

PUBLIC PROCUREMENT SYSTEM IN THE KYRGYZ REPUBLIC AND THE PROCEDURE FOR HANDLING COMPLAINTS AND APPEALS

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Finance of the Kyrgyz Republic**

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Regulatory legal framework

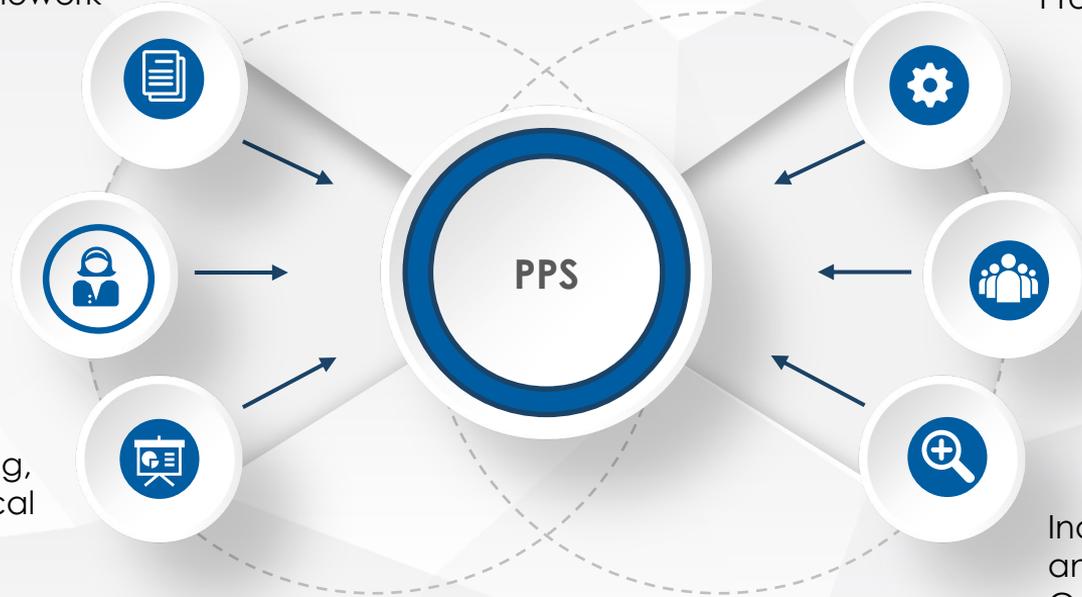
Procuring organizations

Department of Public Procurement

Suppliers and consultants, civil society

Web portal, catalog, databases, technical operator

Independent Complaints and Appeals Commission, etc.





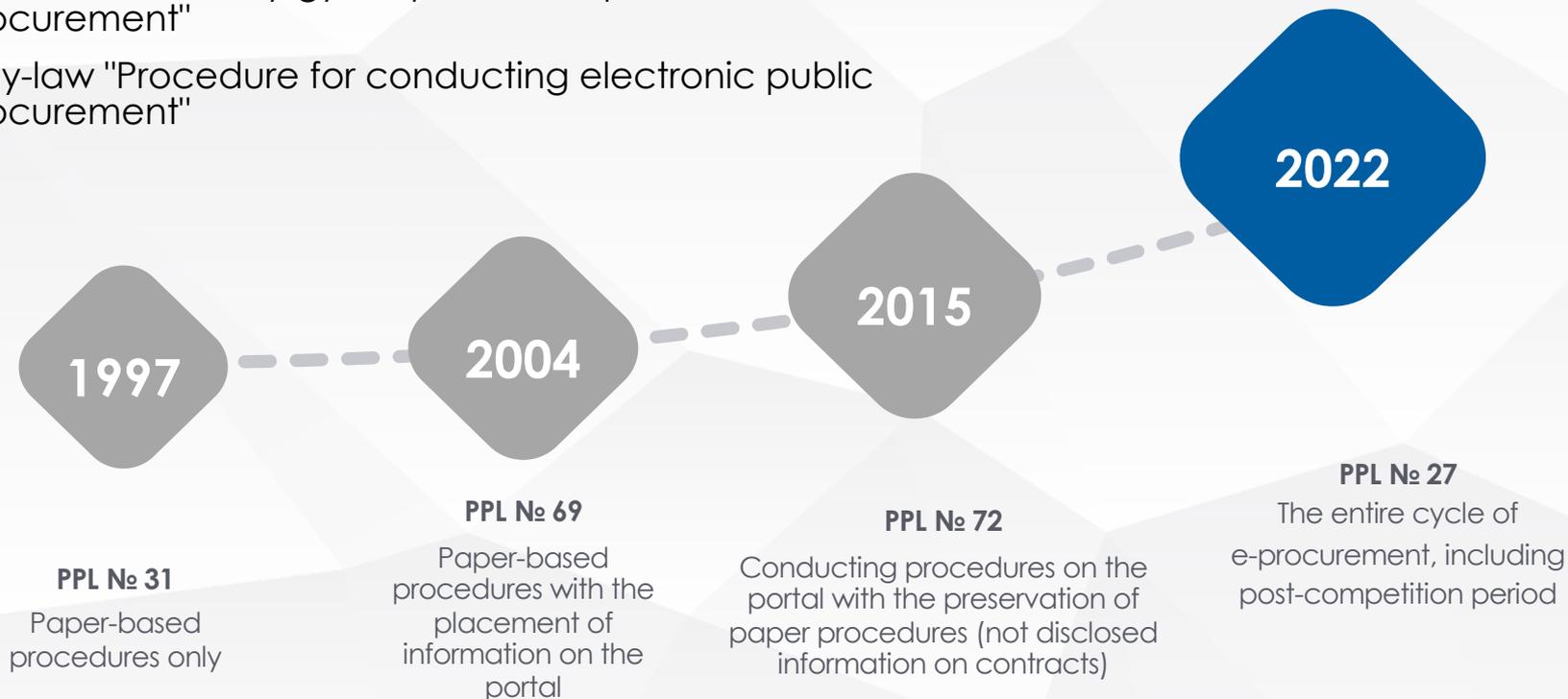
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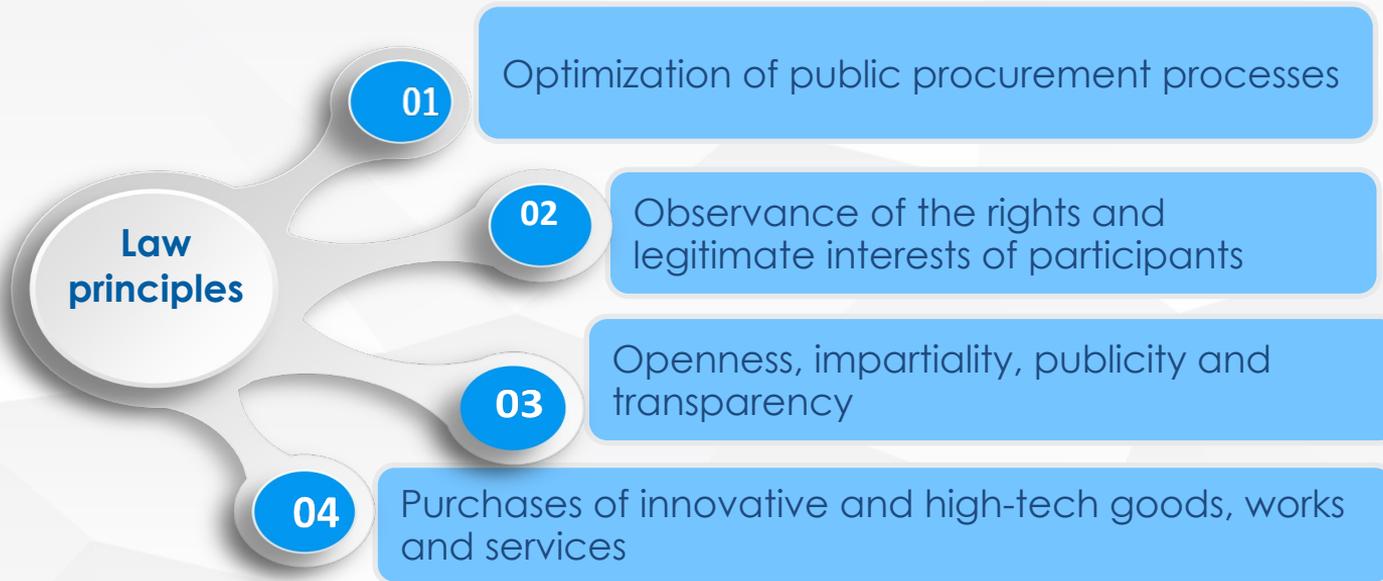
**Regulatory
Framework**

The regulatory legal framework consists of:

- The Law of the Kyrgyz Republic "On public procurement"
- By-law "Procedure for conducting electronic public procurement"



The purpose of the Public Procurement Law is to let procuring entities to acquire the subject matter of procurement of the required quality using the least amount of public funds.





2

PPD

**Department of Public
Procurement under the
Ministry of Finance of the
Kyrgyz Republic**



PUBLIC PROCUREMENT DEPARTMENT

It is a state body of executive power of the Kyrgyz Republic, functioning as a subordinate unit of the Ministry of Finance of the Kyrgyz Republic. The main purpose of the Department is to regulate the public procurement system.



The main functions of the Department:



**Improvement of the
regulatory framework**



**Monitoring of the
system**



**Coordination and
regulation of the
system**



**Maintenance and
administration of the
electronic portal**





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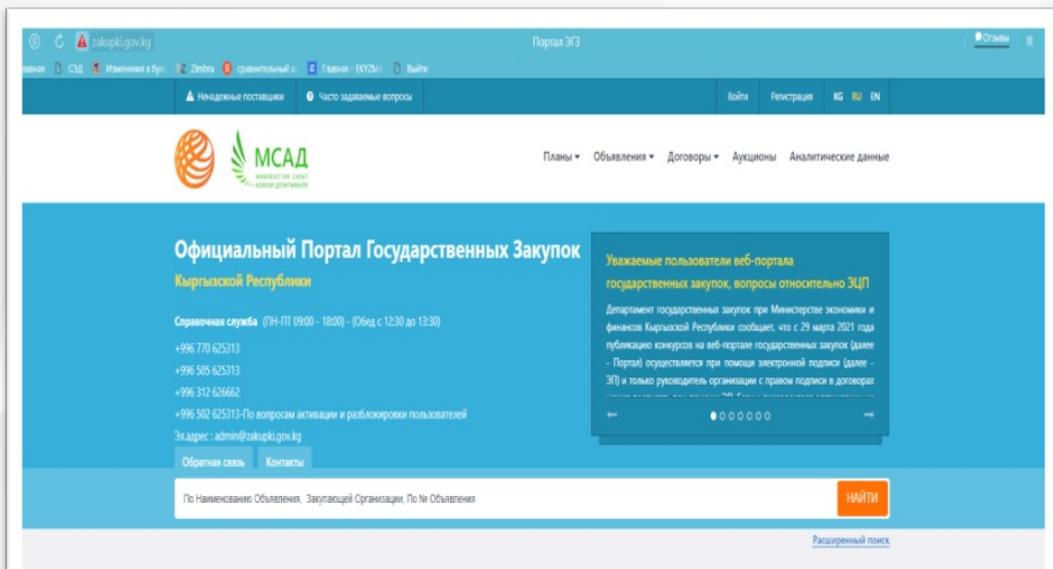


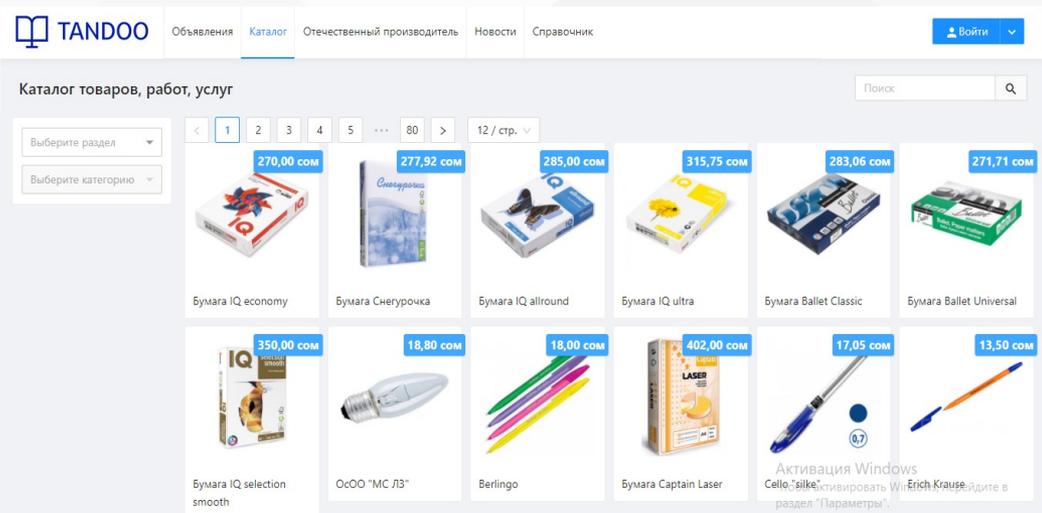
WEB-Portal

Public
Procurement
Web-portal,
Catalog,
Database

Web portal of public procurement

(www.zakupki.gov.kg) - the state information system created by the authorized state body on procurement in order to ensure a transparent, accessible and accountable process of public procurement with information retention for at least 10 years





Electronic catalog
www.tandoo.zakupki.gov.kg
- is an analogue of the
online store that meets the
requirements of the law.

Information available on the public procurement portal



Database of procuring organizations, suppliers.



Database of unreliable suppliers, complaints and appeals, orders of inclusion, appeals.



Analytical data on tenders, procuring entities, suppliers, goods, complaints, etc.



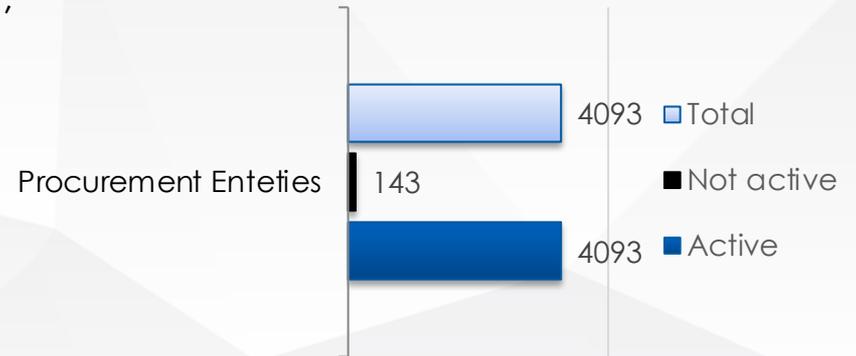
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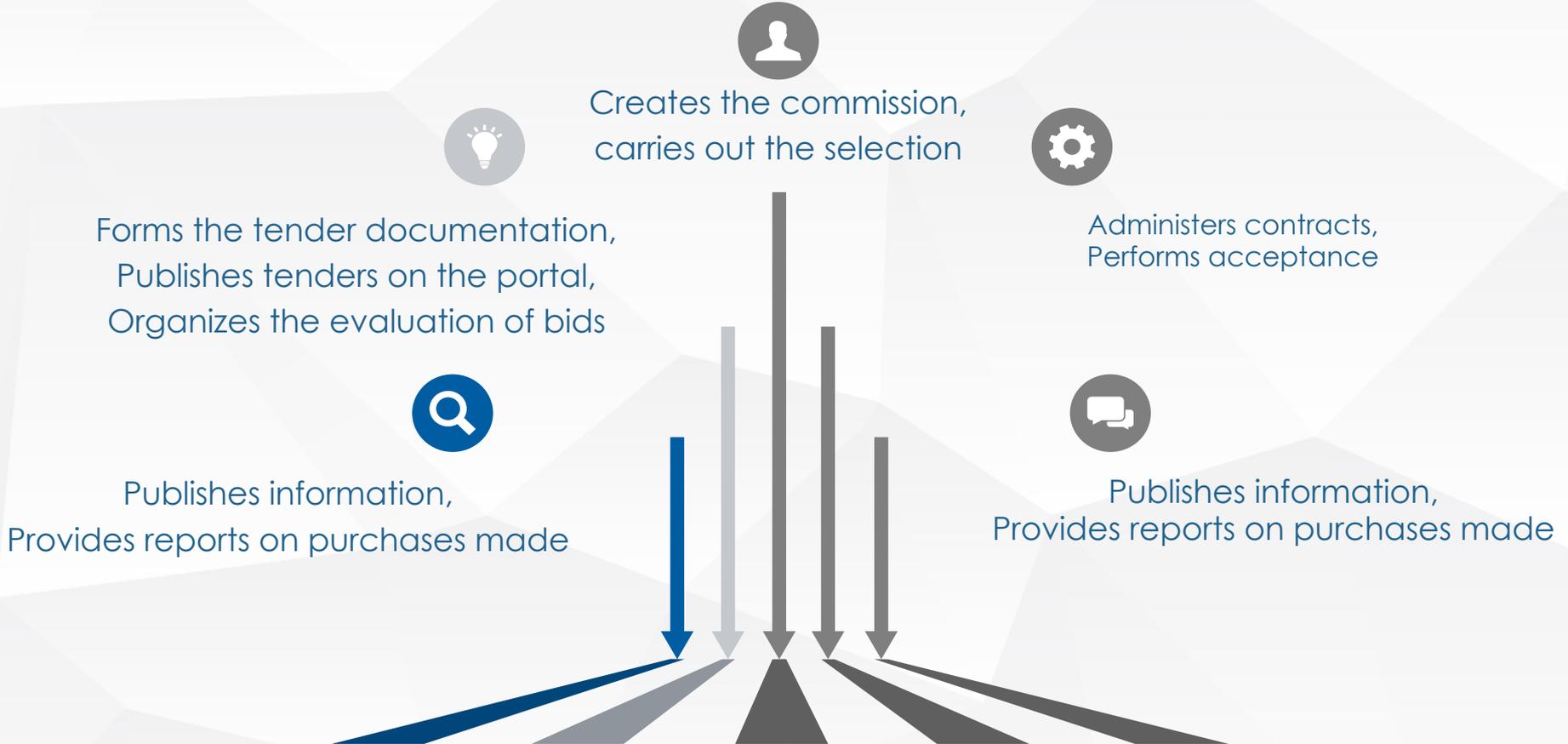
Procuring Entities

Procuring entities
Procurement Department
Procurement initiator
Procurement Commission
Acceptance Commission

Purchasing organization (customer) - a state body, local government, state and municipal institutions, funds and other legal entities established at the expense of state funds, funds of state bodies or local government.

Procuring organizations registered on the web portal of public procurement







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SUPPLIERS

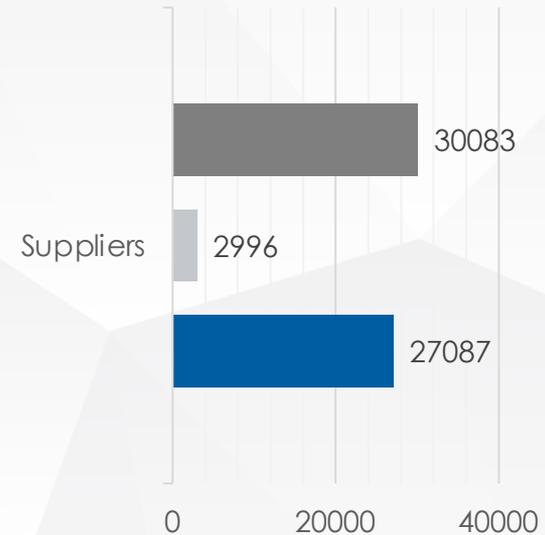
CONSULTANTS

Supplier/Consultant - (as the context requires) any party or potential party to the procuring entity's procurement procedures

internal suppliers/consultants - individual businessmen or legal entities registered as such in the Kyrgyz Republic,

Suppliers registered on the web portal

■ not active ■ active





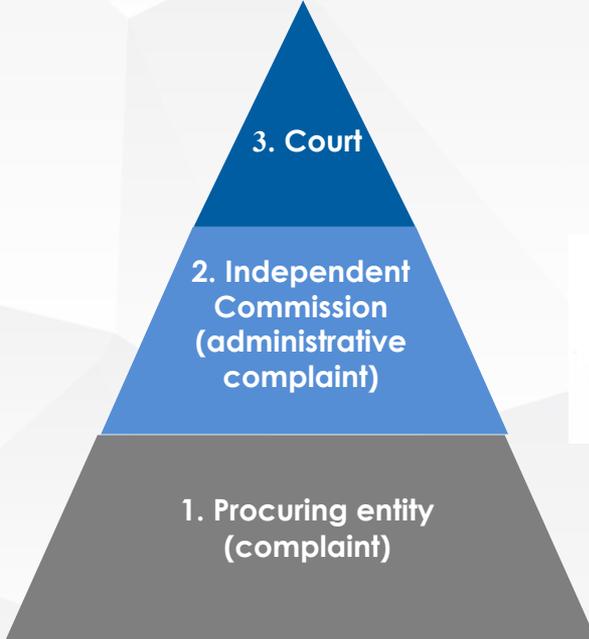
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**INDEPENDENT
COMMISSION**



Complaints and appeals are considered in 3 instances



Suppliers and consultants have the right to file a complaint about all methods of public procurement with the Independent Committee at any stage of the procurement process

Processing of complaints authority and procedure of the processing

For objective review of complaints, the Government of the Kyrgyz Republic establishes the IC involving community representatives, experts, lawyers and certified specialists in public procurement area.

1. The Independent Committee is guided by the Law of the Kyrgyz Republic "On public procurement" and the procedure for electronic public procurement, approved by order of the Ministry of Finance of the Kyrgyz Republic of May 17, 2022.

2. The authorized state body on public procurement shall act as the secretariat of the Independent Committee.

3. The Independent Committee shall promptly inform the procuring entity about receiving the complaint and suspend the procurement procedure for five days.

4. The Independent Committee considers the complaint in electronic format and within 3 working days makes a written reasoned decision - measures aimed at satisfying the stated requirements in case of full or partial satisfaction of the complaint.

The Department announces an open competition for inclusion in the independent commission and the reserve.

1



2

To select members of the independent committee and the reserve, as well as to consider reports on the work of members of the independent commission, an Expert Council on Public Procurement is created by order of the Ministry of Finance of the Kyrgyz Republic. Which consists of a number of representatives of the legislative and executive authorities, representatives of the institute of civil society and independent experts.

3

Members of the independent commission are formed by the Cabinet of Ministers of the Kyrgyz Republic. The members of the independent commission and the reserve are approved for a period of one year.

5

The web portal evenly and randomly distributes administrative complaints and appeals among members of the independent commission.

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The independent committee immediately publishes the decision on the web portal. This decision takes effect from the moment of publication.

4

The independent committee consists of 15 people, representatives of the public, lawyers and specialists with a certificate in public procurement.

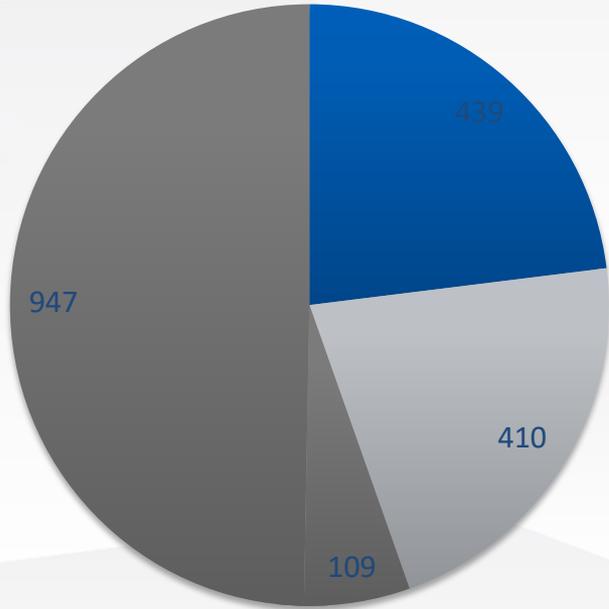
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Members of an independent committee are personally responsible for the decision made on an administrative complaint or appeal.



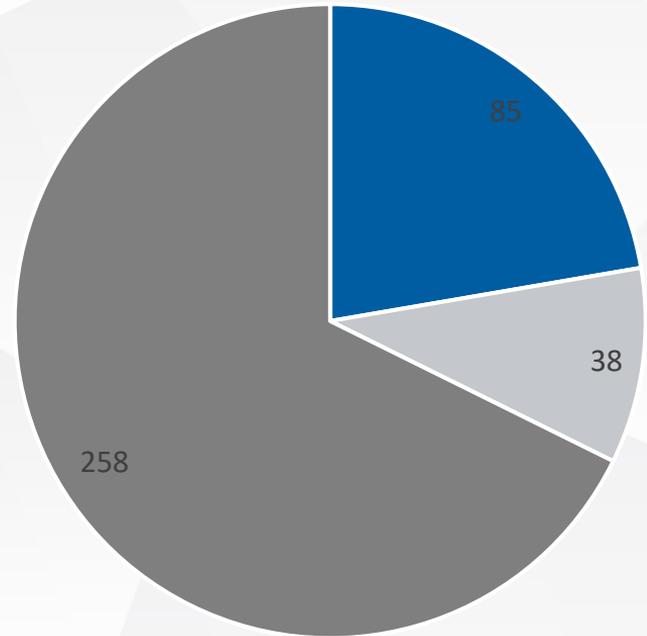
The Department performs the functions of the secretariat of the independent commission, provides organizational, documentary and technical support for the activities of the independent commission. If necessary, an independent commission may make a request to other government bodies, these requests are sent through the Department.

IC's decision on complaints
Total number- 1905



Reasonably Unreasonably
Withdrawn by applicants Rejected for review

IC's decision on appeals
Total number - 381



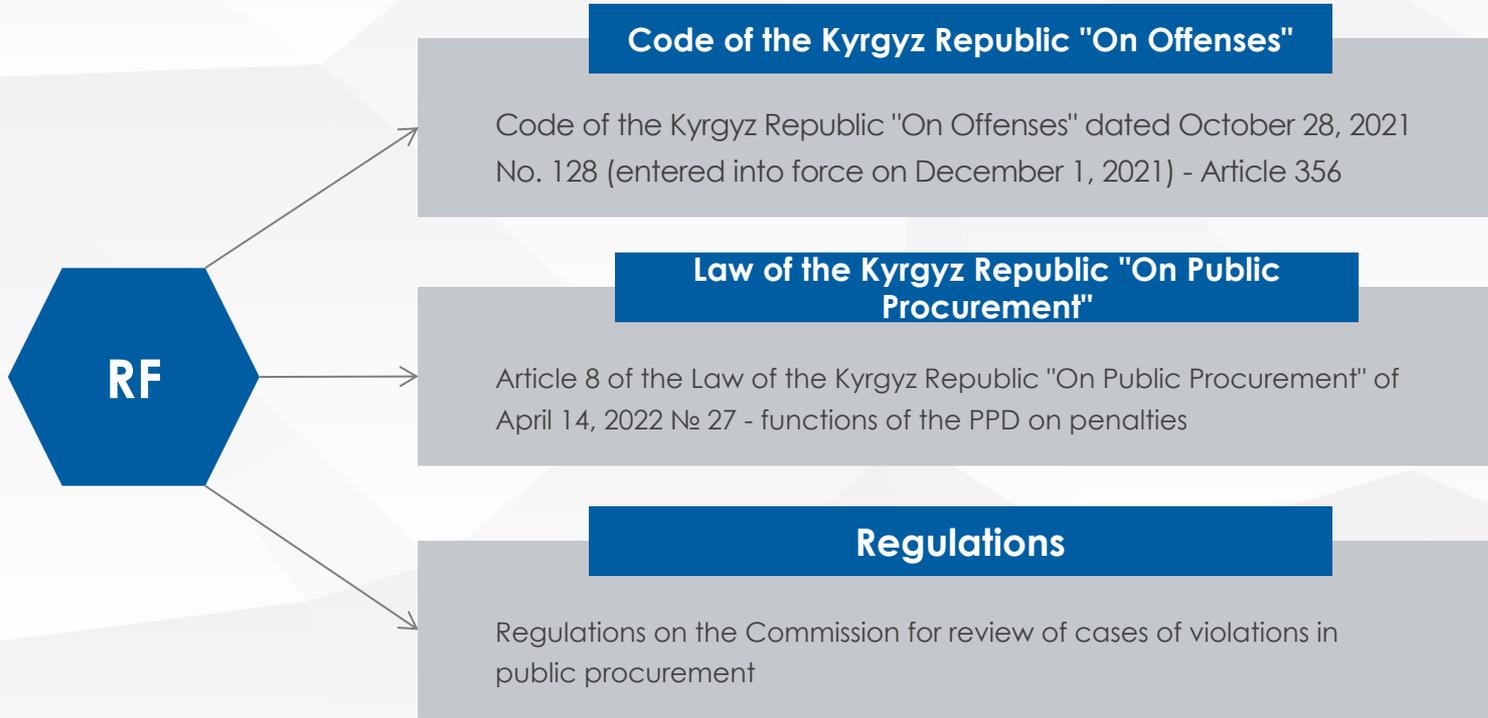
Reasonably Unreasonably Rejected



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PENALTY

**FOR VIOLATION OF THE LEGISLATION
IN THE SPHERE OF STATE
PROCUREMENTS**



Violation of the legislation in the field of public procurement by officials of the procuring organization, members of the tender commission or employees of the procurement department of the procuring organization in carrying out procurement procedures, if these actions do not contain signs of actions for which criminal liability is provided.

**100
c.i.**

For the planned amount up to 1 million soms

**125
c.i.**

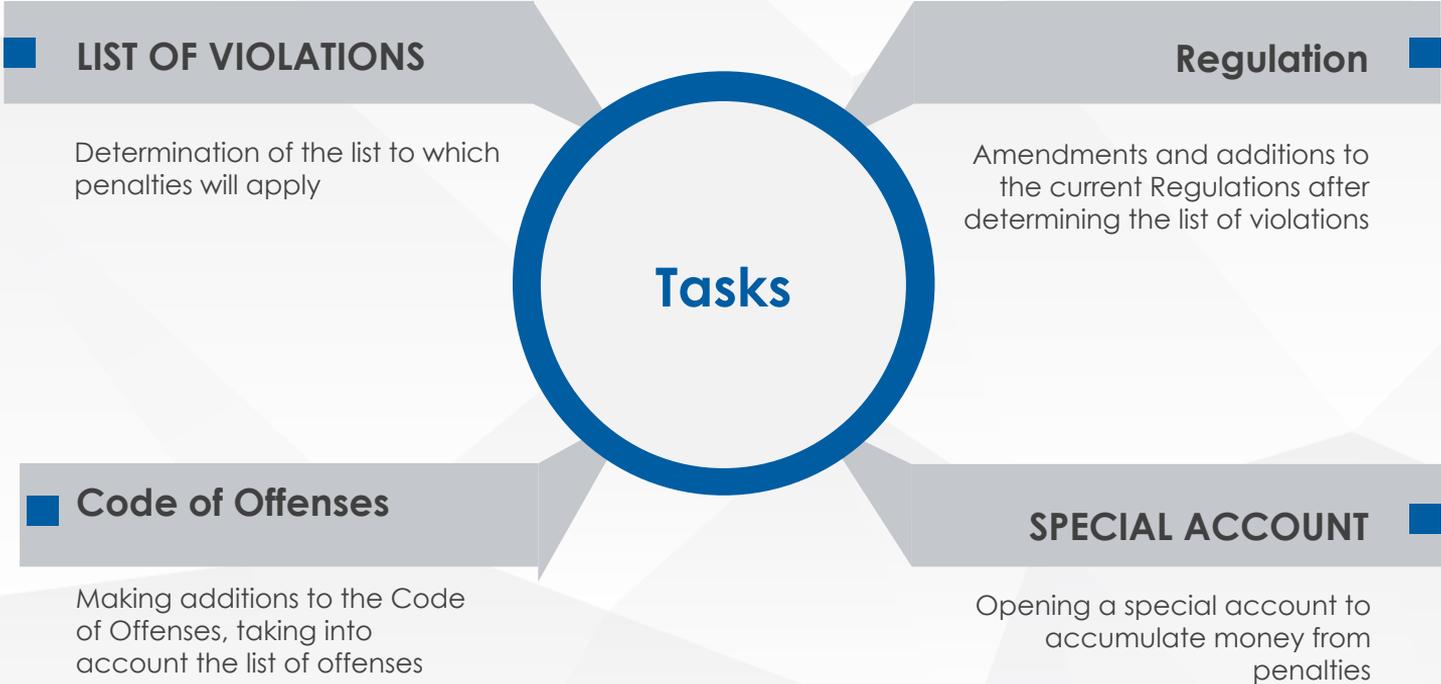
For the planned amount from 1 million to 3 million soms

**175
c.i.**

For the planned amount from 3 million to 5 million soms

**200
c.i.**

For the planned amount ore than 5 million soms





**THANK YOU FOR
THE ATTENTION!**