

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

Strategic objective:	Building a sustainable, effective and efficient public procurement system and public-private partnership (PPP)		
Operating objectives	Objective indicator: Performance indicators	Starting value	Target value in 2023 and 2025
1. Professionalisation and improving operating capacities of the contracting authorities	<p>1. Degree of business entities' trust in the public procurement system</p> <p>2. Number of irregularities identified in inspection procedures</p>	<p>1. There is no official document containing information on the corruption perception in public procurement</p> <p>2. In 2020, there were 92 irregularities in 310 inspection procedures</p>	<p>1. In 2023, the level of trust in the public procurement system of 50% and 70% in 2025</p> <p>2. In 2023, the number of irregularities decreased by 10% and by 20% in 2025</p>
2. Establishing effective mechanisms for coordination and consultative function at the MFSW (MFSW) and other institutions in the public procurement system	<p>1. Number of issued expert instructions on regulations application and best practice</p> <p>2. Anti-corruption activities in public procurement through relevant institutions' cooperation</p>	<p>1. The number of issued expert instructions in 2021 is 4</p> <p>2. There is no document/analysis of the situation containing information on the anti-corruption activities effects</p>	<p>1. Until 2023, 4 new professional instructions and up to 8 instructions in 2025</p> <p>2. Annual publications with the anti-corruption measures' results issued by 2023. Recommendations and measures envisaged by analyses and publications implemented by 2025.</p>

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

<p>3. Improving electronic public procurement platform (CEJN), which will require the support and engagement of (MFSW), contracting authorities, business entities and other relevant stakeholders in the system</p>	<p>1. Introducing new functions in CEJN and their connecting with other relevant electronic platforms</p> <p>2. Number of actively registered business entities</p> <p>3. Number of bids in the public procurement procedure</p>	<p>1. In 2021, 80% of all CEJN functions are operational</p> <p>2. Number of actively registered business entities beneficiaries of CEJN that are potential bidders (1474)</p> <p>3. The number of bids under the public procurement procedure was 2.27 in 2020.</p>	<p>1. By 2023, CEJN will be connected to the relevant e-systems; a fully functional CEJN in 2025</p> <p>2. An increased number of active bidders by 150 in 2023 and another 150 in 2025.</p> <p>3. By 2023, the number of bids will be 2.5; by 2025, the number will be 2.8 bids per procedure</p>
<p>4. Fostering the implementation of framework agreements, centralised public procurement, green and sustainable procurement; promotion of SME participation in public procurement procedures with particular emphasis on increasing the involvement of women-led businesses in public procurement and public procurement contracts</p>	<p>1. Share of concluded framework agreements and the share of centralised procurement</p> <p>2. Awarding public procurement contracts applying the criteria that include environmental protection parameters</p> <p>3. Increased participation of women-led or women-owned businesses in public</p>	<p>1. The share of framework agreements was 6.71% in 2020. The share of centralised procurements was near 1.95% in 2020.</p> <p>2. There are no statistical data on the representation of environmental protection parameters</p> <p>3. There is no record of</p>	<p>1. The share of framework agreements increased by 5% until 2023 and by 10% until 2025. The share of centralised procurement increased by 2% until 2023 and by 5% until 2025.</p> <p>2. Percentage of contracts concluded applying the criteria including environmental protection related parameters by 2% until 2023 and 5% by 2025.</p> <p>3. Existence of women-</p>

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

	procurement	contracts concluded with women-led businesses	owned business and women-led business standards so that CEJN can distinguish which bidders are women-led or women-owned 3.1 Participation of women-led businesses in public procurement and public procurement contracts
5. Improving legal protection before the Commission for the Protection of Rights in Public Procurement Procedures	<p>1. Degree of legal protection procedure cost-effectiveness</p> <p>2. Number of legal protection proceedings</p> <p>3. Number of administrative disputes before the Administrative Court</p>	<p>1. The time for resolving appeals in 2020 was 18 days on average</p> <p>2. The number of appeals in public procurement procedures was 242 in 2020</p> <p>3. Number of disputes before the Administrative Court was 32 in 2020</p>	<p>1. Reduced time for resolving appeals to 16 days by 2023 and 15 days until 2025</p> <p>2. Decreased number of appeals by 10% until 2023 and by 20% until 2025</p> <p>3. Decreased number of administrative disputes by 10% until 2023 and by 20% until 2025</p>
6. Strengthening the institutional and operational capacities of key stakeholders in the system to support the legal framework implementation for PPP effectively	<p>1. Improving the administrative capacity of institutions in PPP</p> <p>2. Number of approved PPP projects</p> <p>3. Number of concluded PPP contracts</p>	<p>1. There was no training on PPP in 2021.</p> <p>2. PPP projects approved</p> <p>3. 1 PPP contract concluded</p>	<p>1. 5 pieces of training held until 2023, and 10 until 2025</p> <p>2. By 2023, 3 approved projects and 6 approved projects by 2025.</p> <p>3. By 2023, 2 concluded PPP</p>

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

							contracts and 4 by 2025
1. Professionalisation and improving operating capacities of the contracting authorities							
Number	Activities	Relevant implementing institutions	Implementation deadlines	Result/Performance indicators	Funds for implementing the activity	Source of financing the activity	
1.1	Development of the <i>Manual for the Public Procurement Law Implementation</i>	MFSW / Commission for the Protection of Rights in Public Procurement Procedures / Directorate for Inspection	Q3 2021	Professional manual for the Public Procurement Law Implementation	20,000 euros	IPA 2014 Project “Improving legal and institutional framework in public procurements and state aid”	
1.2	Development of a comprehensive planning problems analysis with all contracting authorities	MFSW / International organisations / NGOs	Q4 2021	A comprehensive planning problems analysis with all contracting authorities developed	5,000 euros	Budget of Montenegro International organisations ¹	
1.3	The organisation of round tables, seminars and workshops with the participation of international experts to promote new techniques for concluding public procurement contracts	MFSW / International organisations	Q2 2022	Workshops held	1,000 euros (2 x 500)	Budget of Montenegro	

¹ Organisations at which the MFSW applies for technical support projects include the European Commission (through the Delegation of the European Union to Montenegro), SIGMA/OECD, World Bank, EBRD, IMF.

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

1.4	Production and broadcasting of two videos related to public procurement policy reforms - new procedures and CEJN system	MFSW – Directorate for Public Procurement Policy	Q3 2021	Broadcasting of two videos to strengthen public procurement perception through traditional media and social networks (includes informing citizens on basic CEJN functionalities concerning data transparency and availability. Informing them on other databases to inform them about public procurement).	7,000 euros (production) and 500 euros (broadcasting on social networks)	IPA 2014 Project “Improving legal and institutional framework in public procurements and state aid” / Budget of Montenegro
1.5	Education of contracting authorities on the legal framework in public procurement and its application - 12 pieces of training held (at least one per month)	MFSW – Directorate for Public Procurement Policy / Human Resources Management Authority (HRMA)	Q3/Q4 2021- 2022 (continual)	Training held	3,600 euros per training (12 x 300 euros)	Budget of Montenegro
1.6	Education of business entities and other stakeholders on the legal framework in public procurement and its application (4 times a year)	MFSW – Directorate for Public Procurement Policy	Q3/Q4 2021- 2022	Training held	2,000 euros per training (4 x 500 euros)	Budget of Montenegro
1.7	Expert training of employees in the MFSW on the application of EU regulations in the context of the new regulatory framework for public procurement and the transfer of good international practice	MFSW - Directorate for Public Procurement Policy	Q4 2021	Training held	10,000 euros	Budget of Montenegro / Technical support of international partners

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

1.8	Monitoring of simple procurements on a sample of 20 contracting authorities	MFSW - Directorate for Public Procurement Policy	Q4 2021	Report on simple procurements	/ ²	Budget of Montenegro
1.9	Monitoring of public procurements conducted for urgency on a sample of 20 contracting authorities	MFSW - Directorate for Public Procurement Policy	Q4 2022	Report on simple procurements conducted for urgency	/	Budget of Montenegro
1.10	Adopting the <i>Rulebook on the Methodology for Defining the Criteria for Evaluation of Bids</i> , which will include the definition of social criteria for evaluating the quality of the most favourable bid	MFSW - Directorate for Public Procurement Policy	Q2 2022	<i>Rulebook on the Methodology for Defining the Criteria for Evaluation of Bids</i>	2,000 euros	Budget of Montenegro
2. Establishing effective mechanisms for coordination and consultative function at the MFSW and other institutions in the public procurement system						
2.1	Organising consultations/briefings to harmonise the positions of the MFSW, the Commission for the Protection of Rights in Public Procurement Procedures, the Directorate for Inspection and the Administrative Court concerning the application of the new Public Procurement Law	MFSW / Commission for the Protection of Rights in Public Procurement Procedures / Directorate for Inspection / Administrative Court	4 times a year	Developed professional instruction	/	Budget of Montenegro

² Activity not incurring additional costs, but is financed from the current budget.

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

2.2	Organising consultations/briefings to determine anti-corruption measures in public procurement with relevant institutions	MFSW / Agency for prevention of Corruption	2 times a year	Developed instruction containing measures against corruption and conflict of interest in public procurements	/	Budget of Montenegro
2.3	Organising an <i>Open Doors Day</i> to exchange information and data between the MFSW and the NGO sector	MFSW / NGO	2 x 2021 2 x 2022	Bulletin on information in public procurement	1000 euros	Budget of Montenegro
2.4	Meetings of the Working Group for Negotiating Chapter 5 - Public Procurement	Working Group for Negotiating Chapter 5 - Public Procurement	4 times a year	Met obligations from concluding benchmarks in Negotiating Chapter 5	/	Budget of Montenegro
3. Improving Montenegro's electronic public procurement platform (CEJN)						
3.1	Education of contracting authorities for the use of CEJN	MFSW / HRMA	Q3/Q4 2021	Training held	1,800 euros per training (6 x 300 euros)	Budget of Montenegro
3.2	Education of business entities for the use of CEJN	MFSW	Q4 2021/ Q1 2022	Training held	5,500 euros (500 euros – procurement of ZOOM application and 500 euros per training)	Budget of Montenegro

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

3.3	Linking CEJN with the electronic system of the Ministry of Justice, Human and Minority Rights to provide evidence of the fulfilment of mandatory conditions for participation in the public procurement procedure	MFSW / Ministry of Justice, Human and Minority Rights	Q1 2022	System of the Ministry of Justice, Human and Minority Rights integrated with the CEJN	Activity within the Project which value amounts to 1,650,000 euros	IPA Project "Implementation of electronic public procurement"
3.4	Linking CEJN with the Tax Administration electronic systems to provide evidence of fulfilling mandatory requirements for participating in the public procurement procedure	MFSW / Tax Administration	Q2 2022	Tax administration system' integrated with the CEJN	Activity within the Project which value amounts to 1,650,000 euros	IPA Project "Implementation of electronic public procurement"
3.5	Introducing new functions in CEJN: electronic drafting and submission of the business entity's statement, harmonisation of CEJN with implementing legislation on procurements subject to exemption from the Public Procurement Law application; System Monetisation - introducing electronic public procurement system's self-sustainability	MFSW	Q4 2022	CEJN new functions	300,000 euros	International donors – technical assistance
3.6	Establishing and improving the electronic system for monitoring contracts on centralised public procurement through the e-procurement system	MFSW / Property Administration	Q2 2022	The function of monitoring the implementation of contracts on centralised public procurement through the CEJN system	50,000 euros	International donors – technical assistance

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

4. Fostering the implementation of framework agreements, centralised public procurement, green and sustainable procurement and the share of SME participation in public procurement procedures						
4.1	Promotion of new public procurement techniques and the importance of their implementation	MFSW / International organisations	Q1 2022	Instruction for framework agreement realisation	3,000 euros	Budget of Montenegro
4.2	Promotion of green and sustainable procurement with a focus on the ENP criteria	MFSW / Chamber of Commerce of Montenegro	Q1 2022	Training held	2,000 euros	Technical support by international partners
4.2	Educational programme for SMEs to foster inclusion in public procurement procedures, especially simple procurements	MFSW / Ministry of Economic Development	Q1 2022	Training held	1,000 euros (500 euros per training)	Budget of Montenegro
5. Improving legal protection before the Commission for the Protection of Rights in Public Procurement Procedures						
5.1	Education of employees in the Commission for the Protection of Rights in Public Procurement Procedures to use and manage the CEJN for acting in the legal protection procedure for appeals through the CEJN	Commission for the Protection of Rights in Public Procurement Procedures / MFSW	Q4 2021	Training held	1,500 euros per training (3 x 500 euros)	Budget of Montenegro
5.2	Development of Instructions for e-appeal and its implementation through CEJN	MFSW - Directorate for Public Procurement Policy	Q3 2021	Instruction for e-appeal	1,000 euros	Budget of Montenegro

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

6. Strengthening the institutional and operational capacities of key stakeholders in the system to support the implementation of the legal framework for PPP effectively						
6.1	Conducting training on the Public-Private Partnership Law application for employees of the Investment Agency, the MFSW and the Commission for the Protection of Rights in Public Procurement Procedures	MFSW / Agency for Investments of Montenegro / Commission for the Protection of Rights in Public Procurement Procedures	Q4 2021 Q2 2022	Training held	3,000 euros per training (3 x 1000 euros)	SIGMA
6.2	Establishing the Register of Projects and the Register of PPP Contracts	Agency for Investments of Montenegro /	Q4 2021	Register of Projects and the Register of PPP Contracts	/	Budget of Montenegro
6.3	Developing a <i>Manual for the Implementation of the Public-Private Partnership Law</i>	MFSW	Q3 2021	<i>Manual for the Implementation of the Public-Private Partnership Law</i>	10,000 euros	IPA 2014 Project "Improving legal and institutional framework in public procurements and state aid"
6.4	Development of instructions for participants in PPP contract award procedures (including forms, standard tender documentation, contract models and manual)	MFSW	Q3 2021	Instructions for participants in PPP contract award procedures	5,000 euros	EBRD
6.5	Drafting of the document <i>Public-private partnership policy with the specification of priority projects in Montenegro</i>	MFSW / Agency for Investments of Montenegro / Ministry of Capital Investments / Ministry of Economic Development	Q3 2022	Document determining the managing of PPP projects with the specification of priority projects in Montenegro	4,000 euros	Budget of Montenegro

Strategy for Improving Public Procurement Policy and Public-Private Partnership 2021-2025
Action Plan for 2021 and 2022

TOTAL:	439,900.00 euros (30,900.00 from Budget; 409,000.00 from international sources of financing)
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