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PUBLIC PROCUREMENT: FEATURES, EXPERIENCE, PROSPECTS

Abstract: The state is one of the main participants in the economic process as a consumer of goods, works and services. Public procurement accounts for a significant portion of world trade flows, which can be estimated at 1.5 trillion EUR per year. The effectiveness of public procurement is determined primarily by the compliance of all participants of the system with the requirements of economy and fairness during its organization. The success of the economy in general depends on the efficiency of public procurement. Accordingly, the issue of further development of the public procurement system and improving the efficiency of public funds in order to provide society with quality goods and services is relevant. The topic is relevant for the studied countries that have implemented an electronic procurement system, have a list of identical features and problems in its organization, as well as significant differences. Some of these differences are a positive experience for the development of the procurement system of both countries. The purpose of work there is a study of the concept, meaning, legislative justification, features of the organization and control of public procurement of the Republic of Kazakhstan and Ukraine and on this basis to outline areas for improving the organizational components and control of public procurement in contemporary conditions.

Keywords: government procurement, public procurement, performance of the contract, web portal, electronic platform.

1. Introduction

Public (state) procurement is the process of purchasing goods, works and services at the request of the state on the basis of current legislation in order to meet public needs. The purchases are of extreme importance of such purchases as they are government expenditures. Their implementation in different countries, which have their own characteristics, advantages, disadvantages and experience, is the basis for research and delineation of areas for improvement. Thus, in 2020, almost 246 thousand participants took part in procurement through Prozorro at an expected value is 1.19 trillion UAH. During this period in the Republic of Kazakhstan through the official web portal purchases were made amounting to almost 4,700 billion KZT.

The object of research is a process of organization and control of the public procurement system. The subject of research is the theoretical, methodological and organizational principles of organization and control of public procurement. Out of respect for the participant of our study, in whose country such purchases are called “public”, we use this name in scientific work.

The information basis of the study was the legislation governing public procurement, official web portals of public procurement of the studied countries, works of scientists and the authors’ own research. Based on the legal framework and information of web portals, the theoretical aspects were researched by the works of N.G. Zdyrko (2019), features of monitoring – M.S. Pysjmenna (2014), foreign experience – groups of authors (Pysjmenna 2016; 2017; 2017a; Ghryzoghlov and Davydov 2016; Pisjmachenko and Krytenko 2010; Kabinet Ministriv Ukrayiny 2016a; Dzhetysova), etc.

The article raises such topics as: changes in the regulatory framework of the researched countries, the gradual process of implementing an electronic system of public procurement, common problems (unreasonable deviation of participants, the formation of documentation and technical specifications for individual participants, technical functionality of electronic procurement systems, the level of control of procurement procedures) and prospects for their integrated development.

2. Identical features of public procurement in the Republic of Kazakhstan and in Ukraine

The main normative act that regulates public procurement in the Republic of Kazakhstan is the law “On Public Procurement”, and in Ukraine it has the same name (Law of the Republic of Kazakhstan 2015; Verkhovna Rada Ukrayiny 2016). The purpose of the legislation is to ensure efficient and transparent procurement, create a competitive environment in the field of procurement, prevent corruption, and develop fair competition. A meaningful comparative analysis of these laws and their

use in practice in both countries gives grounds to draw the following conclusions. The system of public procurement in the studied countries is similar in the vast majority of features and criteria, such as:

- scope of application of normative acts – distribution and non-distribution of laws;
- basic concepts. Some of the concepts do not sound exactly the same but they contain an identical semantic load. We can see it when it comes to definitions of the auction step, work, competitive price offer, documentation, supplier, procurement identification code, authorized body, directory of goods, works, services, web portal and others;
- principles of public procurement, including equal opportunities for participation, fair competition, openness, transparency of the process, responsibility, etc.;
- sequence of the procurement process, i.e. planning and creating of an annual plan, choosing the type of procurement according to certain requirements, signing a contract with the supplier, performing the contract, compiling a report. These include an electronic web portal for procurement, the content of documentation;
- restrictions on participation in public procurement. Such restrictions include family interests, the supplier's participation in procurement consultancy services provided to the customer, the involvement or commission of various types of offenses, including corruption, trafficking in human beings, distortions of fair competition, etc.;
- qualification requirements for a potential supplier. Availability of material and labor support, availability of work experience, financial stability. These requirements also apply to subcontractors if they are to be involved;
- grounds for recognizing a potential supplier as not meeting the qualification requirements. These include failure to provide a document, non-compliance with qualification requirements, providing inaccurate information. This also applies to subcontractors;
- some methods of public procurement, in particular open bidding;
- some elements of the process of control, appeal and monitoring.

Customers often have errors in specifications and evaluate applications incorrectly. In order to improve the quality of technical specifications, there is a procedure of “preliminary discussion of tender documentation” on the web portal of public procurement in the Republic of Kazakhstan and a “period of clarification” in Ukraine (Gosudarstvennyye zakupki Respubliki Kazakhstan; Prozorro). At this stage, suppliers may request clarifications on technical specifications or send comments to customers, for example, if there are errors and inaccuracies in the documentation. In accordance with the law, the tender commissions, the tender committee or the authorized person must respond to all comments and requests of suppliers and, if necessary, make changes to the technical specifications and documentation before the

deadline for submission of applications. There is a similar problem with potential suppliers. The result is incomplete or incorrect documentation.

Of course, the peculiarities of procurement in the studied countries have significant differences – we will study them in the second section. There are differences in the very name of the procurement, although it does not influence the content. Differences in legislation and practical experience of procurement, as well as SWOT-analysis of the electronic procurement system of the studied countries will underlie the outline of areas for improvement and efficiency of public procurement and control of both countries. Table 1 presents SWOT-analysis of the electronic procurement system of the studied countries.

Table 1. SWOT-analysis of the electronic procurement system of Kazakhstan and Ukraine

	Benefits	Disadvantages
Internal	<ul style="list-style-type: none"> - conducting all stages of procurement online, round the clock - access to information - explanations, consultations - technological support - no time spent on logistics for commercial submission proposals - a feature allowing to save the edit history and one that allows to see deleted documents - openness of data regarding announced purchases and executed contracts 	<ul style="list-style-type: none"> - the need to have specific office supply appliances and access to the Internet in order for the electronic system to work - requirement for both the customers and the participants to have a certain level of expertise - state of control - the possibility of failures occurring during operation of the electronic systems - long procurement procedure (minimum 30 days)
	Opportunities	Threats
External	<ul style="list-style-type: none"> - reducing the level of corruption - savings in government spending - expansion of areas of cooperation business and public sector - development of information about the technological environment in order to strengthen control over state purchases - entering the international market 	<ul style="list-style-type: none"> - discrepancies between the legislation and the functioning of the electronic system - the advantage of the price criterion when choosing the winner of the tender - purchase of low-quality goods, works or services subject to incomplete indication of the quality condition in the documentation - opportunities for fraud and avoidance of procurement procedures - presence of subjective factors in choosing the winner of the tender - non-fulfillment of contracts by customers and participants due to the low level of control in the specified area

Source: the authors' own development.

3. Significant differences in public procurement of the studied countries and foreign experience

There are significant differences in the experience of public procurement in the studied countries. This is by no means a negative factor that can slow down the development and efficiency of procurement. On the contrary, the positive experience of one country could be implemented in others. In our scientific work we will focus only on some important aspects that have become interesting and possible to implement. We will also show their practical effectiveness.

In Ukraine there is a wider scope of application of the law than in Kazakhstan. That is, the scope of cases not covered by the law, in particular financial services, purchase of goods, works and services that constitute a trade secret and others.

Customers in public procurement of the Republic of Kazakhstan are state bodies, state institutions, as well as state enterprises, legal entities, 50% or more of voting shares (shares in the authorized capital) owned by the state and legal entities affiliated with them, with the exception of national holdings and the National Bank (Law of the Republic of Kazakhstan 2015). In the new version of the Ukrainian law, for the first time the customers are divided into categories: public authorities and local governments, social insurance bodies, enterprises, institutions, organizations and legal entities operating in certain areas of management (Verkhovna Rada Ukrayiny 2016).

Tender documentation in the Republic of Kazakhstan is divided into tender and auction, which is required by the types of procurement of the country. The law specifies the definition of an expert commission and an expert, while in Ukrainian legislation the involvement of a natural or legal person in the development of a technical task and technical specification is regulated by a number of other legislative and regulatory acts.

In our opinion, it is positive that the notion of an abnormally low price of the tender offer in Ukraine is being implemented. Thus, it is the price of the most economically advantageous bid based on the results of the auction, which is less than 40% or more of the arithmetic mean of the bid price of other bidders at the initial stage of the auction, or is lower by 30% or more than the next bid price, the results of the electronic auction. Abnormally low price is determined by the electronic procurement system automatically provided if there are at least two bidders who have submitted their bids for the subject of procurement or part (lot). Despite the fact that in the vast majority of purchases the price of goods, works, services is the main criterion, its anomalous understatement directly indicates the quality of the subject of procurement. The participant has the right to explain such understatement. But usually such an explanation has no valid basis.

The experience of the Republic of Kazakhstan on restrictions on participation in public procurement is noteworthy. This also includes the following conditions:

- nor the potential supplier who applies for participation in public procurement, nor anyone related to the management, institution, participation in the authorized capital of legal entities cannot be registered as unscrupulous participants in public procurement;
- the potential supplier is in the register of unscrupulous participants in public procurement.

The practice of forming a register of unscrupulous participants of the Republic of Kazakhstan is quite positive for Ukraine and a number of other countries. According to the legislation of the Republic of Kazakhstan, the register of unscrupulous participants in public procurement is a list of:

1. Potential suppliers or suppliers who have provided inaccurate information on qualification requirements or documents that affect the competitive price offer. Customers are obliged to recognize such a potential supplier as an unscrupulous participant in public procurement not later than 30 calendar days from the day when they became aware of the fact of violation by a potential supplier or supplier of the legislation of the Republic of Kazakhstan on public procurement. The register is formed on the basis of court decisions that have entered into force
2. Potential suppliers identified by the winners who evaded the conclusion of the public procurement contract. The register is formed on the basis of the decision of the authorized body on recognition of potential suppliers as unscrupulous participants of public procurement
3. Suppliers who have not fulfilled or improperly fulfilled their obligations under the public procurement agreements concluded with them. The customer is obliged to sue such supplier as an unscrupulous participant in public procurement not later than 30 calendar days from the day when he became aware of the fact of violation by the supplier of the legislation of the Republic of Kazakhstan on public procurement – except in cases that together satisfy such conditions: payment by the supplier of a penalty (fine, penalty); full fulfillment of contractual obligations; no damage caused to the customer. The register is formed on the basis of court decisions that have entered into force

Suppliers that are included in the register are not allowed to participate in public procurement for 24 months from the date of entry into force of court decisions recognizing them as unscrupulous participants in public procurement. Information contained in the register of unscrupulous participants in public procurement shall be excluded from the register mentioned above no later than one working day before the date of expiration of the 24-month term.

In our opinion, the practice of the Republic of Kazakhstan regarding the formation of other registers – the register of customers, contracts, complaints – is appropriate. The register of customers is a list of legal entities that are obliged to purchase goods, works and services they need to ensure the functioning, as well as

the performance of state functions or statutory activities in accordance with the laws of the Republic of Kazakhstan.

The Register of Public Procurement Contracts is a list concluded by customers in the relevant financial year. It contains information on the subject, quantitative and cost indicators of the public procurement contract and on the results of the parties' performance of contractual obligations. Entering information into the register of public procurement contracts is carried out by the customer according to: concluded public procurement contracts in the relevant financial year – not later than 10 working days from the date of entry into force of the public procurement contract; execution of the contract on public procurement (act of acceptance-transfer of goods or act of performed works, rendered services) – not later than 10 working days from the date of signing; payments made under public procurement contracts, but not later than 10 working days from the date of payment.

The register of complaints is a list of complaints of potential suppliers and suppliers submitted through the web portal of public procurement to the authorized body, and contains information on the decisions made as a result of review of complaints and issued instructions (notifications). This information can also be found in the Ukrainian public procurement space, but it is located in various sources where we have to search without the ability to select the necessary information according to certain criteria.

Qualification requirements for a potential supplier in the studied countries are the same, but the process for their establishment is somewhat different. Thus, in the Republic of Kazakhstan, the supplier must be financially stable and have no tax arrears that exceed six times the monthly settlement indicator. The indicator is set for the relevant financial year by the law on the republican budget. There is also the absence of liquidation or bankruptcy. Similar information is provided by the supplier during Ukrainian public procurement, although it is not a qualification requirement but a ground for refusing to participate. In addition, one of the four qualification criteria can be chosen in Ukraine and all are used in the Republic of Kazakhstan.

We would like to dwell on the methods and types of public procurement. In the Republic of Kazakhstan, public procurement is carried out in one of the following ways: competition (open competition, competition with preliminary qualification selection, competition with the use of two-stage procedures); at auctions; upon request for price proposals; from one source; through the commodity exchange. In Ukraine procurement can be carried out using one of the following competitive procedures: open bidding; limited bidding; competitive dialogue. There is also a negotiated procedure and simplified procurement.

The law of Ukraine more widely describes the appeal process. Procurement appeal is a protection of the legitimate interests and rights of the participants, which were violated as a result of an illegal decision or inaction of the customer in the field of public procurement. The body of appeal is the Antimonopoly Committee of

Ukraine. Complaints are reviewed by a permanent administrative board for reviewing complaints. The subject of the appeal is the provisions of the tender documentation; decisions made by the customer; actions and inaction of the customer; the decision of the customer on cancellation of the tender. The complaint to the appellate body is submitted by the complainant in the form of an electronic document through the electronic procurement system (authorized platform). The fee for filing a complaint with the appellate body is charged through the electronic procurement system on the day of filing the complaint. The fee for filing a complaint is 0.3% of the expected value of the subject of procurement or part thereof, but not less than 2 thousand UAH and not more than 85 thousand UAH in case of appeal of tender documents, decisions, actions or omissions of the customer that occurred before the deadline for submission of tender offers. The fee for filing a complaint is 0.6% of the expected value of the subject of procurement or part thereof, but not less than 3 thousand UAH and not more than 170 thousand UAH in case of appeal against decisions, actions or omissions of the customer which occurred after evaluation of tenders.

Note that if the complaint is upheld, the funds will be refunded. Until recently, the payment for the complaint was fixed, the funds were not refunded. At the same time, since 2019, the Republic of Kazakhstan has been debating the replacement of a free complaint with a paid one. On the one hand, all suppliers have the opportunity to complain about the violation of their rights, on the other hand – numerous complaints stop the procurement process and increase the time of its implementation. The latter is the cause of late delivery of goods, works and services.

In the legislation of foreign countries, which regulates the procedure for organizing and conducting public procurement, significant attention is paid to ensuring transparency and openness of information and to prevention of abuse by organizers, customers and participants in the procurement procedure (Petrunenko 2019; Lekarij 2019; Pysjmenna 2016; 2017; 2017a; Ghryzoghlahov and Davydov 2016; Pysjmachenko and Krytenko 2010). The application of the open bidding procedure allows to the greatest extent to implement in practice the principles mentioned above and to ensure compliance with the relevant requirements by all participants in the procurement procedure. Thus, in the United States, the law defines the need for policies that prevent conflicts of interest and encourage appropriate behavior of employees responsible for government procurement.

In Austria, Spain and Portugal, central level institutions are directly required by law to procure through centralized procurement organizations and for other customers this procedure is not mandatory. In Belgium this obligation is established in case of exceeding a certain value of procurement and in Germany, where centralized procurement organizations operate at the level of the Ministry of Interior, all procurement tenders of federal ministries above a certain threshold should be conducted exclusively through centralized procurement organizations (Ghryzoghlahov and Davydov 2016).

Brazilian law stipulates that, except as provided by law, public works, services, acquisition and transfer of ownership of goods and other products must be concluded through an open tender procedure, which must ensure equal opportunities for all bidders. Effective conditions for participation in the tender must be maintained, as provided by law, which may allow only the requirements for technical and economic qualifications necessary to ensure the fulfillment of obligations (Law Library 2010).

In many countries, non-competitive procedure is widely used – procurement from one participant (Switzerland, Japan, Poland, Moldova). The main cases: extreme situation, the presence of only one participant, the purchase of items that are protected by special rights or patents, procurement for research or development or if necessary to make additional purchases from a supplier with whom a contract was previously concluded (Pisjmachenko and Krytenko 2010).

The order of the Cabinet of Ministers of Ukraine “On the Strategy for reforming the public procurement system («road map»)”, in force until 2022, provides that the main direction of reforming the public procurement system of Ukraine is the harmonization of national legislation with the rules of the European Union (Kabinet Ministriv Ukrainy 2016a).

Twice a year, French government organizations publish lists (nomenclature) of products to be auctioned in the coming half of the year. Thus, suppliers have the opportunity to reserve production capacity for government orders. France is characterized by the creation of special commissions that selectively check the correctness of contracts (Petrunenko 2019). Poland has its own national experience in the development of procurement, which in some respects differs from the practice of other EU countries. In particular, this applies to the combination in one body of the functions of regulatory and operational control of procurement. In addition, in Poland there is almost no practice of using centralized procurement and a rather slow transition to the use of electronic means in procurement procedures (Lekarj 2019).

4. Directions of improvement of organizational components and control of public procurement

Having studied the experience of public procurement in the Republic of Kazakhstan and Ukraine, as well as the experience of other countries, we can name certain areas for improvement.

The public procurement system and its institutional aspects need to continue to be optimized and improved. To do this, these systems must be studied at different levels – from practical to scientific – and improved for the benefit of all participants. Thus, the latest improvement of the electronic procurement system in Ukraine involves duplication of information on the lack of grounds for rejection of potential suppliers in the windows of the electronic system. In our opinion, such a change only

increases the time and work of the supplier and does not have any informative value for the customer because all the necessary information is either provided by the participant or is publicly available.

One of the indicators of the effectiveness of public procurement is the observance of the principles of fairness, transparency and equality for all participants (Dzhetysova). Therefore, it is necessary to involve in participation in purchases of potential competitors – enterprises of different sizes. A competitive approach really helps to increase efficiency by ensuring the best value for money in the proposals of potential suppliers.

The planning process is highly dependent on the availability of funds and does not include proper market research and analysis. Such analysis may include gathering information on the characteristics and latest market trends, about suppliers and their products, prices and cost structure, about the latest price fluctuations and about past competitions among suppliers of such or similar products. There should be interaction with other government customers who have recently purchased similar goods, services or works to gain a better understanding of the market and suppliers.

According to many participants, much of the technical specifications contain incomplete or inaccurate information. Therefore, potential suppliers believe that they do not meet the requirements and refrain from participating in the tender. Due to the lack of bids, the tender is considered to provide grounds for procurement from one source by directly concluding a contract.

The experience of many countries confirms the feasibility of using a set of criteria for evaluating bids. To those we have considered, it is recommended to add the impact on the environment, delivery time, life cycle cost and others.

The whole procurement process is accompanied by risks. They are especially large at the stage of contract execution. These are risks for the customer and for the supplier. Risks in the performance of contracts are associated with the fact that the supplier can not deliver or supply goods and services of unsatisfactory quality. The risk of such problems increases in the following cases: staff shortage; the main direction or financial condition of the supplier changes after signing the contract; increase or decrease in demand; the terms of delivery of goods or provision of services are violated for reasons beyond the control of the supplier (for example, the COVID-19 pandemic); the customer does not comply with the obligations under the contract.

A comprehensive system of monitoring compliance with the terms of the contract will be the basis for timely payment to suppliers. Having a well-established payment system will help increase competition in public procurement by involving the private sector, especially small and medium-sized enterprises which are very sensitive to payment deadlines. The legislation of the Republic of Kazakhstan allows advance payments. But mostly here and in Ukraine they work without an advance which increases the risk of returning the money to the supplier. The problem of late payment is very common in many countries.

Public procurement contracts in the studied countries come into force only after registration with the Treasury. There are cases when contracts are signed but not registered with the Treasury or they are registered at the end of the allowable period, when work has already begun and the goods are delivered. As a result, we have a delay in payments. Violation of payment deadlines is largely due to the uncoordinated work of all procurement participants. Using an automated procurement system, the signed contract could be automatically sent to the Treasury.

Therefore, the implementation of procurement in the prescribed manner and in accordance with the law requires a comprehensive control system that covers the entire procurement cycle (Konashhuk 2019). Customers should establish mechanisms for receiving feedback at the stage of contract implementation in order to streamline planning and further procurement. Such mechanisms will guarantee the fulfillment of obligations and ensure optimal use of resources. This is especially important for government organizations, as they often enter into long-term contractual relationships on very unique terms. In order to monitor the implementation of public procurement contracts in a timely and effective manner, a retrospective analysis is required.

Specialists are needed to organize and conduct procurement and to prepare supplier documentation. In Ukraine, the professional standard “Public Procurement Specialist” has been approved. However, only 5 higher education institutions have an educational program in this area, 30 institutions introduced the study of such a discipline and 4 institutions aim to introduce it in the near future. Not all educational institutions of the Republic of Kazakhstan teach this discipline.

The assessment of the public procurement process in the Republic of Kazakhstan and in Ukraine shows that too much attention is paid to compliance with established rules, rather than to the introduction of tools of efficiency and competitiveness (Ajba-zova; Beketaev 2018). The main components of the procurement cycle in these countries require improvement. These are planning, market research, development of technical specifications, access of foreign suppliers to public procurement, control at the stage of contract implementation, training of highly qualified specialists in the field of public procurement. All of the above will reduce the frequency of procurement and ensure increased competition in certain categories of procurement.

We should note that since January 1, 2018, amendments to the legislation on public procurement of the Republic of Kazakhstan came into force, according to which in the construction industry customers no longer have the right to prescribe detailed requirements for suppliers. In order to confirm their material and technical base and labor qualifications, it is enough for entrepreneurs to provide a license. We do not believe that such a rule is appropriate for Ukraine because unfortunately the current license does not always guarantee the availability of material, technical base and relevant personnel. A significant number of companies have an indefinite license. The situation of the contractor may change due to the fact of the participation in the procurement.

Instead, the experience of the Republic of Kazakhstan in the formation of registers of customers, unscrupulous suppliers, contracts and complaints is useful for implementation not only in Ukraine but also in other countries. Having access to such information can speed up the process of preparation and verification of tender documents and reduce the risks of cooperation with unscrupulous suppliers. In addition, creating a register of unscrupulous customers, even unofficial, also makes sense. From the practice of communication with potential suppliers, there are quite often breaches of the contract by customers. And on these grounds it is advisable to control (monitor) at the stage of contract implementation.

Information support of electronic procurement procedures occupies an important place in the system of contractual relations, ensuring competition at the stage of placing documentation, signing the contract and monitoring its implementation (Shuljgha). On the one hand, a single information system is an integral part of the information space, based on the general principles of an open information society and legislation. On the other hand, the information component in the management system of the electronic platform is one of the blocks of analysis and obtaining optimal solutions and of creating conditions for effective interaction of all participants in procurement.

In table 2 we provide an analysis of the functionality of the website of public procurement of the Republic of Kazakhstan and the electronic public procurement system Prozorro in Ukraine.

Table 2. Functionalities of the web portal of public procurement of the Republic of Kazakhstan and the electronic system of public procurement Prozorro in Ukraine

Functionality	Republic of Kazakhstan	Ukraine
Publication of procurement plans	+	+
Procurement notice	+	+
Tender documentation	+	+
Submission of electronic applications	+	+
Evaluation criteria	+	+
Electronic auctions	+	+
Notice of choice of supplier for signing the contract	+	+
Issuance of electronic invoices	+	–
Control over the actual performance of the contract	Partly	–
Framework agreements	–	–
Online catalog	–	Prozorro Market
Search for purchases by various criteria	+	+
Availability of electronic platforms	–	+
Regulatory framework	+	+
Explanations on purchases	+	+
Forum	+	+
Register of unscrupulous participants	+	–
Register of complaints	+	–
Register of participants	+	–
Register of contracts	+	–

Funcionality	Republic of Kazakhstan	Ukraine
Register of tax deductions	+	The certificate with debts of the winner on taxes and payments is automatically generated
Reporting (on public procurement; information on the volume of procurement; price module)	+	–
Court office (court decision on procurement)	+	–
Lists of debtors, enterprises under liquidation, enterprises related to terrorism	+	–
Electronic application of citizens	+	+

Source: (Gosudarstvennyye zakupki Respubliki Kazakhstan; Prozorro; Kabinet Ministriv Ukrayiny 2016; OECD iLibrary).

Thus, according to the results of the study, we note that the presence of a single website of public procurement in Kazakhstan is more functional and convenient than the electronic system Prozorro with its 15 sites. The single website allows you to generate certain reports according to the selected criteria in terms of national and local budgets, suppliers, customers, methods of procurement, procurement items, periods, etc. You can easily find all court decisions, information from state and procurement registers, etc. In addition, only authorized persons have access to the tender documentation and explanations to the bidder's questions.

Given the importance of complete and timely information support, as well as flexible technical functionality of electronic systems to perform public procurement functions, we have summarized the common requirements and areas for improvement in their operation in the public procurement chain.

Modern electronic public procurement systems must incur in additional costs in order to protect software and technology and information systems from unauthorized interference and access by third parties. Information support, consulting support and technical functionality of these systems is one of the main areas of effective work, control and improvement of public procurement management.

5. Conclusions

Based on the study we can draw the following conclusions. The effectiveness of public procurement is determined primarily by the compliance of all participants in this system with the requirements of economy and fairness during their organization. The success of the economy in general depends on the efficiency of public procurement. The public procurement system of the studied countries has a significant part of identical features: basic concepts, scope of regulations, principles, sequence of the

procurement process, qualification requirements, some methods of public procurement, some elements of the process of control, appeal and monitoring. According to the results of the SWOT-analysis of the electronic procurement system of the studied countries, it is established that they have significant shortcomings, but also prospects for development. Significant differences in the procurement system of the studied countries include: slightly different procurement entities and customers; slightly different ways of procurement; significant differences in the use of electronic procurement system; use of the concept of “abnormally low price” in Ukraine; clearly defined appeal process; the complaint is paid; use in the Republic of Kazakhstan of registers of unscrupulous suppliers, complaints, suppliers, contracts and other registers; use of all qualification requirements without exception. In the legislation of foreign countries, which regulate the procedure for organizing and conducting public procurement, significant attention is paid to ensuring transparency and openness of information and to prevention of abuse by the organizers, customers and participants in the procurement procedure.

The experience of other countries, which can be useful and interesting, is discussed. Below we define the main policy aimed at improving the organization of public procurement, especially in the studied countries. According to the authors, improvement of the way public procurement is being carried out requires: elimination of duplication of information on electronic platforms; involvement in the procurement of enterprises of various sizes; conducting detailed market research and analysis; take into account the feasibility of such a criterion as the impact on the environment; make the appeal system paid; increasing the level of control to mitigate risks, in particular the risk of default; increasing control over the contract implementation area; professionalization of public procurement; creation and use of registers; make the Prozorro electronic system more informative to save time on analysis, verification and document generation; increase the responsibility of the web portal and electronic platforms to prevent technical violations.

Thus, we cannot say that a certain country has developed a more ideal solution for the organization and control of public procurement, one that could be adapted in other countries. However, further optimization of the studied public procurement systems should help to improve the conditions for competition due to: the increased level of legality, openness and impartiality of the contracting process; ensuring better value for money; reduction of corruption cases; improving the management system; conducting marketing research on the demand and supply of goods or services in the market for clear and effective procurement planning and creating a competitive environment in the market; improving the professionalism of personnel involved in public procurement.

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