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TURKONFED PROCUREMENT PROCESS AND PROCEDURES

1 Planning and Strategy

1.1 Market Research

During the planning phase, market research is conducted for each procurement item deemed necessary in order to carry out transactions in accordance with basic procurement principles. In this phase, it is essential to negotiate with more than one supplier or service provider and obtain a preliminary bid or proforma invoice in order to comply with the fair competition rule.

Market research is conducted by the Demand Unit's own team or by subject matter experts assigned by the Procurement Team, if any, and the bids collected during the research, pro forma invoices, negotiation minutes or images and date information of the price identified on the internet are recorded and stored.

It is recommended that the procurement team creates a database of potential bidders to act quickly and accurately in procurement transactions. This database includes individuals and entities whom were worked with in previous works or for whom it is thought that it would be appropriate to work together in future works considering their references and competencies. The database includes contact information, fields of activity, example works and references of the respective individuals and entities. The procurement team is responsible for keeping this database constantly up to date and ensuring that new individuals and entities are added to the database.

1.2 Preparation of the Specifications

Preparation of the description of work and the specification that guide the decisions to be taken regarding the procurement process is the most important stage of the procurement process. In this phase, the requirements, performance criteria and technical features of the procurement of goods, procurement of service or construction work needed are determined by the Demand Unit. In order for the procurement process to be carried out properly and the work to be fulfilled in a way that meets the needs, the criteria to be determined on the basis of function, performance and technical features must be described as clearly and accurately as possible. The first step to ensure the conformity of the procurement process with the basic principles and ethical rules is to establish the description of work and the specification correctly.

In order to prepare the description of work and the specification in the best possible way, the procurement team first consults with the demand unit to verify the procurement of goods, procurement of service or construction work needed and ensure that it is clearly articulated. In this context, after the work is described, the functional features, performance features and technical features of the work are described. The procurement team may not change the outlines of the procurement work notified by the demand unit without consulting with the demand unit. In describing the features of the work and the criteria related to

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control of these features, the procurement team uses clear and objective expressions and avoids using narrow definitions to such extent that would hinder fair competition. It should be taken into consideration that specifications defined in more detail as necessary will reduce the number of applications for tenders, prevent authentic bids and hinder fair competition.



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It should be made sure that the description of work and specifications include the quality and assurance standards for the needed work, warranty conditions, requirements regarding past work and references, expectations regarding spare parts, refitment, maintenance and repair, and environmental conditions.

The procurement team may obtain the opinion of an external expert if needed during the preparation of descriptions of work and the specifications. In this case, the procurement team is obliged to prevent that the expert whose opinion was asked is prevented from being provided with such information that would affect the tender process and/or violate the ethical rules. The expert whose opinion is asked during preparation of the description of work and the specification is subject to the rules applicable to contracting authority employees to prevent conflict of interest.

During the preparation of description of works and the specifications, brand or model name may not be indicated, except for exceptional cases where it is deemed essential for the work needed. Even in exceptional cases where it is deemed necessary to indicate the brand and/or model name, it is stated in the specification that the equivalent of the indicated brand and/or model will also be accepted.

1.3 Determination of the Procurement Method

Contract Price	Procurement Method	Minimum Number of Bidders Invited	Minimum Number of Bidders	Minimum Required Period	Approval Unit
≤TL 75,000	Direct Procurement	1-3	1-3	-	Demand & Procurement Team
TL 75,000 < ... < TL 750,000	Bidding Procedure	Minimum 3	3	1 week	Demand & Procurement Team
TL 750,000 < ... < TL 1,500,000	Invitation-based Tender	3	3	2 weeks	Contracting Board
≥TL 1,500,000	Open Tender Procedure (Pre-Approved)	Public	1-3	4 weeks	Contracting Board

After conducting market research for the procurement transaction and preparing the description of work/specification, the procurement team determines the procurement method. The main criterion in determining the procurement method is the prescribed contract price. However, in cases where the work to be performed requires high competence and quality and the procurement team decides that competition between bidders is important for the work, the level of competitiveness may also be a criterion that determines the procurement method.

Besides this process, it there might be a single entity that provides a demanded service. In such cases, the process proceeds with a single bid and a single entity, regardless of the limit, and a single bid is sufficient.

In procurement of service, it is essential that similar services are performed through collective procurement or joint tender (public/invitation-based tender) within a period of three calendar months. For example, services such as meeting and training hall should be procured collectively under the organization heading. When the total of separate services procured from a company within three months reaches the tender limit, the next procurement of service should be subject to tender, regardless of the amount of the service price offer.

1.3.1 Direct Procurement

Direct Procurement is carrying out the procurement transaction related to a work in return for invoice or valid expenditure documents, by negotiating with the bidders who are suitable to fulfill the work considering the needs and agreeing on the technical terms and price. The procedure of direct procurement is a method in which ethical rules are applied less compared to the bidding procedure and tendering procedure. Therefore, it is used only in transactions where a limited purchase price is prescribed and only in cases where it is deemed essential to prevent loss of time.

Direct procurement may be preferred for procurements where the prescribed price is determined to be below **75,000 Turkish Liras** as a result of the market research conducted during the procurement planning phase. In procurements with a prescribed price above **75,000 Turkish Liras** as a result of the market research conducted during the procurement planning phase, the procurement is carried out by means of direct procurement through invitation of at least 3 bidders by the procurement team. If the procurement team believes that the competitive environment will be more beneficial for the work to be performed, the procurement transaction can be carried out through bidding procedure by issuing a call instead of direct procurement.

In procurements carried out from the same real or legal person within the scope of the same project or program conducted by the contracting authority within a 12-month period, the procurement price is considered as the total price. Accordingly, if another direct procurement transaction has been carried out from the chosen bidder within the last 12 months, the procurement team re-evaluates the restrictions on the procurement price. Based on this evaluation, where necessary, another bidder is preferred or it is decided to change the procurement method.

In the direct procurement method, technical specification is not prepared except for the cases deemed necessary by the procurement team, and the technical details of the work determined by the demand unit in the planning phase are finalized in the negotiations with the bidder. If procurements carried out through direct procurement require prepayment, a contract is signed with the bidder. In procurements which are carried out through direct procurement and which do not require prepayment, the decision to sign a contract is at the discretion of the procurement team.

Although it involves less documentation than the bidding procedure and tendering procedure, documenting the process is also important in the direct procurement procedure. In this context, in addition to market research, minutes of the negotiations with the bidder and documents such as invoices and

receipts related to payment transactions should be filed and kept in the archive.

In procurement transactions carried out through direct procurement, payments to be made before completion of the work are conditional upon the parties' having agreed in the contract on the prepayment, and it is possible to make payment only in the prepayment amount specified in the contract. Payment of the remaining amount of the contract price after prepayment or in procurements where no prepayment is prescribed is made at the completion of the work or upon delivery of the goods.

1.3.2 Bidding Procedure

Bidding procedure means receiving bids from at least 3 potential bidders for the procurement of goods, procurement of services or construction work needed, and choosing the bidder who submits the lowest bid or the bid with most favorable conditions. In the bidding procedure, potential bidders are determined by the procurement team, based on the market research conducted during the planning phase and taking into account the nature and requirements of the work. Although the minimum number of bids required for determining one of the potential bidders as supplier or contractor is 3, it is preferred to determine more than three potential bidders in line with the basic principles and ethical rules and taking into account that not every potential bidder might submit a bid.

Bidding procedure may be preferred for procurements where the prescribed price is determined to be between **75,000 and 750,000 Turkish Liras** as a result of the market research conducted during the procurement planning phase.

Within the scope of the bidding procedure, the procurement team first develops the market research and discusses with demand unit members and/or subject matter experts to prepare a description of work/technical specification for the work for which procurement will be carried out. Then, potential bidders are determined for the work the details of which were determined, taking into account the prescribed price. The technical specification and invitation letter are sent to potential bidders whose qualification was determined by the procurement team according to the relevant technical specification and market research. It is essential that technical specifications and invitation letters are delivered to their addressees electronically or as hard copy.

In procurements carried out through bidding procedure, a period of at least one week is granted to the potential bidders for submitting bids. Once this period expires, the procurement team first conducts administrative control of the bids received. Then, it checks whether they conform to the technical specification and eliminates those which do not conform. From among the suitable bids received, the bidder who offers the lowest price in procurement of goods and the bidder who ensures the balance of the most suitable work quality and the most suitable price in procurement of service and construction work is chosen, and the contract is signed. After signing the contract with the bidder, a non-winning bidder notification letter is sent within 3 business days to other bidders who submitted bids. Prepayment may also be made in procurement of service and construction works carried out through bidding procedure, provided that the payment plan is specified in the bid and contract. Payment of the remaining amount of the contract price after prepayment or in procurements where no prepayment is prescribed is made at the completion of the work or upon delivery of the goods.

During the procurement process taking place through bidding method, the procurement team files the market research, technical specification, invitation letters, the bids received, proforma invoices, contract and payment documents such as invoices and receipts, and retains them to be archived.

1.3.3 Invitation-based Tender

Invitation-based Tender means announcement of the procurement of goods, procurement of services or construction work needed on the official website of the contracting authority, collection of bids during the specified period, and the determination of the supplier/contractor by evaluating them openly before the bidders and observers in the opening session. Unlike the tendering procedure, the tender announcement does not have to be made through newspaper or internet advertisement, but it is a good practice to do so. A written call for bidding may be sent to potential bidders identified in the market research during the planning phase. Sending the tender announcement in writing to individuals or entities identified as potential bidders should be done in order for the purpose of increasing the participation in the tender and ensuring fair competition, and as per the principle of transparency, attention should be paid not to provide advantageous information to potential bidders other than the information contained in the announcement. In this regard, as an example of good practice in the tendering procedure, it is recommended to send a call for bidding to at least 3 potential bidders in addition to the tender announcement. As in all competition-based procurement transactions, the objective in the tendering procedure is to have received at least three offers in order to make an evaluation. If less than three bidders apply for the tender, the period is extended or a report justifying this exceptional situation is kept. No upper limit may be imposed on the number of bids to be received within the scope of the tender.

Pre-approved tendering procedure is pursued for procurements where the prescribed price is determined to be between **750,000 and 1,500,000 Turkish Liras** as a result of the market research conducted during the procurement planning phase. In procurements with a prescribed price between **750,000 and 1,500,000 Turkish Liras**, if the procurement team believes that the competitive environment will be more beneficial for the work to be performed, the procurement transaction can be carried out through bidding procedure instead of invitation procedure.

1.3.4 Open Tender Procedure

Open Tender procedure means announcement of the procurement of goods, procurement of services or construction work needed, collection of bids during the period specified in the announcement, and the determination of the supplier/contractor by evaluating them openly before the bidders and observers in the opening session. In the Open Tender procedure, the tender announcement may be made only through newspaper and internet announcement, but in addition to this announcement, a written call for bidding may also be sent to potential bidders identified in the market research during the planning phase. It should be remembered at this point is that the tendering procedure is the procurement method in which ethical rules are most dominant. Sending the tender announcement in writing to individuals or entities identified as potential bidders, in parallel to this, making the tender public (website announcement and/or newspaper advertisement) should be done in order for the purpose of increasing the participation in the tender and ensuring fair competition, and as per the principle of transparency, attention should be paid not to provide advantageous information to potential bidders other than the information contained in the announcement. In this regard, as an example of good practice in the open tender procedure, it is recommended to send a call for bidding to at least 8 potential bidders in addition to the tender announcement.

As in all competition-based procurement transactions, the objective in the tendering procedure is to have received at least one offer in order to make an evaluation. If no than bidder applies for the tender, the period is extended or a report justifying this exceptional situation is kept. No upper limit may be imposed on the number of bids to be received within the scope of the tender.

Pre-approved open tender procedure is pursued for procurements where the prescribed price is determined to be above **1,500,000 Turkish Liras** as a result of the market research conducted during the procurement planning phase. In procurements with a prescribed price between **750,000 and 1,500,000 Turkish Liras**, if the procurement team believes that the competitive environment will be more beneficial for the work to be performed, the procurement transaction can be carried out through bidding procedure instead of invitation procedure.

Within the scope of the tendering procedure, the procurement team first develops the market research and discusses with subject matter experts to prepare a description of work/technical specification for the work for which procurement will be carried out. Then, it creates the tender file in line with the description of work/technical specification and prepares the tender announcement. In this phase, potential bidders to whom the call for bidding will be sent in writing are determined and relevant invitation letters are prepared. After the preparation of the tender file and announcement is completed, the tender is announced to the interested parties pursuant to the rules specified in the section "1.4.2 Making the Tender Announcement". Except for exceptional cases, potential bidders are granted one month after the tender announcement to prepare their bids.

Considering that the price prescribed in procurement transactions carried out through tendering is relatively high, it is assumed that the work required requires serious competence. In this regard, it is preferred that the potential bidders determined to be invited to tender during the market research are individuals and entities that have proven their competence in their field and have concrete references. Information and documents proving the competencies of the individuals and entities invited to the tender should be recorded in a report as the reason for invitation to the tender and archived within the scope of the tender documents. In terms of competence and reliability, it is recommended that potential bidders are chosen as far as possible from the database created for procurement transactions.

As per the fair competition rule in procurement transactions through tendering procedure, it is essential not to impose geographical restrictions in choosing of potential bidders and the announcement of the tender. Unless there is a geographical restriction as a requirement of the needed work, all local, national and international real or legal persons that meet the requirements in the technical specification should be able to submit bids.

During the procurement process taking place through tendering procedure, the procurement team diligently files the market research, information about the potential bidders, proforma invoices, tender file, tender announcement, the bids received, result notification letters, and contract, and payment documents such as invoice, payment instruction and receipt, and retains them to be archived.

1.3.5 Urgent and Exceptional Circumstances

If the procurement process involves urgent or exceptional circumstances, the competition-based procurement procedure required by the prescribed price might not be applied upon justifying the urgency of the work and the procurement process or the exceptional circumstance. In this case, the procurement team first prepares the tender exemption report and request. Then, the report containing the respective justification and the tender exemption request are forwarded first to the Contracting Board and then to the Board of Directors. The procurement is effected following the receipt of the respective approvals. If approval is not received, the procurement team has to pursue the procurement procedure required by the prescribed contract price.

Exemption from tender processes is limited to urgent and exceptional circumstances. It is the responsibility of the procurement team to keep the number of procurements to be carried out using this

method at minimum.

Example circumstances that may be a justification for procurement with exemption from tender processes are listed below.

- There is an urgent situation requiring the respective procurement of goods, procurement of service or construction work to be carried out as soon as possible
- Prices for the respective work or procurement of goods are regulated by law or regulation
- There is only one real or legal person who is competent to perform the respective work
- The respective goods can be supplied by only one real or legal person
- The respective work is protected by copyright/patent rights belonging to a real or legal person
- Only a certain number of real or legal persons have been authorized by public agencies to perform the respective work
- It is justifiably needed to assign the work to a specific real or legal person - for the purpose of continuity of the work

1.4 Initiating the Procurement Transaction through Tendering Procedure

After the procurement team determines the procurement method as tendering procedure, the necessary studies for the tendering procedure are initiated. Since the procurement process through tendering procedure takes a longer time than other methods, the procurement team must first prepare a time plan.

1.4.1 Preparing the Tender Document

The tender file consists of the description of work / technical specification prepared during the market research as well as the documents that guide the tender participants to prepare their bids and provide information about the tender. The primary ones of these documents are instructions to the bidders, a draft contract containing the special and general conditions of the work, bid submission templates, payment plan and bid evaluation sample.

The procurement team starts its studies on the tender file once the tender process time planning is completed. The tender file is created according to the templates that are among the annexes. Preparing the tender file with clear expressions and correctly is important in terms of making it easier for bidders to prepare the bids and speeding up the process.

1.4.2 Making the Tender Announcement

Since the fair competition rule is important in the procurement method through tendering procedure, it is essential that the tender announcement is made in a way that reaches as many potential bidders as possible. In this regard, in order to reach potential bidders, it is necessary to make a tender announcement by means of press/publication in addition to the invitation letter.

Tender announcement is made using the standard announcement form. The announcement includes information about the location and duration of the work to be carried out in accordance with the template, the period granted for receiving bids, the date and time of the opening session, and how bidders can access the tender file. The announcement in that form is published in at least one local or national

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newspaper and on the official website of the contracting authority, depending on the scope of the tender. The tender file is also published as electronic copy on the website of the contracting authority. Bidders may apply for the tender by working on the electronic copy they can access on the website, or the hard copy they can obtain from the contracting authority's address.



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Following the publication of the tender announcement, the procurement team forwards the tender announcement and tender file electronically or on paper to the potential bidders identified during the market research within 2 business days. The aim of tender announcements is always to ensure that as many potential bidders as possible participate in the tender.

Potential bidders may request information regarding the tender process from the contracting authority during the entire or part of the bidding period specified by the contracting authority. Pursuant to the transparency rule, information requests are received in writing and answered in writing. Questions regarding the tender received and answered in writing are published on the contracting authority's website under the heading "Questions regarding the Tender Process" unless they contain information that must remain confidential about the respective real or legal person. Potential bidders are not informed about other tender participants and bids of the participants. If the potential bidder insists on requesting information about other tender participants, this bidder's bid may be excluded from the tender.

1.5 Receiving the Bids

1.5.1 Receiving the Bids

The process of receiving the bids in the tender process begins with the tender announcement date. In this context, tender may not be held retroactively and bids prepared on a date before the announcement date may not be processed for evaluation.

In procurement transactions carried out through tendering procedure, bids are received in line with the instructions specified in the tender file and in a sealed envelope. If it is prescribed within the scope of the instructions in the tender file to submit the technical and financial bids separately, the technical and financial bids are placed in separate envelopes and then the two envelopes are placed in a larger envelope and submitted to the contracting authority. When receiving the bid, the contracting authority informs the bidder that no changes may be made any longer to the bid in the sealed envelope. Since the bids will be kept in a sealed envelope until the opening session, it is the bidder's responsibility to make sure that all documents are submitted completely. The responsibility of the contracting authority in receiving the bids is limited to signing the receipt report and keeping the sealed envelopes until the opening session.

A delivery report is prepared for each bid received. A copy of the delivery report is given to the bidder, and a copy thereof is attached to the sealed envelope. The bid in the sealed envelope is kept in a locked box or safe together with the delivery report until the opening session. The locked box or safe in which the bids are kept should be accessible only by an official of the contracting board. Bids are duly received by an official of the contracting board and kept under lock and key. The procurement team may not access the bids until the opening session.

The bid collection period for the tender may not be shortened even if the minimum number of bids is exceeded or all the potential bidders invited by the invitation letter submit their bids before the deadline for bidding. However, if the minimum number of bids cannot be reached by the deadline for bidding, the opening session may be postponed to a later date and the bid receipt period may be extended. In this

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case, the current deadline for bidding is announced on the contracting authority's website and potential bidders invited to the tender via invitation letter are informed in writing.



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Bids delivered to the contracting authority in a sealed envelope are kept by the contracting authority until the opening session specified in the tender announcement, and are opened by the members of the procurement team elected to the evaluation committee during the opening session.

1.5.2 Preparing the Opening Session

The organization of the opening session is the responsibility of the procurement team. The procurement team arranges the venue for the opening session, and creates its schedule and informs the tender participants and observers. At the same time, it determines the persons who will take part in the evaluation committee from among the team members. Also, the evaluation committee makes a seating plan for the tender participants and observers in the venue where the opening session will take place and arranges the venue accordingly.

The procurement team is responsible for the organization and administrative functioning of the opening session. Bids submitted to the tender in a sealed envelope are kept unopened by an official of the contracting board until the opening session. No member of the procurement team may open and review bids before the opening session.

1.6 Evaluation Process

In procurement transactions carried out through tendering procedure, the evaluation process begins with the opening session. In the opening session, the bids are examined by the evaluation committee consisting of members of the demand unit and the procurement team. Tender participants and invited observers are also present at the opening session and witness that the evaluation is carried out in line with objective rules, transparently and without discrimination.

1.6.1 Evaluation Committee

The evaluation committee consists of procurement team members and demand unit experts. The persons whom are thought that they would evaluate the work covered by the tender in terms of its technical details and required competencies in the best way are determined in the opening session organization phase and are elected as members of the evaluation committee. Individuals elected to the evaluation committee sign the evaluation committee objectivity statement before the opening session.

The minimum number of persons who will take part in the evaluation committee varies depending on the bid submission method determined in the tender file preparation phase. In the bids submitted to the tender, if the technical bid and the financial bid are submitted together in a sealed envelope, the evaluation committee consists of at least 3 persons and each committee member evaluates the bid in terms of both conformity with the specification and competence and effective use of money. In case of bids submitted in a sealed envelope, the evaluation committee consists of at least 5 persons if the technical and financial bids are submitted in separate envelopes. In this case, 3 persons from the 5-person evaluation committee first check the compliance of the offers with the specifications and evaluate them in terms of technicality and competence. Bids that pass this phase are subjected to

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financial evaluation by two authorized members. There are experts from the relevant unit that created the procurement request among the committee members conducting the technical evaluation.



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How the evaluation committee members will evaluate the bids in tenders of procurement of goods, procurement of service and construction work is specified in the evaluation and scoring template. Each member of the evaluation committee completes and signs this template based according to their own review.

1.6.2 Evaluation Method

The offers evaluated in the opening session are examined by the evaluation committee members elected from the procurement team and the demand unit, according to the evaluation template. Committee members record in a report their evaluations of the bids based on verifiable criteria.

There are two main evaluation methods in procurement transactions carried out according to the tendering procedure. The first of these methods applies to tenders for procurement of goods and the second applies to the tenders for procurement of service and construction works. The issues to be evaluated first in both methods are listed below:

- Compliance with legal and administrative requirements
- Compliance with the technical specification and meeting the quality standards sought
- Work plan
- Warranty period and services within the scope of the warranty
- Operational expenses
- Bidders' capacity and financial situation to perform the work

1.6.2.1 Tender for Procurement of Goods

During the transactions of procurement of goods, the matters of technical features, performance and maintenance/repair of the product to be procured, warranty conditions, delivery, environmental expectations, etc. can be expressed more clearly and openly in the description of work / technical specification than in procurement of service and construction work. Since the human factor is relatively less effective in procurement of goods, the evaluation phase of the bids is closed to comments. In addition to the main evaluation criteria mentioned above, the following criteria are also taken into consideration during evaluation in tenders for procurement of goods.

- Delivery period
- Spare part status
- Maintenance and repair services
- User manual and equipment usage trainings

Only the compliance of the bids submitted in tenders for procurement of goods with the technical specification is inspected, and the bidder quoting the best price among the bids found to be in compliance with the technical specification is chosen as the supplier. In order to make prepayment in tenders for the procurement of goods, a letter of guarantee in the amount of 3% of the contract price and valid for at least thirty days beyond the validity period of the offer is received from the supplier.

1.6.2.2 Tender for Procurement of Service and Construction Works

In tenders for procurement of service and construction works, no matter how clear the description of work / specification is, the issues of work team proposed in the received bids, time planning, competence evaluation, etc. are open to evaluation and comment beyond the specification. Therefore, in tenders for procurement of service and construction work, the procurement team must examine the bids in terms of compliance with the specification as well as quality, authenticity and competence. In addition to the main evaluation criteria, the following criteria are also taken into consideration during evaluation in tenders for procurement of ser and construction work.

- Payment plan
- Time plan
- Competence, references and experience of the work team
- Authenticity and innovative approach of the bid

In tenders for procurement of service and construction works, the evaluation committee chooses the most suitable one in terms of both price and competence from among the bids that comply with the description of work / specification. If the criterion of compliance with the specification is met, awarding the tender directly to the bidder quoting the best price might not be the right choice for procurement of service and construction works. For making of prepayment in tenders for procurement of service, a letter of guarantee with a term of at least thirty days longer than the validity period of the bid and in the amount of 3% of the contract price is received from the supplier. In this regard, the evaluation committee has to make a decision by considering a balance between ensuring the effective use of the money and the quality of the work.

1.6.3 Contracting Board

In the opening session, the bids are examined by the evaluation committee and, according to the evaluation result, a shortlist is created from the bidders who are deemed qualified to be invited to the contract. All reports and shortlist obtained from the opening session are presented to the contracting board by the procurement team at the latest the day after the opening session.

The contracting board is the authorized body that makes the final procurement decision based on the tender result. During the presentation, the procurement team explains the tender process and the opening session to the contracting board members, supports it with the necessary documents and announces the result. The contracting board evaluates the procurement team's presentation regarding the tender process, inspects the tender process in terms of compliance with the rules and meeting the needs, and notifies the procurement team of its decision regarding the tender result on the same day. The contracting board may approve the tender result as is, or eliminate some bidders from the shortlist, or decide to cancel the tender entirely.

The procurement team is obliged to take the necessary steps in line with the contracting board's decision regarding the tender process.

1.6.4 Cancellation of the Procurement Process

The procurement process is canceled in case sufficient bids are not received for the tender, the evaluation committee does not find any of the bids received adequate for the work, the contracting board does not approve the tender result, and a rule mistake or conflict of interest is detected in the tender process.

Following the cancellation of the procurement process, the procurement team has to decide whether to renew the process or to cancel it entirely. Tender processes that are canceled due to rule mistake or detection of conflict of interest are restarted except in exceptional circumstances. In procurement processes that are canceled as a result of the fact that a sufficient number of bids are not received, that the bids received are not found to be adequate, or that the contracting board does not approve the tender result, the procurement team holds a meeting with the unit demanding the procurement. If, as a result of this meeting, it is decided to renew the process, first, the market research is renewed and the list of potential bidders is developed, then the procurement process is restarted.

Cancellation of the procurement process does not affect the need to archive and store the documents related to the process in accordance with the rules specified in this guide. All documents related to the procurement processes canceled are kept under the same conditions as the documents related to procurement processes that ended successfully.

1.6.5 Announcement of the Results

It is essential that the Contracting Authority informs the bidders about the tender process and its result as soon as possible. In this regard, how the tender results should be notified to the bidders and the public is specified in the following articles.

1.6.5.1 Notification to the Winning Bidder

The tender result determined by the evaluation committee is presented to the contracting board by the procurement team at the latest the day after the opening session. Within 3 business days following the contracting board's approval of the tender result determined by the evaluation committee, the procurement team notifies the winning bidder in writing of the result and invites him to make the contract. The result notification and invitation to contract are prepared according to the template and are served electronically or as hard copy.

If the real person, legal person or joint venture that won the tender leaves the written notification and invitation letter unanswered for 7 business days without stating an excuse and cannot be reached through other communication channels, the procurement team sends a notification and contract invitation letter to the bidder that ranked second as a result of the tender. Similarly, if the bidder who wins the tender withdraws from the work before the contract is signed, a notification and invitation to contract is sent by the procurement team to the bidder who ranked second as a result of the tender. In case only one bidder is deemed suitable for the work as a result of the tender and other bidders are eliminated, if a contract cannot be signed with the winning bidder, it is decided to repeat the tender process.

1.6.5.2 Notification to Non-winning Bidders

The procurement team notifies all bidders of the tender result within 3 business days after the contract is signed with the winning bidder. Notification of the tender result to non-winning bidders is made electronically or as hard copy by standard letter.

1.6.5.3 *Announcement of the Result*

After signing the contract with the successful bidder, the procurement team prepares the tender result notification text and publishes the result notification on the website within 3 business days following the completion of notifications to the non-winning bidders.

1.6.6 *Objections*

Bidders who believe that they have been harmed by an error or irregularity in the tender process or who have questions about the tender result may directly apply with a petition to the Contracting Authority holding the tender. The procurement team reviews the respective petition and responds in writing to the bidder within 30 calendar days.

1.7 **Contract Process**

The winning bidder has to contact the contracting authority within 7 business days after receiving notification of the tender result. After an agreement is reached between the bidder and the contracting authority to initiate the contract process, the winning bidder prepares the necessary documents for the contract within 7 business days. After all the necessary documents are completed and the procurement team completes the checking of the documents, a contract is signed between the parties.

In procurement transactions carried out through the bidding method and in direct procurement transactions in which a contract is signed at the discretion of the procurement team, the bidder completes the necessary documents within 7 business days after an agreement is reached to initiate the contract process. The contract is signed only after the preparation of the necessary documents.

Contracts may never be prepared and signed retroactively. Contracts determined to have been prepared retroactively are terminated.