

## real estate- legislative retrospective

**Law no. 314.2009** amending Government Emergency Ordinance no. 30/2006 on the **verification of the procedural issues related to the process of awarding public procurement contracts, public works concession contracts and services concession contracts** was published in the Official Gazette no. 694/15.10.2009. The said amendment bears particular reference to the increase of the threshold values with respect to which the procedural verification of the process of awarding public procurement contracts is performed. The threshold values concerning the contracts which are to be subject to such verification are thus the values provided for under article 124 of Government Emergency Ordinance no. 34/2006, as follows: (i) for supply contracts-EUR 100,000; (ii) for services contracts-EUR 100,000; (iii) for works contracts-EUR 750,000. Under reasonable circumstances, upon request of certain public bodies or entities, the said procedural verification may be carried out as well for contracts of lower value.

In accordance with the new law, the verification procedure comprises the stages of the public procurement process undergoing after the publication of the notice and until the award and execution of the contract. In the situations where the law provides for the conclusion of a contract without the prior publication of the contract notice, the verification procedure shall commence upon the delivery of the invitation to take part in negotiation and shall last until the award and execution of the contract.

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