



**PECULIARITIES OF IMPLEMENTATION OF PUBLIC PROCUREMENT
IN UZBEKISTAN THROUGH THE AGREEMENT PROCEDURE**

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ANNOTATION

the article describes the creation, implementation, criteria and mechanism of the agreement agreements in the state procurement system.

Keywords

e public procurement, corporate customer, framework agreement, procurement commission.

It is known that by the decision No. 276 "On approval of the regulation on the organization and conduct of procedures related to the implementation of state procurement" of the Cabinet of Ministers of the Republic of Uzbekistan dated May 20, 2022, "Regulation on the organization and conduct of procedures related to the implementation of state procurement" was approved.

According to it, starting from July 1, 2022, only corporate customers can use the procedure of public procurement in the implementation of public procurement (a budget customer cannot carry out public procurement through the procedure of public procurement).

A framework agreement is considered a two-stage procurement procedure, the first stage of which is to identify at least three participants as parties to the framework agreement, and the second stage is to conclude a contract with one of the parties considered to be a party to the framework agreement.

Public procurement by means of a framework agreement is carried out if the following conditions are met at the same time:

- **the criteria for determining the winner include not only monetary evaluation of the goods (work, service), but also quantitative and qualitative evaluation;**
- **the value of the goods (works, services) is more than twenty-five thousand times the amount of the basic calculation according to the one-time agreement;**
- **the need to ensure continuity of procurement of goods (works, services) used in current production processes in the activities of corporate customers for a certain (up to three years) period.**

Implementation of public procurement by means of framework agreement is carried out in the following sequence:

Table 1

Implementation of public procurement by means of framework agreement SCHEME⁹

Steps	Subjects	Measures	Deadlines
Stage 1	Corporate customer	<ol style="list-style-type: none"> 1. Creates a procurement commission with an odd number and at least seven members. 2. Each member of the procurement commission and the responsible secretary will open a personal office in the electronic system of public procurement. 3. Develops the text of the announcement on the implementation of procurement through a framework agreement, procurement documents, framework agreement and a draft contract and submits it to the procurement commission for approval in electronic form. 	As needed
Stage 2	Purchase commission	Reviews procurement documents for compliance with legislation and approves.	As needed
Stage 3	Corporate customer	Approves procurement documents agreed with the procurement commission with ERI.	As needed
Step 4	Corporate customer	Places the procurement documents, contract agreement and contract draft, as well as the announcement of procurement through the contract agreement in the electronic system of public procurement.	At least twelve business days and no more than thirty business days before the deadline for accepting bids
Step 5	Participant	Framework agreement submits the settlement proposal in the form of an electronic proposal through his private office.	No later than the period specified in the advertisement
Step 6	Electronic system of public procurement	1. Framework agreement proposal is not allowed to be seen by the participants, the responsible secretary and members of the	Until the deadline for the opening of

⁹The Regulation approved by the decision of the Cabinet of Ministers of the Republic of Uzbekistan No. 276 dated May 20, 2022



		<p>procurement commission and other persons, except for the participant who submitted this proposal.</p> <p>2. The participant checks whether the price offered by the participant corresponds to the initial price and whether the electronic fields are filled in and the attached files are available.</p> <p>3. If the price offered by the participant is higher than the initial price, as well as if the required fields are not filled in or there are no files that are required to be attached, the participant's offer will be rejected, indicating the reason for the rejection.</p>	<p>framework agreement settlement offers</p>
Step 7	Electronic system of public procurement	<p>The responsible secretary and members of the procurement commission have the opportunity to view the electronic documents placed by the participants and their status constituting the agreement proposals.</p>	<p>Immediately after the deadline for accepting offers</p>
Step 8	Executive secretary of the purchase commission	<p>1. The participant verifies that the information in the attached files corresponds to the information specified in the agreement offer.</p> <p>2. A framework agreement proposal shall be submitted to the procurement commission for approval of the decision on conformity or non-conformity with the requirements of the procurement documents.</p>	<p>No more than forty-five working days from the time of the end of the submission of proposals</p>
Step 9	Electronic system of public procurement	<p>Framework agreement evaluates the quantitative indicators of the settlement offer.</p>	<p>No more than forty-five working days from the time of the end of the submission of proposals</p>
Step 10	Purchase commission	<p>Performs a comparison and evaluates the proposals of the participants by voting on the criteria of the technical part of the proposal that does not have quantitative indicators (expert criteria).</p>	<p>No more than forty-five working days from the time of the end of the submission of proposals</p>
Step 11	Electronic system of public procurement	<p>1. Identifies participants who meet the conditions specified in the procurement documents.</p>	<p>No more than forty-five working days from the time</p>

		<p>2. If the number of participants who meet the conditions specified in the procurement documents is less than three, it is considered that the procurement procedure has not taken place according to the agreement.</p> <p>3. Framework agreement records the results of consideration and assessment of the agreement proposals in the electronic report of the first stage, which is generated automatically.</p>	<p>At the end of the submission of proposals</p>
Step 12	Members of the procurement commission	Signs the electronic statement using ERI.	No more than forty-five working days from the time of the submission of proposals
Step 13	Corporate customer	According to the results of the first stage of the negotiation process, the contract will be signed with at least three participants who meet the conditions set out in the procurement documents.	Within ten working days from the time the winner is determined
Step 14	Corporate customer	<p>1. In the second stage of the framework agreement procedure, the corporate customer sends a price request through the electronic system of public procurement to all participants who have passed the first stage to conclude the contract.</p> <p>2. Based on the results of the price request and the final evaluation, a contract will be concluded with the winner within the total amount and duration of the agreement.</p>	Within the validity period of the agreement
Step 15	Electronic system of public procurement	Places information about the concluded contract in the Unified Register of Contracts.	Automaticall

According to the result of the first stage of the framework agreement, a framework agreement will be signed with at least three participants who have passed this stage. The duration of the agreement should not exceed three years. Information about the framework agreement must be posted on a special information portal within three working days from the date of its conclusion.

At the first stage of the implementation of public procurement through a framework agreement, tendering procedures are used to regulate the activities of



the procurement commission, the development of procurement documents and the posting of an announcement on conducting the procurement procedure, as well as making an offer to participate in the procurement procedure.

At the first stage, only the technical part of the offer is submitted to the procurement documents, as well as the requirement to deliver the goods (works, services) within the total volume and initial price during the period of the agreement. Price offers of participants for goods (works, services) are not provided.

In the implementation of public procurement through a formal agreement, the corporate customer must provide for the establishment of a formal agreement with at least three participants in the procurement documents and in the announcement of the procurement procedures, and state the reasons and conditions justifying the implementation of public procurement through the formal agreement. In this case, draft agreements and contracts, which are an integral part of procurement documents, are attached.

If at least three offers are received from the participants before the deadline for concluding a framework agreement, the offers of the participants will be considered by the procurement commission.

If less than three participants participate in the procurement procedure of the contractual agreement, or if no one participates, as well as if the offers of at least three participants do not meet the requirements of the procurement documents, the procurement procedure is deemed not to have been held. In this case, the state customer must repeat the procurement procedure under the same conditions and in accordance with the same criteria and requirements for the goods (work, service).

When it is necessary to change the evaluation conditions, criteria and requirements for the goods (work, service) or to hold a tender excluding the requirement to conclude an agreement, the procurement commission shall make the appropriate decision, indicating the reasons. The duration of the evaluation of the first stage of the framework agreement procedure may not exceed forty-five working days from the time of the end of the submission of proposals.

In the second stage of the negotiation process, the corporate customer passes the first stage to conclude the contract and sends a price request through the electronic system of public procurement to all participants with whom the negotiation is concluded. The participants with whom the agreement was concluded have the right to submit their offers within at least five working days from the moment when the offer to participate in the price request was sent by the electronic system of public procurement.

When the corporate customer sends a price request through the electronic system, a reference to the status agreement made according to the result of the first



stage, the quantity of goods (work, service) required at the same time, and the deadline for sending offers must be specified. After the deadline for submission of proposals, the electronic system of public procurement evaluates the price proposals of the participants with whom the agreement was concluded and determines the winner. In this case, the price offers of the participants with the agreement must be within the initial price set by the corporate customer at the first stage.

According to the result of each conducted price request and final evaluation, only one winner will be determined and a contract will be concluded no later than ten working days on the basis of the conditions specified in the procurement documents and the bid of the winning bidder. A contract concluded on the basis of framework agreement must be posted on a special information portal within three working days from the date of its conclusion.

LIST OF USED LITERATURE:

1. Law of the Republic of Uzbekistan dated 22.04.2021 "On State Procurement" No. ORQ-684
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6. U.Yu. Urokov. Issues of increasing the volume of electronic purchases in the state procurement system. TMI, May 20, 2021
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