



BILATERAL MEETING

Chapter 05- PUBLIC PROCUREMENT

Country Session: The Republic of TURKEY
28 November 2005



SCREENING CHAPTER 05 PUBLIC PROCUREMENT

AGENDA ITEM III: COMMON PROCUREMENT VOCABULARY (CPV)

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Common Procurement Vocabulary

According to Public Procurement Law No 4734 (PPL) types of contracts consist of;

- ✓ Supply
- ✓ Services
- ✓ Works



Contracting authorities specify;

- ✓ **characteristics (the name, the code if available)**
- ✓ **the quantity and the type of the subject of the contracts in the contract notices and tender documents**



There is no reference nomenclature for public contracts like CPV, which is defined in the directive 2004/18/EC, in Turkish public procurement system.

Using CPV was not mandatory in EU during the preparation of PPL in 2001.

International coding systems including CPV are taken into consideration by the PPA on the works about electronic procurement



Standard Forms and Public Procurement Bulletin



Standard Forms

As defined in Art. 53/b of PPL one of the duties of PPA is;

✓ to prepare and develop the standard tender documents and guide the implementation of all the legislation concerning the public procurement law and public procurement contracts



Standard forms created by the PPA was designed to cover all the stages of the tender process including approval of the tender, publication of contract notice, evaluation of tenders, finalization of tender , notification of finalized tender decision and publication of contract award notices.

There are 55 standard forms for works contracts, 50 for supply contracts and 50 for services contracts and most of them are basically same in format.



The following articles are aimed by the standard forms created for the procurement process;

- ✓ **simple and intelligible tender process**
- ✓ **eliminating the divergent implementations in the tender process**
- ✓ **simplifying the examination and the control**
- ✓ **increasing the efficiency**
- ✓ **providing the clarity and transparency**
- ✓ **reducing the complaints relating to the tender process**



Standard forms used by the contracting authorities consist of;

- ✓ **receiving and opening of the application and tenders**
- ✓ **evaluation of the applications**
- ✓ **evaluation of the tenders and the other standard forms in the procurement process**



Following Standard forms shall be used by the tenderers:

- ✓ **tender letter**
- ✓ **work experience certificate**
- ✓ **joint venture declaration**
- ✓ **consortium declaration**
- ✓ **advance payment guarantee letter**
- ✓ **declaration of partnership / share**
- ✓ **other standard forms**

In the annex of the tender documents, the contracting authorities have to give the copies of these standard forms, which are mandatory to be used by tenderers while submitting their tenders.



Public Procurement Bulletin

According to Additional Article 1 of PPL, the tender notices of the contracting authorities within the scope of PPL have been published in the Public Procurement Bulletin since 2004.



The tender notices published in the Public Procurement Bulletin are:

- ✓ **contract notices**
- ✓ **pre-qualification notices**
- ✓ **correction notices**
- ✓ **cancellation notices**
- ✓ **contract award notices**



Public Procurement Bulletin is published in printed and electronic media.

Printed Bulletin is published utmost 5 working days in a week and sent to the addresses of those who request subscription.

A copy of Bulletin is sent to the contracting authorities whose notices are published in the Bulletin free of charge.



Following information indicated in the article 24 and 25 of PPL shall be included in Contract and pre-qualification notices :

- ✓ **name, characteristics, type and quantity of the procurement**
- ✓ **procurement procedure to be applied**
- ✓ **rules of participation**
- ✓ **required documents and certificates**
- ✓ **criteria to be used in the qualification evaluation**
- ✓ **type of tender and contract, etc.**



Procurement with estimated costs equal to or exceeding the threshold values stated in Article 8 of PPL, shall be advertised by publishing in the Public Procurement Bulletin at least once.

If the contract notices, which are not mandatory to be published in the Public Procurement Bulletin, are sent by contracting authorities, they are also published in the Public Procurement Bulletin.



It is mandatory to send the tender notices to be published in the Public Procurement Bulletin via Internet by using the Notice Preparation and Sending Module created by PPA.

By using this module, the preparation of notices are performed without error or with lower error.



A protocol is signed between PPA and contracting authorities sending contract notices via Internet.

- ✓ posting time and posting cost is saved by this application**
- ✓ this application is accelerating the publication process of the contract notices and ensuring the procurement of needs in a timely manner**



Contract notices sent to the PPA are published within five working days in the Public Procurement Bulletin except the situations in which the protocol method is used.



The notices sent via Internet are reviewed by PPA.

If some points not compatible with the legislation are determined during the process of review, contracting entities are enabled to rectify their information via Internet by the assistance of the PPA.

The errors in the contract notices are reduced substantially by the review process.



AGENDA ITEM III: COMMON PROCUREMENT VOCABULARY

ANNOUNCEMENT FOR PROCUREMENT

[name of contracting entity]

The goods for *[name of work]* shall be procured through open tender procedure.

Procurement register number	:
1- <u>Contracting entity's</u>	
a) address	:
b) phone and fax number	:
c) e-mail (if any)	:
2- <u>Goods to be procured</u>	
a) nature, type and quantity	:
b) location	:
c) duration of work	:
3- <u>Procurement's</u>	
a) location	:
b) date and time	:

- 4- The conditions for participation in procurement, documents required and the criteria application in evaluation of qualification:
- 4.1- The conditions for participation in procurement and documents required:
- 4.1.1-.....
- 4.2- Documents concerning the economic and financial qualification and the criteria that such documents have to meet:
- 4.2.1-.....
- 4.3- Documents concerning the professional and technical qualification and the criteria that such documents have to meet:
- 4.3.1-.....
- 4.4- Similar works in this procurement shall be⁴
- 5- Economically most advantageous tender shall be determined *[on the basis of the lowest price/ in view of the criteria other than price].*
- 6- *[Only the domestic tenderers can participate in the procurement./ The procurement is open to all tenderers./ Price advantage shall be applied by ...% in favor of domestic tenderers that propose domestic item(s) that is/are accepted as domestic goods in the procurement.]*
- 7- The tender document can be reviewed at [address of contracting entity] and obtained [from the same address/] against TL Those that can submit tenders for the procurement have to purchase the tender document.
- 8- The tenders can either be delivered personally to the [place where the procurement shall be held] until the [date of procurement] [time of procurement] or sent via registered and prepaid mail.
- 9- The tenderers shall submit their tenders *[over lump sum. Lump sum contract shall be concluded with the tenderer that is awarded as a result of the procurement. / over unit costs for the item(s). Unit cost contract shall be concluded with the tenderer that is awarded over the total amount that is found by multiplying the items with the unit costs proposed as a result of the procurement.]*
- 10- The tenderers shall furnish Bid Bond at the amount to be determined by them, which shall not be less than 3% of the tender price.
- 11- The validity period of tenders submitted must be minimum calendar days as from the date of procurement.
- 12- Consortia can/ cannot submit tenders for the procurement.



ANNOUNCEMENT FOR PROCUREMENT RESULT¹

[name of contracting entity]



Procurement register number*	:	
1) <u>Work to be procured</u>		
a) Name	:	
b) Nature, type and quantity	:	
c) Location	:	
d) Date of commencement and completion	:	
2) <u>Contract amount</u>		
a) Resource	:	
b) Amount of resource	:	



Totally tenders have been submitted for the procurement of [name of work] and of these tenders have been deemed valid. The said procurement of goods has been awarded to [name of contractor/ trade title of contractor] against the amount of on ___/___/___ through the [open tender procedure/ restricted tender procedure/ negotiated tender procedure]. It is hereby kindly publicized.



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