



TOWARDS TRANSPARENT COVID-19 PROCUREMENT: THE CASE OF LITHUANIA

Transparency International Lithuania (TI Lithuania) is an active member of the global Transparency International Movement with more than 20 years of activity. TI Lithuania promotes integrity and educates others about the damage of corruption and benefits of transparency. It seeks to encourage and organize civil initiatives for transparency and anti-corruption in Lithuania.

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This initiative is part of an Open Contracting Partnership COVID-19 Action Research Program, which supported 12 research teams from various countries in the world. The objective of the research was to generate recommendations to improve efficiency, effectiveness, fairness, integrity, and equity of public contracting, and initially published at the end of October, 2020.

The study with updated information has been produced with financial support from the European Commission. The content of this publication is the sole responsibility of the coordinators of this project and does not necessarily reflect the views or policies of the European Commission. Every effort has been made to verify the accuracy of the information contained in this report.

All information was believed to be correct as of the 4th November 2020. Nevertheless, Transparency International Lithuanian Chapter cannot accept responsibility for the consequences of its use for other purposes or in other contexts.

SUMMARY AND RECOMMENDATIONS

The ongoing unprecedented global health crisis has made healthcare and citizen safety a top priority for the majority of countries, including Lithuania. Governments have been taking extraordinary measures to prevent the spread of COVID-19, including quick decisions on resource allocations – often bypassing the usual checks-and-balances on public spending. While keeping people healthy is key, the pandemic and subsequently sped-up and simplified procurement procedures should not revoke the need for transparency. Particular attention must be paid to the procurement of COVID-19 related medicines and medical supplies.

As a part of a joint initiative with Open Contracting Partnership and other 11 research teams from all over the world, “Transparency International” Lithuania (TI Lithuania) has been advocating for increased monitoring of procurement spending during the pandemic. TI Lithuania used this opportunity to build on **the Lithuanian Public Procurement Office report¹ on COVID-19** related procurements and gain more insights on these processes during the period from January to May, 2020.

The study focuses on 5 biggest COVID-19 treating hospitals and the top 10 contractors that carried out the most COVID-19 related public procurement contracts (a total of 12 procurers, as some organizations fall under both categories).² In addition, TI Lithuania aimed to understand what kind of COVID-19 related support was received by the largest COVID-19 patient hospitals.

As a result of this initiative, **a 10% increase in COVID-19 public procurement transparency** in Lithuania was noted, due to contracts additionally provided to TI Lithuania. **All 12 contracting authorities answered to FOIA requests, some of them providing only partial information.**

¹ https://vpt.lrv.lt/uploads/vpt/documents/files/Viesuju_pirkimu_kovai_su_COVID-19_apzvalga.pdf

² Refer to Annex 2 for full list.

KEY FINDINGS:³

1. **136 additional COVID-19 related public procurement contracts⁴ signed with 73 different suppliers** were submitted to TI Lithuania in response to request for information. The total value of these additional contracts was **7,98 million Euros**.
2. **The contract status of COVID-19 public procurements** disclosed by 8 contracting authorities helped to track the change showing that:
 - **4 out of 10** public procurement contracts are still active.
 - **5 out of 10** were completed.
 - Almost **1 out of 25** contracts was cancelled.
3. **At least some 2 million Euros⁵ worth of donations were given to 5 hospitals.⁶** There were 231 distinct cases of donations, while some additional ones were not specified.

KEY RECOMMENDATIONS

1. Declare **all** COVID-19 related public procurement contracts and support received in a publicly available open data format.
2. Declare the state of **completion** of the contracts.
3. Create a publicly available **database of reliable suppliers** for COVID-19 related contracts (along with open beneficial ownership registry).

³ The findings are based on the information received until 4th November, 2020 through FOIA request from 12 largest COVID-19 procuring entities and patient hospitals.

⁴ The objects of these public procurement contracts by categories were the following: medical equipment, personal protective equipment, disinfectant fluids, pharmaceuticals, cleaning services, etc.

⁵ In some cases (26) the value in Euros of the donations was not indicated.

⁶ TI Lithuania contacted 6 different contracting authorities that are legally entitled to receive financial support (Kaunas Clinical Hospital, Panevezys Hospital, Santaros Clinics, Klaipeda University Hospital, Siauliai Hospital, Kaunas Clinics). The remaining 6 contracting authorities, which received FOIA requests from TI Lithuania, are not legally entitled to receive financial support in donations according to Lithuanian Law.

PUBLIC PROCUREMENT ENVIRONMENT IN LITHUANIA

Procurement activities in Lithuania are regulated by Law on Public Procurement (PPL) and its sub-legal acts.⁷ The Law came into force on 13 August 1996, and was afterwards amended on a number of occasions. The latest consolidated version was adopted in 2017. As a member of the EU, PPL of Lithuania complies with the standards and procedures of the EU Directives. The Public Procurement Office coordinates the procurement activities, ensures compliance of contracting authorities with the requirements of the PPL and supports appropriate planning of procurement and performance of public contracts.⁸

Lithuania has one online platform⁹ which publishes public procurement procedures and information. It is the primary method of conducting public procurement, though paper-based procurement is still an option. According to Transparency Public Procurement Ranking (2018), the weakest area of the PPL is transparency since it does not include an open data provision, nor ensures publicity of texts of complaints, texts of decisions of dispute settlement, tender candidate applications and bids and contract performance information.¹⁰

While the Law has not yet been changed to address the lack of open data and transparency in public procurement, recently the Public Procurement Office launched a new project called SAULE IS with the main aim to create an innovative and advanced, open data based and paperless public procurement system.¹¹

The COVID-19 pandemic once again demonstrated the need for such a system and more transparency and openness in public procurement procedures. Since the beginning of quarantine in Lithuania in March 2020, when the procurement procedures were simplified, at least three major COVID-19 procurement related scandals unfolded, once again indicating the need for more transparency in the public procurement system and accountability from procuring entities and decision-makers.¹²

⁷ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/b63962122fcb11e79f4996496b137f39/asr>

⁸ <https://vpt.lrv.lt/>

⁹ cvpp.eviesiejipirkimai.lt

¹⁰ TPR, Lithuania's evaluation https://www.tpp-rating.org/public/uploads/PPL%20Assessments%20ENG/PPL_Assessment_Lithuania_16_18.pdf

¹¹ <https://vpt.lrv.lt/lt/saule>

¹² <https://www.15min.lt/naujiena/aktualu/lietuva/stt-pagalbos-onkologiniams-ligoniams-asociacijos-prezidentas-s-narbutas-itariamas-prekyba-poveikiu-56-1350492>; <http://www.fntt.lt/lt/naujienos/fntt-atliko-proceso-veiksmus-tyrime-del-karantino-metu-vilniaus-savivaldybes-pirktu-plauciu-ventiliavimo-apatu/3859>; <https://www.vz.lt/verslo-aplinka/2020/08/03/fntt-tyrime-del-greituju-testu-isigijimo-itarimai-sam-viceministrei-l-jarusevicienei>

THE WORK OF THE LITHUANIAN PUBLIC PROCUREMENT OFFICE IN LITHUANIA ON COVID-19

At the end of June 2020, the Public Procurement Office opened data of COVID-19 procurement (for the period from January to May 2020) and published an analysis about the protective equipment and disinfectants bought (the analysis contained a total of 1241 contracts) also thanking TI Lithuania for the inspiration. Since the beginning of the COVID-19 pandemic in March, 2020, public procurement procedures were simplified, with procurers opting for quicker and simpler negotiation procedures.¹³ This raised questions on the transparency of such fast processes and thus the need for more data related to COVID-19 public procurement was noted. The PPO's work in opening and updating (last update November, 18th, 2020¹⁴¹⁵) this data helps to see, in a clear manner, different aspects of pandemic procurement - by procuring entity, supplier, object of procurement, date of conclusion of the contract and duration. In November, 2020, the work of the PPO was shortlisted in the Financial Times Intelligent Business awards in the "Intelligent Contracting" category, as a result of this initiative.¹⁶

KEY FINDINGS FROM THE LITHUANIAN PUBLIC PROCUREMENT OFFICE REPORT:

1. **84,4 million Euros** were spent on personal protective equipment, specific garments and their supplements.
2. **The top 10 contracts accounted for almost half (48,9%) of the value** of all contracts awarded (41,3 million Euros).
3. **80%** of the value of all concluded contracts went to **10 contracting authorities**.

¹³ https://vpt.lrv.lt/uploads/vpt/documents/files/Viesuju_pirkimu_kovai_su_COVID-19_apzvalga.pdf

¹⁴ <https://vpt.lrv.lt/kovai-su-covid-19-sudarytos-sutartys>

¹⁵ Refer to Annex no. 1

¹⁶ <https://intelligentbusiness.live.ft.com/agenda>

METHODOLOGY AND DATA COLLECTION

The aim of this initiative is to better understand the extent of public procurement and allocation of resources during the COVID-19 pandemic and as such increase the level of transparency in healthcare sector spending and advance the conversation regarding the use and the release of better quality open data.

This study builds on the PPO's report with the aim to add insights on COVID-19 procurement during the period from January to May, 2020. TI Lithuania aimed to find out information that was not provided by the PPO report, such as the status of COVID-19 procurements, where medical supplies were distributed, the existence of additional contracts that were not marked as COVID-19 related (thus not analyzed by the PPO). In addition, TI Lithuania aimed to understand what kind of COVID-19 related support was received by the largest COVID-19 patient hospitals.

DATA COLLECTION:

TI Lithuania sent Freedom of Information Act (FOIA) requests to the 10 largest contracting authorities (in terms of the number of contracts concluded and their monetary value according to the PPO report) and to 5 major COVID-19 patients treating hospitals (a total of 12 procurers, as some organizations fall under both categories).¹⁷

1. TI Lithuania asked the contracting authorities:
 - i. To provide all additional COVID-19 procurement contracts between January-May 2020 (procurement of personal protective equipment, medical equipment dedicated to the fight against COVID-19, testing kits etc.), if they are not in the dataset published by the PPO.¹⁸
2. TI Lithuania inquired for the following supplementary information on the contracts, asking:
 - i. Have all the procurement contracts related to COVID-19 from January to May 2020 been completed? If not, why and what is the expected date of completion of each active contract?
 - ii. To which institutions, if any, and in what quantities was personal protective equipment purchased and other COVID-19 equipment distributed between January-May 2020?
 - iii. What kind of support from any kind of donors has been given to your institution to combat COVID-19 between January-May 2020? Please indicate from which institution / organization, what kind of support (e.g. protective masks, hand

¹⁷ Refer to Annex 2 for full list.

¹⁸ <https://vpt.lrv.lt/kovai-su-covid-19-sudarytos-sutartys>

sanitizer), how many units, monetary value of support and when the support was received.

Limitations of collected data and analysis:

Overall, as of November 4th, 2020, all 12 contracting authorities responded to some extent to TI Lithuania FOIA requests. Some contracting authorities did not provide full information, arguing that public procurement contracts are registered all together in the system and as there are no technical possibilities to distinguish which contracts are COVID-19 related, doing so by hand would be too time intensive.

Additionally, some contracting authorities did not provide detailed information on donations. As there is no one standard on collecting this data, in some cases the value and amount of donations was not clearly indicated or separated.

In order to collect data on donations related to COVID-19, TI Lithuania contacted 6 different contracting authorities that are legally permitted to receive financial support (Kaunas Clinical Hospital, Panevezys Hospital, Santaros Clinics, Klaipeda University Hospital, Siauliai Hospital, Kaunas Clinics). The remaining 6 contracting authorities, which received FOIA requests from TI Lithuania, cannot legally receive financial support in donations according to Lithuanian Law.¹⁹

¹⁹ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5483/asr>

WHAT HAVE WE LEARNED?

1. **All organisations (12 out of 12 contacted)** answered the TI Lithuania FOIA request providing at least partial information about COVID-19 procurement and support received (where applicable).

Table 1 - A summary of the information received and analysed by TI Lithuania (as of November 4th, 2020)

No.	Organisation	Answered to FOIA	Provided information about distribution ²⁰	Provided information about support received ²¹	Disclosed contracts' status	Provided additional contracts
1	Defence Materiel Agency (DMA under MND)	Yes	Yes	N/A	Yes	Yes
2	Health Emergency Situations Center	Yes	Yes	N/A	Yes	Yes
3	Kaunas Clinical Hospital	Yes	Yes	Yes	Yes	Yes
4	Kaunas Clinics	Yes	Yes	Yes	Yes	Yes
5	Klaipeda University Hospital	Yes	Yes	Yes	Yes	Yes
6	Lithuanian Airports	Yes	No	N/A	No	No
7	Lithuanian Railways	Yes	No	N/A	No	Yes
8	Ministry of Health	Yes	Yes ²²	N/A	Yes	Yes
9	Panevezys Hospital	To some extent	Yes	No	No	No
10	Santaros Clinics	To some extent	No	Yes	No	No
11	Siauliai Hospital	Yes	No	Yes ²³	Yes	No
12	Vilnius City Municipality Administration	Yes	No	N/A	Yes	Yes

²⁰ Did the contracting authority provide information about the distribution of purchased goods?

²¹ Did the contracting authority disclose the COVID-19 related support it received?

²² Referenced their website, where information on distribution is available until 23 April, 2020.

<https://sam.lrv.lt/lt/news/preveniniai-veiksmi-del-naujojo-koronaviruso-informacija-nuolat-papildoma/koronavirusas/asmens-apsaugos-priemoniu-paskirstymas-lietuvos-medikams>

²³ Information until 31st March, 2020 found on the Hospital's website. Information after that date was provided upon further request. <https://rsl.lrv.lt/lt/administracine-informacija/finansiniu-ataskaitu-rinkiniai>

- 2. Information on 136 additional public procurement contracts accounting for approx. 7,98 million Euros** was received as a result of TI Lithuania FOIA requests.²⁴ One contract was identified as not COVID-19 related.²⁵ This suggests that the current public procurement electronic system has limitations, for example, when the contracts related to COVID-19 procurement need to be identified, and does not give a complete overview of the situation. For example, nearly **8 out of 10** additional contracts were of small value. It is also worthwhile to note that the additionally submitted contracts were mostly related to personal protective equipment or disinfectants. Contracting authorities also purchased accommodation services for isolation of individuals or disclosed procurements for renting mobile program “quarantine”. The average contract value of additionally submitted contracts to TI Lithuania was approximately 59 thousand Euros.

Table 2 – The number, value and average contract value of additionally received by TI Lithuania contracts

Contracting Authority	Number of Contracts	Value of Contracts, Eur.	Average Contract Value, Eur.
Lithuanian Railways	43	456 629.67	10 619.29
Vilnius City Municipality Administration	32	2 628 398.85	82 137.46
Kaunas Clinics	21	2 390 045.90	113 811.71
Klaipeda University Hospital	13	2 147 883.03	165 221.77
Health Emergency Situations Center	12	273 670.43	22 805.87
Ministry of Health	8	65 000.00	8 125.00
Kaunas Clinical Hospital	5	17 454.15	3 490.83
Defence Materiel Agency under Ministry of National Defence	2	4 707.90	2 353.95
TOTAL	136	7 983 789.90	58 704.34

²⁴ It is worthwhile to note that the procuring entities in question later on also published these contracts in the e-procurement system.

²⁵ Earlier published by the Public Procurement Office as a COVID-19 related procurement.

3. **One additional Top 10 COVID-19 related contract by value (Kaunas Clinics’ contract with PLLC “Laborama”) was submitted to TI Lithuania.** Overall, four contracting authorities: Health Emergency Center, Vilnius City Municipality Administration, Defence Materiel Agency and Kaunas Clinics signed the top 10 largest in value COVID-19 related contracts ranging from 1,3 million Euros to 24,6 million Euros.

Table 3 – Top 10 COVID-19 related contracts with the highest value in Euros

No.	Name of the Contracting Authority	Name of the Procurement Object	Name of the Supplier	Value of Concluded Contracts, Eur.
1	Health Emergency Situations Center	Personal protective equipment	Harbin Shangyang Trading Co., Ltd	24 628 800
2	Health Emergency Situations Center	Medical Equipment	PL Jiangsu Sainty Machinery IMP&EXP co. Ltd	3 475 765
3	Vilnius City Municipality Administration	Personal protective equipment	PLLC "Essmedi"	2 124 397
4	Vilnius City Municipality Administration	Personal protective equipment	PLLC "Euro Trade LT"	1 901 394
5	Defence Materiel Agency (DMA under MND)	Personal protective equipment	Fortune & Honor International Bidding Corporation	1 848 000
6	Health Emergency Situations Center	Personal protective equipment	PLLC "Intersurgical"	1 815 000
7	Kaunas Clinics	Medical Equipment	PLLC "Laborama"	1 532 223
8	Vilnius City Municipality Administration	Personal protective equipment	PLLC "Essmedi"	1 493 200
9	Health Emergency Situations Center	Personal protective equipment	MyCity 360 Innovation Ltd	1 440 000
10	Vilnius City Municipality Administration	Personal protective equipment	PLLC "Motoloftas"	1 346 204
TOTAL of 10 highest contracts in value				41 604 983
TOTAL of all contracts in value				89 880 031

4. **COVID-19 related goods were allocated to at least 224 institutions, based on the data provided by 7 out of 12 contracting authorities.** Such information helps link budgets to contracts and procured goods, and monitor contract implementation and delivery. During pandemics such as COVID-19 it also becomes highly important to understand how well different hospitals are prepared to tackle the virus, and consider centralized purchasing.

Table 4 – Distribution of COVID-19 Public Procurement by Contracting Authority

Defence Materiel Agency	Lithuanian Armed Forces
Health Emergency Situations Center	170 different Lithuanian entities (60 Lithuanian Municipalities, 74 Hospitals and Clinics, 36 Public Institutions and Companies)
Kaunas Clinical Hospital	Kaunas Clinical Hospital (Own institution)
Kaunas Clinics	Kaunas Clinics, Kaunas Clinical Hospital, Kaunas National Hospital, Kedainai Hospital, Jonava Hospital, Raseiniai Hospital, Prienai Hospital, Kasiadorys Hospital, Marijampole Hospital, Vilkaviskis Hospital, Sakiai Hospital, Kazlu Ruda Hospital, Kalvarijos Hospital, Jurbarkas Hospital, K. Grinius Nursing and Supportive Care Hospital, Vilkija Primary Health Care Center, Veiveriai Primary Health Care Center, Balbieriškis Primary Health Care Center, Jieznas Primary Health Care Center, Jonava Primary Health Care Center, Ariogala Primary Health Care Center, Marijampolė Primary Health Care Center
Klaipeda University Hospital	Klaipeda University Hospital (Own institution)
Panevezys Hospital	Rokiskis District Hospital, Pasvalys Hospital, Birzai Hospital, Kupiskis Hospital, Rokiskis Psychiatric Hospital, Utena Hospital, Visaginas Hospital; Anyksčiai District Municipal Hospital, Zarasai Hospital, Ignalina District Hospital, Moletai Hospital
Ministry of Health²⁶	70 institutions (health clinics, hospitals, mobile testing points)

²⁶Information on where Ministry of Health distributed COVID-19 related protective equipment was found online as directed by the Ministry in the FOIA response. This information is only available until 23 April, 2020 after that it has not been updated.

5. **73 suppliers won 136 additional COVID-19 contracts.** 52 suppliers were identified in addition to the ones featured in the PPO report. They signed 93 contracts totaling more than **3 million Euros**. Table 5 shows that the second most prolific COVID-19 related goods supplier - PLLC “Skirgesa” signed 41 such contracts which were worth almost **2 million Euros**, out of which 2 contracts worth almost 30 thousand Euros were added from TI Lithuania’s additionally received data. **PLLC “Graina”** (a medical supply store) is also one of the 10 suppliers with the largest number of COVID-19 procurement contracts out of which 4 extra contracts were sent to TI Lithuania after the FOIA request. The additionally received contracts’ value makes up **a third of** all contracts by this particular supplier.

Table 5 – Top 10 suppliers with the largest number of COVID-19 procurement contracts conducted and their relationship with the additionally submitted procurement contracts

Name of the supplier	Total no. of contracts conducted ²⁷	Value of all conducted contracts, Eur	Number of additionally received contracts	Value of additionally received contracts, Eur
PLLC “Delamode Baltics”	44	838 738.6	0	0
PLLC “Skirgesa”	41	1 924 537.86	2	28 418.06
IE “Azas”	36	309 996.11	0	0
PLLC “Koslita”	31	166 265.71	0	0
PLLC “Meditalika”	30	342 771.58	0	0
PLLC “Graina”	25	3 130 921.4	4	1 073 372
PLLC “Essmedi”	24	4 291 425.47	0	0
PLLC “Ilsanta”	23	407 071.52	0	0
PLLC “One Med”	22	231 960.51	0	0
PLLC “DND Talis”	19	858 591.11	0	0
	295	12 502 279.87	6	1 101 790.06

²⁷ Including additional TI Lithuania received contracts

- 6. The contract status of COVID-19 public procurements** disclosed by 8 contracting authorities showed²⁸ that:
- 4 out of 10** public procurement contracts are still active;
 - 5 out of 10** were completed;
 - Almost every **1 out of 25** contracts was cancelled.

Table 6 – The distribution of contracts by contract status

	Active	Completed	Cancelled	Total number of contracts
Vilnius City Municipality Administration	58	4	2	64
Kaunas Clinics	17	33	2	52
Health Emergency Situations Center	1	38	2	41
Klaipeda University Hospital	28	1	0	29
Kaunas Clinical Hospital	7	15	1	23
Defence Materiel Agency	1	19	2	22
Ministry of Health	0	11	1	12
Siauliai Hospital	0	9	0	9
TOTAL	112	130	10	252

²⁸ Not all contracts' status was disclosed.

7. At least some 2 million Euros²⁹ were donated to 5 out of 6 hospitals³⁰ that provided such information. The lowest COVID-19 donation received in Euros was an air purifier-ionizer obtained for 0.01 Euros. The highest value of donation received was 213 thousand Euros worth of personal protective equipment. There were also 8 anonymous cases of donations to Klaipeda University Hospital and Siauliai Hospital – all combined they amounted for 30,4 thousand Euros. Some donors identified in the data also participated in public procurements as suppliers at the same hospitals (this was the case in **2 institutions**).

Table 7 – Data about the supplies donated to COVID-19 patients' treating hospitals

Name of donated object	Cases of Donations					Quantity in Litres and Units of Donations				
	Kaunas Clinical Hospital	Kaunas Clinics	Klaipeda University Hospital	Santaros Clinics	Siauliai Hospital	Kaunas Clinical Hospital	Kaunas Clinics	Klaipeda University Hospital	Santaros Clinics	Siauliai Hospital
Personal Protective Equipment	35	41	11	N/A	N/A	172049	219826	N/A	599061	N/A
Medical Equipment	5	5	15	N/A	N/A	257	10465	5310	250	N/A
Pharmaceuticals	5	2	7	N/A	N/A	175	521	42900	N/A	N/A
Disinfectants	5	5	1	N/A	N/A	2144	2977	N/A	1989	N/A
Other	2	24	7	N/A	N/A	N/A	100 836.92	54	N/A	N/A
Sub-total	52	77	41	N/A	61	174 625	334 625.92	48 264	601 300	N/A
	Total		231 cases ³¹			-				

²⁹ In some cases (26) the value in Euros of the donations was not indicated.

³⁰ TI Lithuania addressed 6 different contracting authorities – these contracting authorities are legally entitled to receive financial support (Kaunas Clinical Hospital, Panevezys Hospital, Santaros Clinics, Klaipeda University Hospital, Siauliai Hospital, Kaunas Clinics). The remaining 6 contracting authorities, which received FOIA requests from TI Lithuania, are not legally entitled to receive financial support in donations according to Lithuanian Law.

³¹ Santaros Clinics are not included, as the data provided did not split the donations into separate cases.

Table 8 – Data about the supplies donated to COVID-19 patients' treating hospitals

Name of Donated Object	Value of Donated Objects in Euros and Hospitals which Received Donations, Eur.				
	Kaunas Clinical Hospital	Kaunas Clinics	Klaipeda University Hospital	Santaros Clinics	Siauliai Hospital
Personal Protective Equipment	245 392	183 944.55	71 574	520 719	N/A
Medical Equipment	15 250	10 661.57	124 112	339 702	N/A
Pharmaceuticals	8 695	6 568	68 027	N/A	N/A
Disinfectants	1 824	8 088.24	3 074	6 030	N/A
Other	7 250	30 037.49	13 023	61 811	329 665.53
Sub-Total	278 410	239 300	279 800	928 262	329 666
Total	2 055 438				

RECOMMENDATIONS

The following recommendations are drawn from the insights of this study as well as from a roundtable discussion held at the end of August, 2020 where TI Lithuania presented interim results.³²

OPEN AND TRANSPARENT PROCESSES

1. Declare all COVID-19 related public procurement contracts and support received in a publicly available open data format (from the research).
2. Provide better quality data and ensure completeness of information (from the research). For example, use the same name of supplier (e.g. from official registers), make sure that the categories of purchased goods are correct (e.g. the same protective equipment is sometimes categorized differently).
3. Establish a shorter period for disclosure of emergency procurements (by some of the stakeholders from the round-table discussion).
4. Declare the status and completion of the contracts (from the research).
5. Disclose information on where the purchased goods were allocated; delivery location.
6. Ensure secure whistleblowing channels within the institutions, which can be used to report observed public procurement violations.

EFFECTIVE PLANNING

7. Publish the planned list of the goods, services or works to be procured, even in case of emergency procurement, especially when there is a lack of information on the market about eligible suppliers (by the stakeholders from the round-table discussion).
8. Ensure that experts from a variety of fields (medicine, chemistry, biology, etc.) are included in the decision-making process (by the stakeholders from the round-table discussion).

EFFICIENCY

9. Centralize public procurement processes, consolidating needs and according to the competencies of procurers (by the stakeholders from the round-table discussion).
10. Create a publicly available database of reliable suppliers for COVID-19 related contracts (along with open beneficial ownership registry) (from the research, suggested by TI Lithuania and supported by the PPO and largest COVID-19 procuring entities during a round-table discussion).

ACCOUNTABILITY AND INTEGRITY

11. Ensure more effective control of conflicts of interest in public procurement (by the stakeholders from the round-table discussion).

³² The discussion involved relevant stakeholders such as the Public Procurement Office, the Special Investigation Services, the National Audit Office, the main contracting authorities and Transparency International Lithuania.

ANNEX No 1.

The Lithuanian PPO, in its report and datasheets, disclosed the following information on COVID-19 contracts:

- ID;
- Contract No.;
- Date of the Contract;
- Estimated Date of Conclusion of the Contract;
- Contractor Code;
- Name of the Contracting Authority;
- Purchase Object Name;
- Code of Common Procurement Vocabulary;
- Name of Common Procurement Vocabulary;
- Group of Common Procurement Vocabulary;
- The Name of the Group of Common Procurement Vocabulary;
- The Value of the Contract Conducted;
- Supplier Code;
- Name of the Supplier;
- Supplier Country.
- Product Category (*only for personal protective equipment and disinfectants*);
- Size (*only for personal protective equipment and disinfectants*);
- Product Name (*only for personal protective equipment and disinfectants*);
- Model / Level of Protection (*only for personal protective equipment and disinfectants*);
- Brand (*only for personal protective equipment and disinfectants*);
- Amount (*only for personal protective equipment and disinfectants*);
- The Unit Price (*only for personal protective equipment and disinfectants*);
- Total Value of Goods (*only for personal protective equipment and disinfectants*);
- Manufacturer Country (*only for personal protective equipment and disinfectants*).

The data from a total of 1241 contracts was opened more extensively and analysed by the PPO from January to May 2020 (contracts regarding personal protective equipment, disinfectants and transport).

ANNEX No 2.

Table 9 – Additionally submitted data fields of ALL Covid-19 public procurement contracts to TI Lithuania.		
No.	Institution	Additional Data Fields
1	Defence Materiel Agency (DMA under MND)	Product Category; Size; Product Name; Model / Level of Protection; Brand; Amount; The Unit Price; Total Value of Goods; Manufacturer; Country of Manufacturer; Status of the Contract.
2	Health Emergency Situations Center	Status of the Contract.
3	Kaunas Clinical Hospital	Status of the Contract.
4	Kaunas Clinics	Status of the Contract.
5	Klaipeda University Hospital	Status of the Contract.
6	Lithuanian Airports	-
7	Lithuanian Railways	-
8	Ministry of Health	Status of the Contract.
9	Panevezys Hospital	-
10	Santaros Clinics	-
11	Siauliai Hospital	Code of Common Procurement Vocabulary; Name of Common; Procurement Vocabulary; Group of Common Procurement Vocabulary; The Name of the Group of Common Procurement Vocabulary; The Value of the Contract Conducted; Supplier Code; Name of the Supplier; Supplier Country; Status of the Contract.
12	Vilnius City Municipality Administration	Procuring department; Size; Product Name; Model / Level of Protection; Brand; Amount; The Unit Price; Total Value of Goods; Manufacturer; Country of Manufacturer; Status of the Contract.

SANTRAUKA IR REKOMENDACIJOS

Kartu su „Open Contracting Partnership“ organizacija ir kolegomis iš 11 šalių siekėme gauti daugiau duomenų apie viešųjų pirkimų mastą pandemijos metu. Šio pratimo tikslas - padidinti sveikatos priežiūros sektoriaus išlaidų skaidrumą bei paskatinti geresnės kokybės atvirų duomenų skelbimą ir naudojimą pagrįstiems sprendimams priimti.

KĄ PADARĖME?

Norėdami papildyti Viešųjų pirkimų tarnybos (VPT) 2020 m. sausio – gegužės mėn. atvertus duomenis, liepos mėn. viduryje išsiuntėme užklausas informacijai gauti šioms 12 institucijų:

- **5 pagrindinėms COVID-19 pacientų ligoninėms** (Vilniaus universiteto (VUL) Santaros klinikos, Kauno klinikinė ligoninė, Klaipėdos universitetinė ligoninė, Respublikinė Šiaulių ligoninė, Respublikinė Panevėžio ligoninė);
- **10 didžiausių perkančiųjų organizacijų** (pagal sudarytų sutarčių skaičius ir jų vertės pasiskirstymą pagal pirkimų vykdytojus) (LR Sveikatos apsaugos ministerijos Ekstremalių sveikatai situacijų centras, Vilniaus miesto savivaldybės administracija, Gynybos resursų agentūra prie KAM, VUL Santaros klinikos, LR Sveikatos apsaugos ministerija, Respublikinė Panevėžio ligoninė, Respublikinė Šiaulių ligoninė, LSMU Kauno klinikos, Lietuvos geležinkeliai, Lietuvos oro uostai).

Jų paprašėme:

- Papildyti VPT paviešintus 2020 m. sausio-gegužės mėn. COVID-19 pirkimų duomenis;
- Pateikti informaciją apie pirkimų statusą (ar pirkimas buvo įvykdytas);
- Nurodyti, kokioms įstaigoms buvo paskirstytos įsigytos priemonės;
- Nurodyti, kokia parama buvo priimta (tik COVID-19 pacientų ligoninėms).

KĄ IŠSIAIŠKINOME?

1. Perkančiosios organizacijos papildomai pateikė **136 sutartis už beveik 8 mln. eurų**, tokiu būdu bent **10% padidindamos COVID-19 viešųjų pirkimų skaidrumą**.
2. Papildomos sutartys buvo sudarytos su **73 tiekėjais**, iš kurių 52 - anksčiau Viešųjų pirkimų tarnybos studijoje neįvardinti tiekėjai.
3. **8 iš 10 šių sutarčių** - mažos vertės sutartys, maždaug pusė jų - mažesnės vertės negu 10 tūkst. eurų. Tai reiškia, kad sutartys galėjo būti sudaromos neskelbiamų apklausų būdu.
4. **Dažniausiai perkančiosios organizacijos pirkto:**

- 1) Apsaugines priemones ir dezinfekcinius skysčius (34%);
 - 2) Medicininę įrangą (22%);
 - 3) Medikamentus, farmacijos produktus (13%).
5. Remiantis perkančiųjų organizacijų pateiktais duomenimis (7 iš 12), įsigytos **priemonės ir paslaugos buvo paskirstytos po bent 224 skirtingas įstaigas.**
6. **Viena Kauno klinikų papildomai pateikta sutartis už 1,5 mln. eurų patenka tarp 10 didžiausių COVID-19 sutarčių.** Remiantis pirminiais VPT duomenimis, iš viso keturios perkančiosios organizacijos (SAM Ekstremalių situacijų centras, Vilniaus miesto savivaldybė, Gynybos resursų agentūra prie KAM, Kauno klinikos) buvo atsakingos už dešimties didžiausių sutarčių sudarymą nuo 1,3 mln. iki 24,6 mln eurų.
7. **Beveik pusė pirmosios COVID-19 bangos metu sudarytų sutarčių šios analizės laikotarpiu dar nebuvo įvykdytos.** Remiantis 8 iš 12 įstaigų, nurodžiusių sutarčių statusą, duomenimis:
- **1 iš 2 sutarčių** (130 iš 252) – įvykdyta;
 - **2 iš 5 sutarčių** (viso 112 iš 252 sutarčių) – šiuo metu vykdomos arba dalinai įvykdytos;
 - **1 iš 25 sutarčių** (10 iš 252) - nutrauktos.
8. **Ligoninės gavo su COVID-19 susijusią paramą už bent 2 milijonus eurų.** Mažiausia paramos vertė siekė 0,01 eurų už oro valytuvą-jonizatorių, didžiausia – 213 tūkst. eurų už asmeninės apsaugos priemones. 5 iš 6 perkančiųjų organizacijų, kurių buvo prašoma pateikti informaciją apie paramą, pateikė šiuos duomenis. Kai kurie tiekėjai dalyvavo viešuosiuose pirkimuose tose gydymo įstaigose, kurioms teikė paramą.

APIE KĄ SIŪLOME PASVARSTYTI?

Siūlymai remiasi šios iniciatyvos partnerių ir apskritojo stalo diskusijos dalyvių, kurios metu buvo pristatyti tarpiniai užklausų rezultatai³³, įžvalgomis.

ATVIRUMAS IR SKAIDRUMAS

1. Skelbti visas su COVID-19 susijusias viešųjų pirkimų sutartis ir gautą paramą atvirų duomenų formatu, užtikrinant duomenų kokybę;
2. Sutrumpinti sutarčių, sudarytų skubos tvarka, viešinimo periodus;
3. Skelbti sutarčių statusą, ypač informaciją apie nutrauktas sutartis ir nutraukimo priežastis;

³³ Diskusija vyko 2020 m. rugpjūčio pabaigoje ir įtraukė Viešųjų pirkimų tarnybos, Specialiųjų tyrimų tarnybos, Valstybės kontrolės, "Transparency International" Lietuvos skyriaus, COVID-19 ligoninių bei didžiausių perkančiųjų organizacijų atstovus.

4. Viešinti informaciją apie tai, kur buvo paskirstytos įstaigų įsigytos prekės;
5. Užtikrinti saugius pranešimų kanalus įstaigų viduje, kuriais būtų galima pranešti ir apie pastebėtus pažeidimus viešųjų pirkimų metu.

EFEKTYVUMAS

6. Sukurti viešai prieinamą patikimų tiekėjų registrą su COVID-19 susijusiems pirkimams (kartu su atviru galutinių naudos gavėjų registru);
7. Skelbti planuojamų įsigyti prekių, paslaugų ar darbų sąrašą net ir skubių pirkimų atveju, ypač tuomet, kai trūksta informacijos apie galimus tiekėjus;
8. Įtraukti įvairių sričių ekspertus (medicinos, farmacijos, nevyriausybinių organizacijų ir kt.) į sprendimų priėmimo procesus;
9. Kiek įmanoma, centralizuoti viešųjų pirkimų procesus ir sumažinti perkančiųjų organizacijų skaičių.

ATSKAITINGUMAS

10. Užtikrinti efektyvesnę interesų konfliktų stebėseną ir kontrolę ruošiantis ir įgyvendinant viešuosius pirkimus.



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