



Improvement of Procurement of Goods (Works and Services) for State Needs

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Abstract: *This article presents opinions and comments about the public procurement system.*

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The issue of effective implementation of public procurement in our country is of great scientific and practical importance in all respects. In the conditions of modernization of the economy, the volume of purchases of state customers has increased, which creates the responsibility of rational use of financial resources of direct budget funds and corporate structures with a state share. Currently, more attention is paid to public procurement, which helps to meet the needs of the state. In order to save the economy, the state is trying to increase the number of orders for local organizations during the financial crisis and sanctions. The main task is the need to spend financial resources and get the maximum benefit from them.

In the future, the state procurement system is one of the developing directions in our country. Public procurement is related to the transparent use of funds allocated from the budget in a targeted and competitive manner, and this system is also of great importance in creating an investment environment.

Public procurement is the process of providing the needs of public customers for goods (works, services) on a monetary basis. In our opinion, the following definition of public procurement reveals its essence more widely. State procurement is the process of purchasing goods (works, services) necessary for the needs of state customers based on established requirements and procedures.

The development of the state procurement system in our country can be conditionally divided into four stages. In the first stage (the period until 2011), public procurement is governed by the Civil Code of the Republic of Uzbekistan, the Law of the Republic of Uzbekistan "On the Contractual-Legal Basis of the Activities of Business Entities", as well as "Organization of Tenders" was formed and developed on the basis of the Decision of the Cabinet of Ministers on measures to improve. On the basis of these documents, a number of legal documents were developed in order to clarify some complex and specific issues. The essence of the state contract and contracting agreement for the supply of goods for state needs, the procedure for their creation and execution, and the obligations of the parties are reflected in the Civil Code of the Republic of Uzbekistan. The Law of the Republic of Uzbekistan "On the Contractual-Legal Basis of the Activities of Business Entities" regulates relations between business entities during the conclusion, execution, modification and cancellation of business contracts. and in these relations

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The second stage of the development of the state procurement system (the period from 2011 to 2017) is distinguished by the fact that, based on international experience, it is aimed at ensuring the transparency of the procurement system, ensuring competition through the wide involvement of business entities in this system. By this time, the development of the legislation in the field of public procurement to meet the requirements of the private and public sector has become the demand of the time. In addition, there was a need to introduce new types of public procurement and improve the existing ones. In such a situation, the Decision³ of the President of the Republic of Uzbekistan "On optimizing the state procurement system and expanding the involvement of small business entities in it" was adopted, which opened the second stage of the development of state procurement. Based on this Decision, a number of innovations were put into practice, including the direct purchase of goods (work, services) with a contract amount not exceeding 300 US dollars, from 300 US dollars to the equivalent of 100,000 US dollars. goods (work, services) are purchased through electronic auctions and competitive bidding, from 100 thousand US dollars to 1 million. It was determined that goods (works, services) worth up to US dollars will be sold through tenders. A government commission was established to regulate the state procurement system and improve the legislation in this direction.

The third stage of the development of the state procurement system covers the period from April 9, 2018 to April 21, 2021. As we have seen above, until recently, the field of public procurement in our country was regulated by more than 30 legal documents, in which there was no integrated system. As a result of this, sometimes there were situations that rejected each other from a legal point of view. In some cases, repetitive procedures created conditions for corruption and caused a lot of time loss. The Law of the Republic of Uzbekistan "On State Procurement" was adopted on April 9, 2018 in order to prevent such problems, to form a single and integrated legal framework regulating public procurement and to apply it uniformly. The Law, consisting of 12 chapters and 79 articles, ensures the openness and transparency of public procurement and the competition of entrepreneurs in this field, and made it possible to effectively use the funds of the state budget, centralized sources and state-owned enterprises.

It should be noted that there are many problems in the field of state regulation of procurement that prevent it from being implemented as efficiently as possible... One of the most obvious shortcomings is the inconvenient structure of state and municipal financial control bodies and their duties and responsibilities etc. is not to regulate others clearly enough. The activities of these bodies are also poorly coordinated, which leads to the duplication of their powers and may lead to an increase in irregularities in spending budget funds. This problem creates another important shortcoming — excessive and inefficient financial control in the procurement sector. When drawing up and concluding a public contract, procurement begins with the identification of the supplier and ends with the fulfillment of obligations. Thus, it is of interest to analyze the legal basis of delivery. Current norms are vaguely interpreted by "customers", "bidders and requests for quotations" and "supervisory bodies in the field of ordering". An important threat of competition in the public procurement market is the agreement of procurement participants with each other or procurement

organizers. In trade, the danger of such an agreement is the suppression of external competition by firms not participating in the agreement; creating additional barriers to market entry for new firms; monopolizing the production and sale of goods, reducing its quality and assortment. Focusing on the topic of modernization and improvement of the contract system, it is necessary to pay attention to the responsibility of the parties for the correct execution of the contract. Undercutting of prices by unscrupulous suppliers to obtain a contract "at any price" usually results in poor quality goods delivery time and/or delivery disruptions.

The main innovations put into practice by the Law "On State Procurement" adopted on April 9, 2018:

1. The law established five procurement procedures (types), namely electronic store, auction, competition, tender, state procurement with a single supplier. Two of them (electronic store, auction held to reduce the initial price) completely denied the human factor in decision-making on public procurement. The transparency of the remaining procurement procedures was ensured by publishing the necessary information on a special information portal.
2. The type of procurement procedure for the first time from a single supplier, taking into account international standards by law, the adoption of the Code of Conduct for public procurement and socio-economic policy priorities in public procurement, including high-tech and Norms such as the creation of innovative productions, taking into account the maintenance of a favorable environmental situation were included in the procurement practice.
3. In the procurement system, two categories of the state customer were combined. These are budget customers (state bodies; budget organizations; recipients of budget funds directed to the implementation of procurement procedures; state trust funds) and corporate customers (state enterprises; the state share in the authorized fund (authorized capital) is 50% or more of the authorized capital (authorized capital) owned by a legal entity with a 50% or more state share).
4. The National Project Management Agency under the President of the Republic of Uzbekistan (now the Ministry of Finance) was designated as an authorized body in the state procurement system. Previously, there was no competent body in the field of public procurement. Only the Government Commission on electronic auctions operated.
5. In order to ensure the integrity and interconnectedness of all stages of the state procurement process and unify the mechanisms, procedures and methods of state procurement, the professional skills of the first state customer in the state procurement system; based; rationality, economy and efficiency of using financial resources; openness and transparency; controversy and impartiality; proportion; unity and integrity of the public procurement system; the main principles of public procurement, such as the prevention of corruption, were introduced.
6. Constant monitoring and strict control over procurement procedures was established. The important thing is that together with the state control, the procurement procedures for the purpose of promoting the development and improvement of public procurement, preventing and identifying violations of the requirements of the legislation on public procurement, and informing the state customers and authorized state bodies about the identified violations a norm of public control was introduced. It was determined that public control over procurement procedures will be implemented through the implementation of the principles of openness and transparency. Citizens of the Republic of Uzbekistan, citizens' self-management bodies, as well as non-governmental non-commercial organizations and mass media registered in accordance with the procedure established by law, exercise public control over compliance with the legislation on state procurement. It was determined that it is possible.

7. Previously, contract sums for all procedures (types) of public procurement were measured by a certain equivalent of US dollars, now they are calculated in relation to the current minimum monthly salary as follows.

8. Another innovation introduced by the law is the creation of a special commission for handling complaints in the field of public procurement. The activity of the Commission for the review of complaints in the field of public procurement was applied to all types of procurement. Previously, the issue of control of state purchases was not regulated, disputes and disagreements were considered only by a special commission on electronic sales. Now, the special commission for the review of complaints has been assigned the task of reviewing the complaint within a short period of time with the participation of the state customer and the participant, and within seven working days after receiving the complaint, to issue a decision and post the information on a special information portal.

To sum up, the development of a modern form and approach in the state accounting system is becoming a vital issue today. The improvement of the state policy is closely related to the in-depth study of the theoretical foundations of this field, the creation of a perfect legal framework, and its development in the power of the people and practice. In the end, the state budget allows for the development of the economy, healthy competition between business entities and an increase in the production of quality products.

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