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P2GreenEST

SECOND WEBINAR ON PUBLIC PROCUREMENT IN MOLDOVA

**Moldova: a country of opportunities in the field of
renewable energies, water management and waste
management**

27 April 2023

Participation of foreign companies in tenders in Moldova



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- **The foreign economic operator shall enjoy in the Republic of Moldova the same rights** in respect of the participation in the procedures of awarding public procurement contracts as those enjoyed by the economic operators of the Republic of Moldova in the country where the foreign economic operator is a resident.
- The tenderer who, in accordance with the legislation of the state where it is based, is qualified to perform a certain activity, **cannot be excluded from an award procedure** for the sole reason that, in accordance with the national legislation, this type of activity can be performed only by legal entities or only by individuals.
- **Economic operators may associate for the purpose of submitting tenders and/or appear as associate tenderers.**
- **The association shall be bound to obtain a certain form of legal status when such transformation is necessary for the proper performance of the contract but only after its award.**

MTender public portal



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<https://mtender.gov.md/en>



[Open Data^{new}](#) | [About MTender](#) | [Legal framework^{new}](#) | [For Civil Society](#) | [FAQ^{new}](#) | [Documents^{new}](#) |
[Black List^{new}](#) | [Contracts^{new}](#) | [Terms of Use^{new}](#)

Info Line: **022 822 038**

Procurement Planning

Public Procurement Bulletin

Contract Register

Leading by example



30'868

Active
Procedures



2'893

Contracting
Entities

Subcontracting (art. 75, PPL)



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- (1) In the award documentation, **the contracting authority may ask the tenderer to indicate in its tender any part of the contract it may intend to subcontract to third parties and any proposed subcontractors.**
- (2) In the case of works contracts and in respect of services to be provided at a facility under the direct oversight of the contracting authority, after the award of the contract and at the latest when the performance of the contract commences, **the contracting authority shall require the tenderer to indicate to the contracting authority the name, contact details and legal representatives of its subcontractors**, involved in such works or services, in so far as known at this point in time.
- (3) **The tenderer shall notify the contracting authority** of any changes to the information referred to in para 2 during the course of the contract and the tenderer shall be obliged to provide information for any new subcontractors which it subsequently involves in such works or services
- (11) **Where a subcontractor expresses the option of being paid directly**, the contracting authority shall have the obligation to establish in the public procurement contract binding contractual clauses requiring the transfer of the payment obligations to the subcontractor/s for the part/ s of the contract

Forms of group bid submission. Association. Subcontracting. Third parties



GOODS / SERVICES / WORKS

Each associate should fulfill:

- Qualification criteria
- Selection criteria
- Quality assurance standards and environmental

NB! Both associate should fulfill (cumulate):

- Economic and financial standing
- Technical and/or professional capacity

RECOMENDATION: for any questions, there is a possibility to submit (anonymously) clarification questions through the electronic system. In case the CA does not respond, the procedure is suspended until the CA reply to all clarification questions.



In case, the answer does not clarify the issue, the tenderer can submit an appeal to NACS.

Particularities for procurement of works



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NOTE FOR PROCUREMENT OF WORKS:

- The leader of the association will execute **at least 40% of the value of the future contract.**
- Regarding similar experience criteria, for qualification according to established rules, one of the associates will fulfill the criteria, others will fulfill this criteria according to the tasks agreed. For the qualification of the business operators, **the leader of the association fill match 40% of the qualification requirements regarding the annual revenue and similar experience.**

Forms of group bid submission. Association. Subcontracting. Third parties



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	AS1	AS2	SUBCONTR.	THIRD PARTY
1. Personal condition	✓	✓	✓	✓
2. Capacity of exercising professional activities	✓	✓	✓	✓
3. Economic and financial standing	+	+	X	+
4. Technical and/or professional capacity	+	+	+	+
5. Standards	✓	✓	✓	-

How to find opportunities to bid in public tenders in Moldova



use MTender filters in order to find opportunities in the sector of your interest:

- by contracting entity (including IDNO)
- by procuring object (selecting CPV codes);
- by procurement value
- by procurement process stage;
- etc.

The screenshot displays the MTender website interface. At the top, the logo 'M.Tender' is visible. To the right, there are links for 'Date Deschise', 'Despre SIA RSAP MTender', 'Legislația', 'Pentru Societatea Civilă', 'Întrebări frecvente', 'Documente', 'Lista de interdicții', 'Contracte atribuite', and 'Termeni și condiții'. A phone number 'Linia info: 022 822 038' is also present. Below the header, there are three tabs: 'Planificarea Achizițiilor', 'Buletinul Achizițiilor Publice' (which is active), and 'Registru contractelor'. The main search area features a search bar with the placeholder 'căutare (titlu, descriere, cod de procedură)' and a 'Căutați' button. Below the search bar, there are several filter sections: 'Informații despre cumpărător' (including Denumirea cumpărătorului, Numărul unic de identificare de stat al cumpărătorului (IDNO), Raionul cumpărătorului, and Tipul de cumpărător), 'Procedura de achiziție' (including Numărul unic de identificare a procedurii, Tipul procedurii, Statutul procedurii, and Valoarea estimată de la/la până la), 'Perioadele' (including Perioada publicării, Perioada de livrare, Perioada de clarificare, Perioada licitației electronice, and Perioada de depunere a ofertelor), and 'Genul de activitate al cumpărătorului' (including CPV).

Opportunities to bid in Moldova: energy sector



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Examples of procurement procedures organized:

- Procurement of services regarding the development of the Feasibility Study related to Street Lighting projects
- External thermal insulation works
- Consultancy services on energy efficiency, engineering and construction (energy efficiency), clean technology innovation programmes for SMEs, etc.
- etc.

The screenshot displays the M-Tender website interface. At the top, there is a navigation bar with links for 'Date Deschise', 'Despre SIA RSAP MTender', 'Legislația', 'Pentru Societatea Civilă', and 'Întrebă'. Below this, there are links for 'Documente', 'Lista de interdicții', 'Contracte atribuite', and 'Te:'. The main header includes 'Planificarea Achizițiilor', 'Buletinul Achizițiilor Publice', and 'Registru contra'. The central content area features a large blue box with the title 'Achiziționarea serviciilor privitor la elaborarea Studiului de Fezabilitate aferent proiectelor de Iluminat Stradal.' and a value of '2 310 038.37 MDL'. Below the title, it states 'Achiziționarea serviciilor privitor la elaborarea Studiului de Fezabilitate aferent proiectelor de Iluminat Stradal-conform caietului de sarcini anexat.' A timeline at the bottom shows four stages: '05 Mar 2020 Solicitare clarificări', '03 Apr 2020 Depunerea ofertelor', '09 Apr 2020 Perioada de licitație', and '10 Apr 2020 Calificarea ofertanților'. On the right side, there is a section for 'Tipul procedurii' (Licitație deschisă), 'Statutul procedurii' (Calificarea ofertanților), 'Autoritate contractantă denumire' (Agenția pentru Eficiență Energetică), and 'Raion' (mun.Chișinău).

M-Tender

Date Deschise^{new} | Despre SIA RSAP MTender | Legislația^{new} | Pentru Societatea Civilă | Întrebă

Documente^{new} | Lista de interdicții^{new} | Contracte atribuite^{new} | Te:

Linia info: 022 81

Planificarea Achizițiilor | Buletinul Achizițiilor Publice | Registru contra

Achiziționarea serviciilor privitor la elaborarea Studiului de Fezabilitate aferent proiectelor de Iluminat Stradal.

Valoarea estimată a achiziției fără TVA
2 310 038.37 MDL

Achiziționarea serviciilor privitor la elaborarea Studiului de Fezabilitate aferent proiectelor de Iluminat Stradal-conform caietului de sarcini anexat.

Tipul procedurii
Licitație deschisă

Statutul procedurii
Calificarea ofertanților

Autoritate contractantă denumire
Agenția pentru Eficiență Energetică

Raion
mun.Chișinău

05 Mar 2020 03 Apr 2020 09 Apr 2020 10 Apr 2020

Solicitare clarificări Depunerea ofertelor Perioada de licitație Calificarea ofertanților

Contracting authorities: energy sector



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Main contracting authorities conducting procurement in the energy sector on e-procurement system MTender:

- Energy Efficiency Agency;
- The Moldova Energy Projects Implementation Unit (MEPIU)
- ÎS Moldelectrica
- SA Termoelectrica
- SA Cet Nord
- SA Moldovagaz
- SA Moldovatrangaz
- SA Energocom
- SA Red Nord



Opportunities to bid in Moldova: water and sewerage system sector



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Examples of procurement procedures organized through the e-procurement system:

- Procurement of water supply and sewerage services
- Construction of water supply networks
- Modernization of the wastewater treatment plant
- Work for aqueduct construction
- Replacement services of cold water meters for private customers
- Reconstruction of the flood protection dike
- etc.

M-Tender

Date Deschise^{new} | Despre SIA RSAP MTender | Legislația^{new} | Pentru Societatea Civilă | Întrebări frecvente^{new} |
Documente^{new} | Lista de interdicții^{new} | Contracte atribuite^{new} | Termeni și condiții^{new}

Linia info: **022 822 038**

Planificarea Achizițiilor

Buletinul Achizițiilor Publice

Registru contractelor

„Reconstrucția digului de protecție contra inundațiilor a polderului nr.4 r-nul Cahul”

Valoarea estimată a achiziției fără TVA
25 974 320,00
MDL

Obiectul achiziției reprezintă un sector de dig cu lungimea de 25,62km amplasat de-a lungul albiei r. Prut, construit în anii 70 al secolului trecut, pentru a proteja de inundații satele Zîrnești, Cucoara și Chircani r-nul Cahul. Reconstrucția sectorului respectiv de dig este impusă de starea nesatisfăcătoare a rambleului care este cu multiple fisuri, găuri, cu tasări de adâncituri care variază între 0.5m - 1.5m formate de vegetația forestieră, viituri și de trecerea transportului pe coronamentul digului. Lucrările propuse prevăd reconstrucția rambleului digului cu înălțarea coronamentului cu 1m mai sus de cota nivelului de apă la trecerea debitului de viitură cu asigurare de 1% care este egal cu 1260m³/sec

Tipul procedurii
Licitație deschisă

Statutul procedurii
Calificarea ofertanților

Autontate contractantă denumire
Agenția „Apele Moldovei”

Raion
mun. Chișinău

Numărul de notificări
OCDS-B3WDP1-MD-1626173721844

13 Jul 2021 03 Aug 2021 06 Aug 2021

Solicitare clarificări Depunerea ofertelor Calificarea ofertanților

Planul de achiziții

Anunț de participare

Clarificare și modificări

Procedura de contestare

Licitație electronică

Ofertele electronice

Evaluarea ofertelor

Atribuirea contractului

Raport de procedură

Contracting authorities: water, sewage and sewerage



Main contracting authorities conducting procurement in the water, sewage and sewerage sector on e-procurement system MTender:

- Agency „Apele Moldovei”**
- Municipal Enterprise „Apa-Canal Chisinau”**
- Regional Development Agencies (Center, South, North)**
- other municipalities**



Opportunities to bid in Moldova: waste management sector



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Examples of procurement procedures organized:

- **Waste collection, transport and treatment services;**
- **Waste sorting services;**
- **Waste storage services;**
- **Liquid waste collection and transportation services from economic agents;**



Contracting authorities: waste management sector



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Main contracting authorities conducting procurement in the waste sector on e-procurement system MTender:

- **Municipal Enterprise „Regia Autosalubritate“**
- **Municipal Enterprise „Apa-Canal Chisinau“**
- **Municipal Enterprise „Balti Directorate of Constructions“**
- **Regional Development Agencies (Center, South, North)**
- **other municipalities**



Study case: water and sewerage sector



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Procurement object:

Modernization of the wastewater treatment plant in the city. Căușeni, stage II and the construction of the sewage system in the "Căușenii Vechi" sector

Procuring entity: Regional Development Agency South

Procurement value: 60 millions MDL (3 millions EUR)

Bidders:

1. Consortia "Atractiv Invest & SC Casrep SRL Romania"
2. Polimer Gaz Conducte (MD)

Winner: Consortia "Atractiv Invest & SC Casrep SRL Romania"

<https://mtender.gov.md/tenders/ocds-b3wdp1-MD-1647592663757?tab=awards>



Date Deschise^{new} | Despre SIA RSAP MTender | Legislația^{new} | Pentru Societatea Civilă | Întrebări frecvente^{new} | Documente^{new} | Lista de interdicții^{new} | Contracte atribuite^{new} | Termeni și condiții^{new}

Linia info: **022 822 038**

Planificarea Achizițiilor

Buletinul Achizițiilor Publice

Registru contractelor

Modernizarea stației de epurare a apelor uzate din or. Căușeni, etapa II și construcția sistemului de canalizare în sectorul „Căușenii Vechi”

Lucrări de modernizare a Stației de epurare și construcția rețelelor de canalizare într-un sector a orașului Căușeni



Valoarea estimată a achiziției fără TVA
60 189 305⁸³
MDL

Tipul procedurii
Licitație deschisă
Statutul procedurii
Calificarea ofertanților
Autoritate contractantă denumire
Agenția de Dezvoltare Regională Sud
Raion
Cimișlia
Numărul de notificări
OCDS-B3WDP1-MD-1647592663757

Planul de
achiziții

Anunț de
participare

Clarificare și
modificări

Procedura de
contestare

Licitație
electronică

Ofertele
electronice

Evaluarea
ofertelor

Atribuirea
contractului

Raport de
procedură

Study case: waste management



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Procurement object: waste sorting services

Procuring entity: Municipal Enterprise „Regia Autosalubritate”

Procurement value: 181 millions MDL (9 millions EUR)

The only bidder (and winner): ABS SRL (Moldova)

<https://mtender.gov.md/tenders/ocds-b3wdp1-MD-1668168336960?tab=awards>

M.Tender

Date Deschise^{new} | Despre SIA RSAP MTender | Legislația^{new} | Pentru Societatea Civilă | Întrebări frecvente^{new} | Documente^{new} | Lista de interdicții^{new} | Contracte atribuite^{new} | Termeni și condiții^{new}

Linia info: **022 822 038**

Planificarea Achizițiilor

Buletinul Achizițiilor Publice

Registru contractelor

Servicii de sortare a deșeurilor

Valoarea estimată a achiziției fără TVA
181 250 000⁰⁰
MDL

Conform caietului de sarcini



Tipul procedurii

Licitație deschisă

Statutul procedurii

Calificarea ofertanților

Autoritate contractantă denumire

I.M. Regia "Autosalubritate"

Raion

mun. Chișinău

Numărul de notificări

OCDS-B3WDP1-MD-1668168336960

Planul de
achiziții

Anunț de
participare

Clarificare și
modificări

Procedura de
contestare

Licitație
electronică

Ofertele
electronice

Evaluarea
ofertelor

Atribuirea
contractului

Raport de
procedură

Data sources on procurement in Moldova



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- ❑ E-procurement system MTender - mtender.gov.md
- ❑ MTender platforms for registretion and bidding (achizitii.md; e-licitatie.md; mtender.md)
- ❑ PPA portal - tender.gov.md (data on awarded contracts and amendments; legislation, guides, etc.)
- ❑ NACS portal - ansc.md (submitting appeals and decissions on appeals submitted)
- ❑ Data on companies in Moldova (idno.md; openmoney.md, bizzer.md)



Conclusions



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- There are **legal provisions that allow** foreign companies to bid in Moldova at any public tender
- The **electronic signatures issued in the EU countries are recognised in Moldova**
- There are **plenty of opportunities** to bid for tenders in Moldova, including in the sectors of water, waste and energy
- All open tenders and RfQ **are being conducted electronically** through the e-procurement system MTender
- **One big challenge** is the language, given that the majority of procurement are being conducted and published in Romanian

Recommendations for foreign companies



1. First of all, **registration on one of the MTender system platforms** - achizitii.md or e-licitatie.md (the platforms offer support the registration process)
2. **Select in your account on the MTender platform the CPV codes** according to your interests so that you will get an email notification any time a new procurement is being published in MTender
3. **Find local partners** to bid in association to overcome the language barrier and other challenges
4. **Contract local expertise** in procurement or in the sector targeted, if necessary
5. **Follow the news in the procurement sector in Moldova**, particularly the legal changes, new rules, thresholds, procedures etc.

Thank you for your attention!



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Q&A session

