be published on the website of the Authorized Body only once you enter the information regarding the winner and the agreement, sign it with EDS, and complete the procedure’*.

7.1 Publication of a decision on intent to conclude an agreement

CA publishes the concluded agreement and enters information regarding the EO immediately (*awards:status:active*).

This information is published on the official website of the Authorized Body along with the platform’s website as a report on the concluded agreement. It is not possible to submit a complaint at this point.

CA enters the following information on the procurement

title generalized procurement name

description remarks, not obligatory

items.description procurement’s nomenclature description

items.classification.scheme CPV according to *Codebooks and classifiers*

items.classification.id CPV code which describes the procurement item according to *Codebooks and classifiers*

items.classification.description classification code title in Romanian according to *Codebooks and classifiers*

items.unit.code measurement unit code (has to go in line with the UN/CEFACT standard, for example - KGM) according to *Codebooks and classifiers*

items.unit.name measurement unit name in Romanian according to *Codebooks and classifiers*

items.quantity quantity

items.deliveryDate.startDate goods delivery period (beginning date)

items.deliveryDate.endDate goods delivery date (end date)

items.deliveryAddress delivery address

items.deliveryLocation delivery place's geographical coordinates

value.currency MDL, EUR, USD

value.amount estimated procurement price

value.valueAddedTaxIncluded without VAT

7.2 Entering information on EO on the basis of the concluded agreement

CA enters information on EO on the basis of the concluded agreement. Editing is possible only until change to active status is executed. Only one option should be visible next to each participant - 'EO on agreement' (*awards:status:active*)

Additionally for a certain EO on the agreement, CA notes compliance with qualification criteria assigning 'true' value to the *Award.qualified* parameter.

Award.qualified:true - in line with qualification criteria set by the CA in the tender documentation

The following information regarding tenderers is entered by the CA (automatically filled out fields are marked with*)

awards.documents.format document format, required

awards.documents.url document URL, required

awards.documents.title document title, required

awards.documents.documentOf what does the document concern (tender), required

awards.documents.datePublished publication date, required

awards.documents.documentType document type

awards.documents.dateModified modification date, required

awards.documents.id document ID

awards.suppliers.contactPoint.telephone contact person's telephone

awards.suppliers.contactPoint.name contact person's first and last name

awards.suppliers.contactPoint.email participant's email

awards.suppliers.identifier.scheme organization's IATI identification scheme

awards.suppliers.identifier.id organization's code in the indicated scheme

awards.suppliers.identifier.legalName participant's full legal name

awards.suppliers.name participant's name

awards.suppliers.address.postalCode postal code (of participant's location)

awards.suppliers.address.countryName country (of participant's location)

awards.suppliers.address.streetAddress street (of participant's location)

awards.suppliers.address.region

- region (of participant's location)

awards.suppliers.address.locality town/city

awards.value.currency currency (MDL, EUR, USD)

awards.value.amount offer price

awards.value.valueAddedTaxIncluded without VAT

awards.status active

award.subcontractingDetails subcontractor details

awards.id participant's ID (CDB), required

awards.date date when the information on the participant was entered (CDB), required

Once the EO is determined, no further actions are performed by the CA.

7.3 Concluding an agreement

Once the EO information is entered, CA can publish the concluded agreement. Conclusion of agreement, report on the introduced changes into the agreement, and execution of agreement is executed in the following manner:

1. EDS while change the agreement's status to active and terminated, as well as changes to the status active, is obligatory.
2. Entering information on the agreement is optional. Upon affixation of EDS, CA can finish the procedure (complete).
3. Provided the changes introduced into the contract by the CA are insignificant, an upload of the modified contract is optional.

Uploading the agreement, CA enters the following information (the fields automatically filled out by the system are marked with*).

Contracts.contractNumber agreement number

Contracts.dateSigned agreement conclusion date

Contracts.period.startDate agreement start date

Contracts.period.endDate agreement end date

Contracts.value.currency currency (by default, the same as value.currency) according to *Codebooks and classifiers*, required

Contracts.value.amount agreement value (awards.value.amount), required

Contracts.value.valueAddedTaxIncluded without VAT (by default, the same as value.valueAddedTaxIncluded), required

Contracts. status agreement status (once the agreement is uploaded - active), required

Contracts.documents.format document format (agreement), required

Contracts.documents.url document URL, required

Contracts.documents.title document title, required

Contracts.documents.documentOf what does the document concern (tender), required

Contracts.documents.documentType document type - signed (contractSigned), required

Contracts.documents.datePublished publication date, required

Contracts.documents.dateModified modification date, required

Contracts.documents.id document ID, required

Contracts.items.description procurement item name, required

Contracts.items.classification.scheme CPV according to *Codebooks and classifiers*, required

Contracts.items.classification.description CPV classification code which defines the procurement item, required

Contracts.items.classification.id CPV code classification ID, required

Contracts.items.deliveryAddress.postalCode postal code (delivery place), required

Contracts.items.deliveryAddress.countryName country, required

Contracts.items.deliveryAddress.streetAddress street, required

Contracts.items.deliveryAddress.region region according to *Codebooks and classifiers*, required

Contracts.items.deliveryAddress.locality residence place, required

Contracts.items.id postal code, required

Contracts.items.unit.code measurement unit code according to *Codebooks and classifiers*, required

Contracts.items.unit.name measurement unit according to *Codebooks and classifiers*, required

Contracts.items.quantity amount of goods / volume of work assignments, required

Contracts.suppliers.contactPoint.telephone winner's contact phone number, required

Contracts.suppliers.contactPoint.name winner's first and last name, required

Contracts.suppliers.contactPoint.email winner's e-mail, required

Contracts.suppliers.identifier.scheme international identification scheme according to *Codebooks and classifiers*, required

Contracts.suppliers.identifier.id required

Contracts.suppliers.identifier.legalName winner's full legal name, required

Contracts.suppliers.name winner's name, required

Contracts.suppliers.address.postalCode postal code (of winner's location), required

Contracts.suppliers.address.countryName country (of winner's location), required

Contracts.suppliers.address.streetAddress street (of winner's location) , required

Contracts.suppliers.address.region region (of winner's location) according to *Codebooks and classifiers*, required

Contracts.suppliers.address.locality place (of winner's location), required

Contracts.awardID qualification ID, required

Contracts.id agreement ID, required

Contracts.contractID agreement ID (MD-...), required

7.4 Procedure completion

Once the agreement was uploaded and EDS added, the procedure automatically changes to 'complete' status.

Complaint Procedure

Note: This is not realized in the pilot MePPS and will be added to the system once the legislative framework for the complaint procedure is established.

8.1 Below Threshold Procurements

Below Threshold Appeals are sent to the Review Commission, a body established by non-governmental organizations that are legally entitled to issue only recommendations to the CA.

If simplified, the procedure looks like this:

In addition to the existing possibility to ask a question regarding a procurement, every registered user (but CAs) can also address the CA with a demand to eliminate a violation.

CA has three days to review a Demand and make a decision concerning it. Within this period of time, CA shall reply to the Demand and (provided it is satisfied) introduce respective changes into procurement requirements or qualification decision. Providing an explanation regarding the decision is obligatory, simply selecting 'satisfied', 'rejected', 'unsatisfied' status is not enough.

Complainant shall evaluate CA's decision. If he/she is satisfied with the decision, the issue is resolved, and the process is completed. If he/she is not, and provided CA has not reviewed the Demand (within a 3-day period), it automatically becomes a Complaint which goes to the Review Commission. Provided complainant has not reacted to CA's decision, the issue is considered resolved.

Commission reviews the demand and publishes a decision on it about which the CA and participants are informed, it is also published on the website of the platforms and the official website of the Authorized Body. The Commission's decision is of advisory nature to the CA and does not result in a blocked procedure, with the only exclusion being inability to activate the uploaded agreement, provided there are yet-to-be reviewed appeals.

The user who submitted the complaint shall be able to recall it at any point until the Commission decision is made (terminal statuses: resolved, declined, invalid).

8.2 Detailed overview of the process

8.2.1 Demand to remove violations

In below threshold procurement, a claim (*complaints:type:claim*) is submitted during clarification period and CA's decision upon qualification. Awards:complaints can be submitted within 2 working days. The claim is enough to reinforce evaluation on below threshold level again (*awards:complaints:type:claim, status:claim*), upon which CA can cancel its decision concerning the respective participant (as to whom the claim was submitted), change it to cancelled. Afterwards, this award, and the next upon it (upon which the decision has been reached), change to cancelled status, and new awards (pending) are generated to be evaluated. Once the evaluation was carried out again, CA can react to the demand similarly as it is during the clarification period, with indication of decision ('Satisfied', 'Not satisfied', or 'Declined' - resolved, declined, invalid).

The information about the user who submitted the complaint is confidential.

Fields filled out by the user:

description main body of the demand

title shortened name

Fields filled out automatically:

author.name participant's name

author.address.countryName country

author.address.locality town/city

author.address.postalCode postal code

author.address.region region according to *Codebooks and classifiers*

author.address.streetAddress street

author.identifier.legalName participant's full legal name

author.identifier.scheme identification scheme according to *Codebooks and classifiers*

author.identifier.id code in the scheme provided according to *Codebooks and classifiers*

author.identifier.url website address

tender.id tender ID

type claim

date claim submission date

dateSubmitted claim registration date in the CDB

id claim ID

status claim status

User can attach files.

CA reviews the claim and registers his/her answer, with compulsory indication of its decision in the field. This reply fills out the following fields in the same document:

resolution CA's reply

resolutionType 'Satisfied', 'Rejected', 'Unsatisfied' (resolved, invalid, declined)

Fields filled out automatically:

dateAnswered answer registration date in the CDB

status status (reviewed)

User can attach files.

8.2.2 Escalating a claim to a complaint

If CA has not reviewed the Claim within a 3-day period, it automatically changes to Complaint (complaints:type->complaint). If CA has reviewed the claim, complainant evaluates the CA's decision:

satisfied true / false

If complainant is not satisfied with the decision he/she can escalate it to complain, provided a demand to remove violations has not been submitted earlier. If complainant has not reacted to CA's answer regarding the Demand within 3 days, it is automatically considered resolved.

User should have a possibility to recall his/her Demand at any point of the process.

During the escalation, the following fields are automatically filled out:

dateEscalated escalation registration date in the CDB

status pending

type complaint

8.2.3 Complaint on CA's decision

Complaint on CA's decision can be submitted only by a tenderer no later than 10 days after the decision regarding the winner or offer declination was reached. Complaint review body has to come to a decision as to whether it will review the complaint within 3 days. If it decides not to do so, there are the following statuses:

- Invalid 'not reviewed'
- Mistaken 'declined as submitted by mistake'

The procedure is not blocked. If complaint review body has not registered its decision at all (status:pending) or registered its decision to accept the complaint (status:accepted), the procedure is blocked.

Blocking the procedure, CA loses a possibility to publish an agreement with the winner, further actions concerning the qualification of participants are blocked. A possibility to carry out evaluation again appears only if the complaint has been satisfied by the Complaint review body (status:satisfied). If it is satisfied, CA can carry out qualification from the very beginning, cancelling his decision concerning the corresponding award. Upon cancellation, all awards concerning the which a decision has been reached, change to status cancelled, to evaluate again new awards with pending status are generated. Afterwards, CA reviews it again and submits a report on his/her action, changing the complaint to resolved status. Procedure de-blocking (submitting offers stage) occurs only upon Review Commission's publication of decision regarding the complaint and CA's reaction to it. Procedure deblocking (qualification stage) occurs only after the decision of the complaint body has been published and repeated qualification along with CA making the respective decision (fields *tendererAction*, *resolution*).

Procedure de-blocking is ensured by complaint's change to the terminal status *resolved*. Also, claims on CA's decision can be submitted, though they do not influence the workflow, even if CA ignores it. Further escalation of such claims is not possible, they exist only for the sake of providing additional information, because the offer has been declined or determined as a winning one. CA replies to such requirements similarly as to the ones concerning the procurement requirements, indicating his answer and changing the status.

8.2.4 Complaint on CA's decision

Once the Review Body's decision regarding the complaint was published, CA removes the violation and publishes a notice regarding it on his platform. The following fields are filled out in the document:

claims.tendererAction notice of removal of violations in free form

8.2.5 Cancelling the claim on behalf of the complainant

At any moment up until the publication of decision of the Review Body (while claim is in pending or accepted status), complainant can cancel his/her claim filling out the following fields:

claims.dateCancelled feedback registration date in the CDB

claims.cancellationReason argumentation of reasons

If the claim has been cancelled, it changes to 'stopping' status. Review Body has to come to a decision regarding stopping of claim review, upon which the status changes to terminal status 'stopped', and further actions in the procedure are blocked. Also, review body can 'Leave such complaint without reviewal' (invalid).

Working with agreements

Introducing changes into the agreement

Once the tender is completed, a new document, ‘Contract’, is formed in the CDB that can be modified while participants shall report on contract completion. This can be applied to receive the number of contracts:

GET / contracts to get the number of contracts

GET / contracts / {cid} to receive meta-information on the contract

GET / contracts / {cid} / documents / {did} to receive meta-information on the document

GET / contracts / {cid} / documents / {did}? download = {key to receive one-time link to the file

Hint: You can find an agreement by first searching the tender to which the agreement is linked or by filling out a separate search form with details (code or name) of the EO, agreement’s ID in the format MD-... or by the actual number of the agreement indicated in meta-information etc.

The agreement contains links to the files attached that were uploaded by the CA prior to the completion of tender, meta-information about the agreement and a copy of items from the tender.

To introduce changes, CA presses the button ‘Publish changes in the agreement’ on the platform. Such an action creates a possibility to upload new files and meta-information regarding the additional agreement(s).

CA fills out the following fields:

changes.contractNumber agreement number

changes.rationaleTypes cases to introduce changes into substantial conditions of the agreement. CA can choose one or several reasons.

changes.rationale description of changes introduced into the substantial conditions (free field)

The following is executed to introduce changes in the CDB:

PATCH / contracts / {cid} to change meta-information in the contract

GET / contracts / {cid} / documents to receive all documents

POST / contracts / {cid} / documents to upload additional documents

PATCH / contracts / {cid} / documents / {did} to change information regarding documents

PUT / contracts / {cid} / documents / {did} to upload new version of the document

These changes go into the ‘changes’ envelope, the files attached - into the ‘documents’ envelop with a link to the ID of the respective change. Change status at this point: *pending*.

For editing purposes, the following fields are displayed to CA, depending on the chosen rationaleTypes: If rationaleTypes: volumeCuts, itemPriceVariation, priceReduction, taxRate, thirdParty were chosen

- ‘Sum of additional agreement’ contactNumber

If rationaleTypes: durationExtension, fiscalYearExtension were chosen:

- ‘Agreement End Date’ contacts.period.endDate

If rationaleTypes: volumeCuts was chosen:

- A block concerning the information on items is displayed

Once there is status active, information cannot be updated. If needed, a user should register new Change.

CA can update information on nomenclature (items) all the time beginning with automatic creation of the Contract document and up until the Contract execution.

9.1 Agreement termination

In case of termination, CA presses the button ‘Terminate the agreement’ on the platform site.

CA fills out the following fields:

contracts.amountPaid amount of money paid on the agreement, required

contracts.terminationDetails reasons for agreement termination if applies (free text)

CA can attach files.

Hint: Prior to changing the agreement’s status, a user should be warned about the irreversibility of such an action. The optimum version is to display a banner warning that the agreement will be changed to the status ‘Agreement terminated’. A checkbox ‘*I confirm*’ can be displayed on the banner, empty by default, and inactive button ‘*Continue*’. Upon activation of this field, the ‘*Continue*’ button becomes active.

At this point, no further actions on the agreement are made.

9.2 Agreement execution

To report on agreement execution, CA presses the ‘Report on agreement execution’ button on the platform.

CA fills out the following fields:

contracts.amountPaid the amount of money paid on the agreement, cannot be zero, required.

User can attach files.

Statuses in Below Threshold Procurements

active.enquiries Clarification period
active.tendering Accepting offers period
active.auction Auction
active.qualification Qualification
active Active
unsuccessfull Tender did not take place
cancelled Tender is cancelled
cancellations.cancelled
reasonType Reason why Tender is being cancelled
unsuccessful Tender did not take place because of...
complete Procedure is completed

Grounds for cancellation of a procurement

In compliance to the Law on Public Procurement no. 131 (PPL no. 131) dated 3 July 2015, amended on 3 July and 3 October 2016:

1. No offers;
2. No financial resources;
3. The total cost of each offer is 15% higher than the estimated value of goods, services, or work assignments;
4. The total cost of each offer is 15% lower than the estimated value of goods, services, or work assignments;
5. No candidate stands up to the qualification requirements set out in the tender documentation;
6. Only offers that are not in compliance with the criteria were submitted;
7. All the offers exceed the estimated value of a procurement by 30%, calculated according to the current Law;
8. All the offers are of the value exceeding the margin established in the Law;
9. There are legal grounds preventing a participant to be announced a winner or not allowing to conclude an agreement;
10. Other (to be indicated).

CHAPTER 12

Bid encryption

Important: Bid encryption is not realized for below threshold procurements at the pilot stage. It is to be implemented later on.

13.1 Common Procurement Vocabulary

- EN, primaryClassification
- RO, primaryClassification

13.2 Calendar information

Identification scheme according to the IATI standard

The international list of agencies carrying out registration of organizations and their registers.

- Standard description
- Codebooks in JSON format

13.3 List of measurement units used

The International standard is used for determination of measurement units:

- UN/CEFACT standard description
- Codebook in JSON format

13.4 List of the currencies used

- Lei (MDL)
- Euro (EUR)

- Dollar (USD)

13.5 Codelists of Moldovan regions

- RO
- RU
- EN

13.6 Codelists of procedure types

- RO
- RU
- EN

CHAPTER 14

Indices and tables

- `genindex`
- `modindex`
- `search`