

INTEGRITY PACTS EU'S IMPACT CASE 01

ROMANIA – CADASTRE OF RURAL AREAS (1)

REVISING A CHALLENGING CONTRACTING STRATEGY

CONTRACTING PROJECT INFORMATION

Country	Romania
Project	Cadastre of rural areas (RO)
Project description	Provision of technical assistance to increase land registration in rural areas in Romania, aiming to register about 5.758.314 hectares in 660 territorial administrative units/localities.
IP signature date	20/11/2017
Contracting authority	Agenția Națională de Cadastru și Publicitate Imobiliară (National Cadastre Agency, NCA)
Managing authority	Ministerul Dezvoltării, Lucrărilor Publice și Administrației (Managing Authority for the Regional Operational Programme)
Monitoring organisations	Transparency International Romania , Institute for Public Policy
Procedures monitored	1
Contracts awarded	Several (framework contract)
Project stage	Implementation
Impact case categories	(1) Promote better value for money (2) Enhance transparency and accountability (3) Foster project timeliness (4) Increase access and participation of citizens (5) Encourage competition and fairness (6) Support institutional changes

IMPACT CASE

Romania faces a challenging backlog in land registration. The country's regulation on the matter mandates a lengthy and costly procedure, which deters registration, particularly in the poorest municipalities and rural areas. With the support of the European Union (EU), Romania's National Cadastre Agency (NCA) has revamped efforts to address the barriers stopping people from registering land and launched a new contracting project to recruit specialised firms to support rural communities throughout the process. Firms are expected to provide assistance for different tasks such as measuring land, reviewing existing legal records, compiling the preliminary land register, and following the formal procedure until the final approval of the local cadastre.

While the contracting project was based on earlier experiences, the NCA had to adjust it in line with market conditions at the time and address shortcomings of the previous contracts. Faced with this challenging task, they agreed to integrate an Integrity Pact (IP) into the project.

During the first stage, Transparency International Romania and the Institute for Public Policy (IPP) – acting as the IP's independent monitors – discussed tendering documentation and existing challenges with the NCA. The monitors provided recommendations that improved the contracting strategy and tendering documentation. Among these were:

- **Improving selection criteria in line with the project's needs and constraints.** The original project only considered price as the key criterion for selecting the winning bidders. TI Romania and the IPP suggested additional quality criteria. Since increasing the pace of the registration was critical, NCA added estimated completion time as a criterion for selecting the contractor.
- **Adding deterring contract penalties.** TI Romania and the IPP reviewed the drafting of contract penalties and suggested adding a penalty for implementation delays. They believed that this would foster a timely response to the needs of the different communities and beneficiaries. After some analysis, the NCA agreed on the proposal and added penalties in case of failure to meet contractual obligations according to the established schedule.
- **Securing General Data Protection Regulation (GDPR) compliance.** Since land registration is a sensitive issue and may imply collecting personal data, TI Romania and the IPP alerted the NCA about compliance with the EU's GDPR. The NCA and the independent monitors then reached out to the responsible authority in the country for personal data protection and scheduled a set of meetings. These allowed the NCA to review the tender and draft contract's provisions on this matter and avoid breaching data privacy regulation.

Thanks to the Integrity Pact implemented on the cadastre project in Romania, the contracting authority revised the contracting strategy that was proving to be challenging, improve the selection criteria in line with the project's needs and constraints, improve timely delivery by imposing deterring contract penalties, and ensure GDPR compliance, a sensitive issue in the field of land registration. This is turn **promoted better value for money** and **fostered project timeliness**.

This impact case was developed in the framework of the project [Integrity Pacts – Civil Control Mechanism for Safeguarding EU Funds](#), Phase 2 funded by the European Commission. It brought together government agencies, civil society and the private sector in 11 EU countries, to ensure that 18 public contracts were designed, awarded and implemented to the highest possible standards of transparency and accountability. **Last case update:** 16 July 2021.