



Bratislava, 24.07.2026
To all interested parties

Explanation No. 3

The contracting authority hereby informs that in the public procurement of the above-limit contract entitled: **"Library and Information System"** published in the European OJ No. 134/2026 on July 15, 2026, and in the Journal of Public Procurement No. 141/2026 under number 9987 – MSS from July 16, 2026, the following questions were received:

Question No. 1:

We do not fully understand whether the attached contracts are open to further negotiation. We understand that the tenderer may express opinions on the contractual terms via supplementary questions. Is it possible that, based on the tenderer's suggestions, the contractual terms will be modified following mutual negotiations with the contracting authority? Will negotiations on the wording of the contracts be possible only until the deadline for submission of tenders, or does the contracting authority intend to negotiate the final wording of the contractual terms with the winning tenderer only after the procurement results are announced?

Answer No. 1:

Given that this public procurement is conducted via an open tender procedure (and not, for example, via a negotiated procedure with prior publication), the wording and terms of the draft contract are not negotiated with the tenderers. The submitted draft contracts, which form part of the tender documentation, represent binding performance conditions of the contract for the tenderers. Based on these conditions, the tenderer decides whether to submit a tender and whether it accepts these conditions unconditionally.

Tenderers (or interested parties) have the right to raise questions, comments, or requests for modifications to the contractual terms exclusively through the tender documentation clarification mechanism, in accordance with the Public Procurement Act. If, based on the received questions or its own discretion, the contracting authority evaluates the comments on the contract as justified, it is entitled to amend, modify, or clarify the submitted draft contract prior to the deadline for submission of tenders.

After the deadline for submission of tenders, it is no longer possible to make any changes to the contractual terms or negotiate them with the winning tenderer. The successful tenderer will be required to conclude the contract in the wording definitively specified in the tender documentation (including any amendments made via clarification before the deadline for submission of tenders) and in accordance with its submitted tender.

Question No. 2:

Regarding the table "K2 - Functional Requirements of the System/LSP", we would like to ask, how to answer for a requirement that the system offered by the tenderer currently meets only partially? Column D contains only the Yes/No options, but there is no place to enter additional information. For example, for functionality No. 4.23., several (7) "sub-requirements" are listed under a single requirement:

- The System/LSP shall support the management of fines and fees (adding new charge, payment, and waiver) based on rules defined by the library/location.
- The System/LSP shall enable partial payment or waiver of fines and fees.
- Authorised library staff shall have the ability to manually add or waive fines and fees.
- The System/LSP shall provide library staff with overview information on fees, including:
 - when and by whom the fee was created (added);
 - who canceled the fee and when;
 - the date and method of payment (cash, bank transfer, etc.);

- the amount paid (full or partial) and the outstanding balance.

If the offered system fails to meet a single one of the 7 sub-requirements, should the answer be No?

Answer No. 2:

When that the offered system does not meet all defined sub-requirements within a single functional requirement (e.g., for requirement No. 4.23, which consists of several sub-points), the tenderer shall select the option "No" in column D in Annex No. 2 – sheet entitled "K2 - Functional Requirements of the System" (or "Functional Requirements of the System/LSP"). No points are awarded to the tenderer for partial fulfillment of a functional requirement (the tenderer will receive 0 points).

If the offered system meets some of the sub-requirements within the given functionality, the contracting authority leaves it to the tenderer's discretion to describe the details of this partial fulfillment in column F (Reference to relevant documentation) in Annex No. 2 – sheet entitled "K2 - Functional Requirements of the System" (or "Functional Requirements of the System/LSP").

Question No. 3:

Considering the complexity of the public contract and the current holiday season, which significantly affects the available capacities of the tenderer's preparation team, we request the contracting authority to consider extending the deadline for the submission of tenders by 10 working days.

Answer No. 3:

The Contracting Authority hereby extends the time limit for the submission of tenders by five (5) working days, until 27 August 2026 at 10:00. Consequently, the tender opening session will take place on 27 August 2026 at 10:10.

The above amendment has been reflected in the Contract Notice by means of a Corrigendum. The Corrigendum is attached to this clarification.

