

**E-Government**  
**Challenges for digital public services in the EU**


**Krakow (Poland), 18 May, 2023**

**E-administration - a challenge for the administration of candidate and partner countries of the European Union**

**PUBLIC PROCUREMENT AND THE PROCESS OF  
DIGITALIZATION OF THE PROCEDURES FOR AWARDING  
CONTRACTS FOR PUBLIC PROCUREMENT**

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# Scientific stimulus and motivation?

- Huge impact of the public procurement on the economy on the national, EU or International/global level; 
- Public procurement is one of the largest expenditure areas of governments around the world;
- Public procurement as an instrument in the hands of the government, can be use for achieving many different goals in the broader context;

public authorities spend around 14% of their GDP (around €2 trillion per year) on the purchase of services, works and supplies

- Public procurement as a tool related to >

Green procurement  
Sustainable development  
Criminal activities  
Competition rules

**Main points of the research**

# DIGITAL TRANSFORMATION OF PUBLIC PROCUREMENT

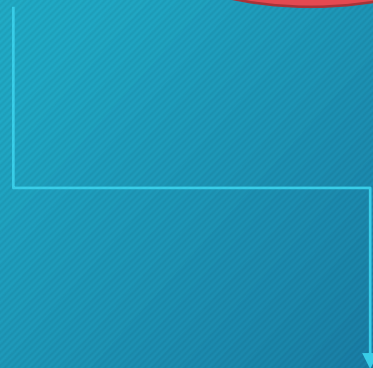
Benefits from digital transformation of procurement system?

*EU rethinking the process of PP?*



*Digital technologies in mind*

*Effectiveness is conditioned by EU and non EU countries*



*EU rethinking pre-awards and post-awards phases of the system*

# Predicted goals?

- simpler for businesses to participate in, and for the public sector to manage it;
- Simpler cross border procedures in digital Single Market;
- Avoiding criminal activities, discrimination of the economic operators, sustainable development etc;
- providing more transparent, evidence-oriented, optimized, streamlined and integrated public spending, adopted with market conditions.

# DIGITAL TRANSFORMATION OF PUBLIC PROCUREMENT

## DIGITAL TRANSFORMATION

Electronic tools

Electronic pre-award and post-award phases

Integration of data base approach

Digital single market

## DIGITAL TRANSFORMATION

E-government

European GovTech platform

green procurement,

sustainable development,  
Digital single market



Final goal >  
Providing  
Digital Single  
Market

# What does digitalization of PP means?

Defining efficient and optimised digital procedures

Implementing user friendly, and user centered e-procurement system

Automatic procedure throughout Artificial intelligence

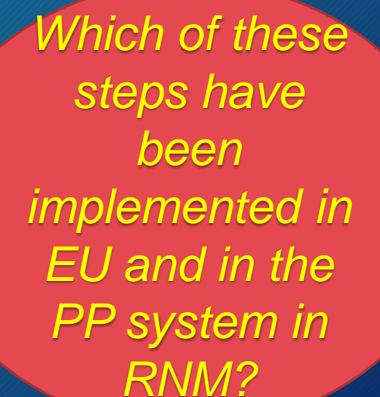
Generating standardised public procurement data

Adopting an evidence-based approach

Integrating e Procurement systems with other digital solutions

Recycling available solutions

Facilitating cross-border participation in public procurement



*Which of these steps have been implemented in EU and in the PP system in RNM?*

# CURRENT LEGAL FRAMEWORK, RULES, THRESHOLDS AND GUIDELINES

- By 18 April 2016, EU countries had to transpose the following three directives into national law>

Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC

Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC

Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts

# ESPD in public procurement?

- The European single procurement document (ESPD) is a self-declaration form used in public procurement procedures.
- Replacing various documents of the companies, proving that they can participate-meet the criteria in a procurement procedure.
- Significant simplification of access to cross-border tendering opportunities.



# THE POSITION OF THE REPUBLIC OF NORTH MACEDONIA REGARDING DIGITAL TRANSFORMATION OF PP

RNM has implemented a huge part of EU legislation regarding public procurement

The three Directives are implemented in the PPL

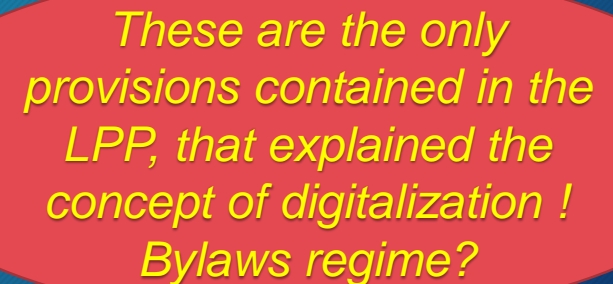
RNM adopted relevant bylaws as a part of the national legislation

# LEGAL FRAME IN REPUBLIC OF NORTH MACEDONIA

- **LAW ON PUBLIC PROCUREMENT, Official Gazette of the Republic of Macedonia no. 136/07.**
- **METHODOLOGY for expressing the contract award criteria into points**
- **Decision on the Indicative List of Contracting Authorities**
- **Rulebook on the Contents of the Annual Plan for Public Procurement**
- **Code of Ethics for conducting PPP**
- **Rulebook on the Procedure Outcome Report**

# The implementation of ESPP in RNM?

- “Electronic system for public procurement - ESPP“ shall mean a single computerised system available on the Internet, which is used in order to enable greater efficiency and cost effectiveness in the award of public contracts;
- The contracting authority may carry out open and restricted procedures by electronic means using the ESPP.
- The contracting authority shall make the tender documentation available to any interested economic operator: - by using electronic means for the purpose of providing direct and full access to the tender documentation; or - in hard copy or by using magnetic medium to all economic operators who requested so, or who are invited to submit a tender.



*These are the only provisions contained in the LPP, that explained the concept of digitalization !  
Bylaws regime?*

# Conclusions and recommendations:

- effective enforcement of the EU legislation and practices for conducting public procurement procedures in EU countries, is crucial to achieve the desired goal.
- *In concreto*, Republic of North Macedonia should rethink the electronic procedures for public procurement, in a way that all the relevant data for the procurement be transparent and available to the business sector.
- Implementation of new innovative technologies in the procurement procedure, should comply with the reduction of “criminal activities”, and enhance the level of interest of the business sector to participate in the procedures.
- Macedonian government and the relevant authorities should pay attention on this EU process, and focused on the enforcement of these rules, as priority with multiple effects on the procurement system.
- Simple implementation of the EU legal regime in the interior legislation of RNM, is far away from achieving the desired outcomes of this concept.

- Implementing user friendly procurement system;
- Providing standardised public procurement data;
- Last, not least, as a small economy, setting up the concept of digitalization in public procurement, can achieve many other goals, such as: environmental procedure, sustainable development etc.
- Finally, RNM must focus on procuring business sector with knowledge and practice of using cross border public procurement. It is inevitable and necessary for Macedonian business sector.

Thank you for your attention !