Register of Bidders, Internal Act and Annual Public Procurement Plan

Law on Public Procurement („Official Gazette of the RS“ no. 124/2012, hereinafter: „Law“), regulates, among other things, formation of the Register of Bidders, obligations and due dates for adoption of Internal Act and Annual Public Procurement Plan by contracting authority.

Business Registers Agency shall keep public register of bidders - entrepreneurs and legal entities (hereinafter: „Register of Bidders“). Any person registered with the Business Registers Agency may submit request to be registered in Register of Bidders, by submitting documents which prove fulfillment of mandatory requirements. The Register of Bidders is available on the web page http://www.apr.gov.rs/.

According to the Law, submitting of request for registration on the list of contracting authorities is not mandatory. At the beginning of a budget year, upon proposal made by Ministry of Finance and the Public Procurement Office, the Government determines the list of contracting authorities which is published in the “Official Gazette of the Republic of Serbia” and on the Public Procurement Portal. Also, it is stipulated that entities, which meet the abovementioned requirements, are obliged to apply this Law even if they are not on the list of contracting authorities.

Contracting authority is obliged to adopt an internal act to regulate the process of public procurement procedure in detail, and in particular the manner of planning procurement (criteria, rules, and the way for determining public procurement subject and estimated values, method of market analysis and research), responsibility for planning, public procurement procedure targets, the manner of executing obligations in the procedure, the manner of ensuring competition, conducting and controlling public procurements, the mode for monitoring implementation of public procurement contracts. The contents of the Internal Act shall be determined by the Public Procurement Office and adopted by the contracting authority within three months from the aforementioned decision of the Public Procurement Office.

Contracting authority is obliged to adopt public procurement plan for the current year, by 31 January, consisting of Public Procurement Plan and plan for procurements exempt from the Law and including following information: registry number of (public) procurement; subject of (public) procurement; amount of planned funds for (public) procurement; data on allocation from the budget or financial plan for disbursement; estimated value of (public) procurement, at the annual level and total; type of public procurement procedure; indicative date for initiating
the procedure; indicative date for conclusion of the contract; indicative date for implementing the contract.

The originally planned funds for a public procurement cannot be increased for more than 10% (except in cases of natural disasters or major breakdowns) or they can be altered in case of revised budget or amended financial plan. Contracting authority is obliged to make a report on enactment of Public Procurement Plan for previous year and deliver it to the Public Procurement Office and the State Audit Institution until 31 March of the current year.