

"THE CLUSTER", THE WAY OF INCREASING THE COMPETITIVITY AND FINANCIAL CAPACITY OF THE ROMANIAN COMPANIES

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The certification for the professional qualification of the construction companies represents an official recognition of their competency based on a scientific criteria and assurance of their specialization in different fields of activities.

Creating a certification system would put at the disposal of the investors an official list of the companies for which is operating the presumption of being capable for realizing good quality works. The presentation of a certification is being compulsory in order to participate in biddings for public works.

Adoption of an adequate legal framework in the field of professional certification combined with formation of clusters will allow enhancing of the technical and financial competitiveness of the Romanian companies.

Key words – clusters- free association of juridical and financial independent companies, which through conventions are establishing the conditions for participating in common at the actions of adjudicating public works

The certification for the professional qualification of the construction companies represents an official recognition of their competency by the bodies recognized by the legal authority from the construction sector.

This certification is realized based on scientific criteria that classify the companies on fields, types of constructions, technical classes and competitiveness in design, execution, general consultancy, technical assistance, specialized services in construction, including technological services with specialized equipments etc.

The certification of all the categories of participants at the construction process ensures the presumption that the investments, the constructions, shall be realized according to the provisions of the Law 10/1995 regarding the quality in constructions.

There are 14 states in Europe that apply their own certification system of the companies: England, Belgium, Switzerland, France, Finland, Greece, Germany, Italy, Norway, Holland, Portugal, Poland, Spain and Sweden. In 5 of the 14 states, the presentation of a certification is compulsory in order to participate at biddings for public works: Belgium, Greece, Italy, Portugal and Spain.

All the states that have introduced a certification system for the professional qualification of the construction companies run these activities through certification bodies of private law, recognized by the coordinating authority in the sector of constructions from the respective country since they ensure the observance of the European norms regarding the independence, the impartiality, the non representation of individual or group interests, the implementation of non discriminating procedures, the transparency as well as the possibility of the applicants to access its services without imposing conditions about the size of the company or its affiliation to a certain group.

The process of certification for the professional qualification of the construction companies is controlled by the EU states, under the supervision of the central authority that coordinates the sector of constructions or at the level of the ministries of economy and finances, according to the European procedures, standards and norms regarding the criteria that must be fulfilled by the certification bodies as well as the imposed exigencies regarding the certification activities.

The certification system for the professional qualification of the construction companies ends with a correct scientific evaluation, with the publication and /or placing the official lists with the certified companies at the disposal of the investors/beneficiaries, with the compulsory presentation of a qualification certificate at biddings for public works (in Belgium, Greece, Italy, Portugal and Spain) and, in the near future, with obtaining mutual recognition of the certification papers among states.

In Romania, the first steps for implementing a certification system for the professional qualification of the construction companies started in 1992, when the first aspects regarding this action were presented to the MDPWH.

In 2003 the SR 13476-1 “General demands for the certification bodies” and the SR 13476-2 “Certification criteria”, the Romanian standards for certification for the professional qualification of the construction companies were elaborated and approved.

The last variants from the European standards EN 45000, EN 17000, ISO 9001 were adopted in the interval 2001-2006. The Emergency Ordinance regarding the assignment of contracts of public acquisitions, ensuring the alignment to the 2004/18/CEE Directive regarding the coordination of the actions of assigning the contracts of public works and services was also promoted.

In 2006 the Ownership of the Romanian Contractors promoted the law project regarding the certification for the professional qualification of the construction companies that is presently debated by the institutions that are involved or that coordinate the activities at national level in order to set up some points of view that can promote a legal act that meets the demands imposed to ensure the protection of human life and national wealth.

The main criteria established by the Romanian normative acts that correspond to the European ones are the following:

- Juridical and administrative criteria that establish the compulsory criteria regarding: registration at the Trade Register Office, providing documents regarding the professional morality, payment of taxes/duties, non affiliation to criminal organizations, corruption deeds, fraud, money laundry etc.;
- Economic and financial criteria that establish the proofs regarding the financial situation (excerpt of the last balance), declarations regarding the turnover, financial reports or any documentation that can probe the economic and financial capacity;
- Technical criteria regarding the evaluation of the technical capacity based on the information and on the performed evaluations that refer to satisfying the conditions of the ISO 9000 standards, to the experience in the sector that is to be certificated, to the qualification and competence of the personnel, to the technical endowment, to the endowment with measuring devices, to the implementation of a system of quality management, to the experience (performed works, execution certificates), to the information on the technical staff, equipments, installations and on the applied quality management.

Depending on the supplied and verified information, the certification body releases a certificate that permits the classification of the company on: sector of activity, types of performance, technical capacity, size of contract.

The classification of the construction companies presents several favourable implications, such as:

- providing eligibility conditions for the public biddings;
- reducing the volume of documents requested for biddings;
- allowing the association of several companies certified for the same sector or for adjacent sectors as well as for ensuring the norms regarding the size of the contracts (by sum of competences);
- allowing the competitive micro-enterprises and the SMEs to obtain a qualification that entitles them, by direct participation or in collaboration with other companies, to take over works according to their performances;
- eliminating the subjectivity of the bidding commissions in evaluating the performances and in assigning the work contracts;
- publication of the official list of the certified companies, thus facilitating the options of the investors or natural/juridical persons, who intend to build, by choosing a competitive company;
- allowing the certified companies to take over works in other countries by presenting a certificate that represents a guarantee and a competence acknowledgement.

Adopting a proper legislation in the field of professional certification of the construction companies, combined with the formation of clusters, shall ensure the construction companies a better participation in the competition for accessing structural funds.

The clusters represent free associations among legally and financially independent enterprises that, due to the acknowledged conventions, establish the conditions of common participation to the actions of assigning public works or from other funds. So, by summing up the held conditions regarding the equipment, personnel, experience, financial capacity, size of the past contracts, clusters can be assigned to perform works that single enterprises could not accede.

Clusters can be formed in all the economic sectors, at national or regional level. Called “poles of competitiveness” in France and sustained by the European Commission, clusters play a key role in the European cohesion policy and in the absorbance of the structural funds.

In 2007, at EUROPA INNOVA, the European Cluster Observatory was set up. Its role is to collect all the statistic data, to set up indicators of quantifying the dynamism of the European clusters and to evaluate the impact of the national and regional cluster policy.

Within the cohesion policy, clusters represent one of the planning pillars for 2007-2013, promoting innovation as the main component of investments and sustainable development.

The cluster represents a territorial agglomeration of specialized and highly competitive companies. It represents a concentration or a special, territorial agglomeration of the SMEs specialized within the same or adjacent sectors that can become a leader on the market (even global market) of that specialized sector.

It can be located in any type of territorial community, from small ones (towns, communes, groups of communes) to state regions, state or cross-border regions.

The experience of the developed countries has shown that clustering processes serve as fundament for a constructive dialogue between the representatives of the entrepreneurial sector and the state, educational environments. The cluster has lead to an efficient growth of the mutual relationships within the innovation processes from the private and state sector, commercial associations, educational and research institutions.

Peculiarities of a cluster:

1. it is a form of regional economic activity limited from the interior of the adjacent sectors, linked by certain scientific institutions (universities, research and innovation centres etc.);
2. it represents vertical production links (value chain); narrow specialized sectors where the common production stages constitute the core of the cluster (the chain “supplier – producer – dealer – customer”);
3. there are industrial branches formed at a high level of aggregation (e.g. “the chemical cluster”, “the agro industrial cluster”).

Specific features:

- identical or adjacent sectors of activity;
- sectors may differ, the economic activity becomes dominant and highly performant;
- even if there is a competition between the companies and they are specialized on types, there appears a parallel phenomenon of cooperation, association in sectors, thus ensuring a plus of competitiveness to all of them;
- rapid phenomena of innovation and of common innovation infrastructure appear among companies, where universities and technological centres play an essential role;
- association capacity of the companies and relations based on trust maintained by a proper supporting cultural environment that reduce the transaction costs and increase the competitive advantages;
- the cooperation sectors can be prepared professionally, management and marketing techniques, research and development and everything connected to enhancing the innovative capacity.

Functional strategies in choosing and elaborating a cluster:

1. spatial initiation of the economic activities clustered at local level (e.g. fruit growing in Holland);

2. horizontal: certain branches/sectors can enter larger clusters (e.g. the mega cluster from the Dutch economy);
3. vertical: within a cluster there can exist stages of common production process;
4. lateral: within the cluster various sectors can merge in order to ensure a global impact on the economy;
5. technological: the compatibility of the branches that use the same technology (e.g. the biotechnological cluster);
6. focus: cluster of companies that are concentrated around an enterprise-centre, a technological centre or around a teaching establishment.

General strategies within the cluster:

1. strategies oriented towards the increase of the level and applicability of the knowledge in the existent clusters;
2. strategies oriented towards setting up/ starting new cooperation systems within the cluster.

Figure 1 presents the functioning model of the clusters of construction units.

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