Public tender in terms of the Act no. 343/2015 Coll. on Public Procurement and on amendments and supplements to certain acts (PPA) as amended and valid until 31/12/2018 (in black letters), and according to the guidelines for the implementation of public procurement issued by the Ministry of Transport and Construction of the Slovak Republic (MoTC SR) (in blue letters), and according to the internal procedures of the contracting authority (ŽSR) (in green letters).

Public tender shall be advertised by publication of a contract notice in the Official Journal of the European Union (OJEU) and in the Public Procurement Journal (PPJ).

* sending a contract notice to the Publications Office of the European Union (Publications Office) and the Public Procurement Office (PPO)
* publication of a contract notice
* **the call for proposals shall be ongoing** from the publication date of a contract notice until the submission of tenders

- a minimum of **35 days** from the date of dispatch of a contract notice to the Publications Office

- when determining the length of call for proposals deadline, account shall be taken of the complexity of the subject of the contract and the time necessary to prepare the tender

- contracting authority shall adequately extend call for proposals deadline in case:

* a site visit is also held
* an explanation of the information needed to prepare the tender is not provided at least 6 days before the expiry of the call for proposals deadline
* it makes a substantial change in the documents necessary for the preparation of the tender
* the candidate is given an opportunity to request an explanation of information needed to prepare the tender and to demonstrate compliance with the conditions of participation (information indicated in tender specifications and in a contract notice)
* the candidate has the right to make a request for redress against the conditions set out in a contract notice, and in tender documents or in other documents provided by the contracting authority; in the event of non-compliance by the contracting authority, the candidate may object
  + opening of tenders, section "Others"
  + evaluation of fulfilment of participation conditions (evaluation is carried out by the commission established by the contracting authority)
* if it is not possible to assess fulfilment of participation conditions out of submitted documents, the commission must ask the candidate for a clarification
* the time limit for delivering an explanation is at least **5 working days** or 2 working days in the case of electronic communication (the request for clarification may also be repeated if the explanation is not unequivocally answered)
* if there are grounds for excluding another person who has been used by the candidate to prove that the conditions for participation have been met, the commission must ask the candidate for replacement by another person
* the replacement period for another person is at least **5 working days** (regardless of communication method)
* if the proposed subcontractor does not meet the conditions for participation related to the status quo and the contracting authority has requested to indicate the proposed subcontractors in the tender, the commission must request the candidate to submit a new proposal for subcontractor
* the deadline for the submission of a new proposal for subcontractor is at least **5 working days** (regardless of the method of communication)
* in order to ensure a proper conduct of the public tender, the commission may ask the candidate to deliver the documents replaced by the single European document
* the time limit for delivering the documents is at least **5 working days** (regardless of the method of communication)
* the minutes of the evaluation of fulfilment of participation conditions - the contracting authority shall exclude a candidate who does not qualify for participation, the excluded candidate may object against exclusion
* evaluation of tenders, section "Others"

- the commission evaluates the tenders in terms of meeting the requirements for the subject of the contract and in case of doubt it requests the candidate for an explanation

- the time limit for delivering an explanation regarding the tender is at least **5 working days** or 2 working days in the case of an electronic communication (the request for clarification may also be repeated if the explanation is not unequivocally answered)

* + the contracting authority shall exclude the tender/bid which does not meet the conditions – excluded candidate may object against exclusion
  + if the contracting authority requests the candidates for a commitment (this is to ensure the commitment to the tender), the commission will duly assess the commitment
  + the contracting authority shall exclude the tender/bid if the candidate has not provided a commitment under the laid down conditions - the excluded candidate may object against exclusion
  + following the tenders have been evaluated, the 'Others' section, the contracting authority shall send to PPO the information that the excluded candidates have received an exclusion notice or that no one has been excluded prior to opening of the tenders, namely the 'Criteria' section – the 11th day after delivering of the information - the opposition proceedings are initiated (all objections delivered before the opening of tenders, section "Criteria")
  + PPO shall deliver to the contracting authority a call for delivering the complete dossier, the deadline for submitting the complete dossier and the statement on objections shall be 5 working days
  + PPO shall issue a decision on the opposition proceedings within 30 days of receipt of the complete dossier
  + the opposition proceedings may be suspended by the PPO for a maximum of 30 days in order to obtain an expert opinion
  + an appeal may be files against a decision of PPO on objections, the council shall take a decision in the appeal procedure
  + the council shall decide within 45 days of the date of receipt of the appeal
  + the council may suspend the appeal procedure for a maximum of 30 days in order to obtain an expert opinion
  + the contracting authority may continue the PP procedure after the decision of PPO or of the council has entered into force
  + the contracting authority shall notify candidates who have not been excluded, the place and time of tenders opening, namely the "Criteria" section, the period is at least 5 working days before the opening date
  + opening of tenders, "Criteria" section
  + evaluation of tenders, "Criteria" section

- the commission evaluates the tenders in terms of meeting the requirements for the subject of the contract and in case of doubt requests the candidate for explanation

- the time limit for delivering the explanation of the tender shall be at least **5 working days** or 2 working days in case of an electronic communication

- if the tender appears to be extremely low, the commission shall ask the candidate for clarification

- the deadline for delivering the justification of an exceptionally low tender is at least **5 working days** (regardless of the method of communication)

* + the contracting authority shall exclude the tender which does not meet the conditions – excluded candidate may object against exclusion
  + the contracting authority shall evaluate the tenders on the basis of the award criterion and determine the ranking of the tenderers
  + if the tenderers who have ranked 1st to 3rd place in the tender have submitted a single European document (in the tender they has provisionally replaced the documents to demonstrate the fulfilment of participation conditions), the contracting authority will invite them to submit the specific documents

- the time limit for submitting documents is at least **5 working days**

* + assessment of fulfilment of the participation conditions

- in case it is not possible to assess the fulfilment of participation conditions from the documents submitted, the contracting authority shall ask the applicant for clarification

- the time limit for receiving the explanation is at least **5 working days** or 2 working days in the case of electronic communication (the request for clarification may also be repeated if the explanation is not unequivocally answered)

- if there are grounds for excluding another person who has been used by the candidate to prove that the conditions for participation have been met, the commission must ask the candidate for replacement by another person

- the replacement period for another person is at least **5 working days** (regardless of communication method)

- minutes of the evaluation of fulfilment of the participation conditions - the contracting authority shall exclude a candidate who does not qualify for participation, the excluded candidate may object against exclusion

* following the tenders have been evaluated, namely the 'Others' section, the contracting authority shall send to PPO the information of the delivery the outcome of tenders evaluation to the candidates whose tenders had ben evaluated

- candidates (unsuccessful) may object to the bid evaluation

* on the 11th day after delivering the information - the opposition proceedings are initiated
  + PPO shall deliver to the contracting authority a call for delivering of the complete dossier, the deadline for submitting of the complete dossier and the statement on objections shall be 5 working days
  + PPO shall issue a decision on the opposition proceedings within 30 days of receipt of the complete dossier
  + the opposition proceedings may be suspended by the PPO for a maximum of 30 days in order to obtain an expert opinion
  + an appeal may be files against a decision of PPO on objections, the council shall take a decision in the appeal procedure
  + the council shall decide within 45 days of the date of receipt of the appeal
  + the council may suspend the appeal procedure for a maximum of 30 days in order to obtain an expert opinion
  + the contracting authority may continue the PP procedure after the decision of PPO or of the council has entered into force
* provision of synergies to successful candidates (specific contract performance conditions)
  + the deadline for submitting documents shall be 14 days
  + check of submitted documents
* submission of a draft contract to the successful candidates, within 7 days of receipt of the call
* the contracting authority shall submit to MoTC SR the documentation and draft notification of the PP outcome; MoTC SR shall start to perform the inspection before signing the contract
* no later than 20 working days, MoTC SR interrupts the inspection and invites the contracting authority to submit the original documentation to the PPO for inspection before signing the contract financed from EU funds in terms of the Act on PP, the contracting authority is obliged to submit documentation to PPO within 5 working days
* submission of documentation to PPO
* PPO shall initiate the review procedure for actions of the inspected entity based on the initiative by the contracting authority (the inspected entity), PPO shall notify the contracting authority of the commencement date of the proceedings
* PPO shall issue a decision regarding the review procedure for actions of the inspected entity within 30 days from the date of delivery of the complete documentation
* proceedings based on the initiative by the contracting authority may be suspended for a maximum of 30 days in order to obtain an expert opinion
* prior a decision is issued, PPO shall invite the contracting authority (the inspected entity) to comment on the facts found by PPO during the inspection, the deadline for delivery of the statement is at least 5 working days from the delivery of the call; the 30-day period does not run until delivery of the statement
  + an appeal may be files against a decision of PPO on objections, the council shall take a decision in the appeal procedure
  + the council shall decide within 45 days of the date of receipt of the appeal
  + the council may suspend the appeal procedure for a maximum of 30 days in order to obtain an expert opinion
* the contracting authority will send to MoTC SR a copy of the PPO final decision or of the council immediately after its delivery; MoTC SR (Project Management Section) continues to exercise the inspection and issues the Inspection Report within 10 working days of the date of delivery of the effective resolution of PPO or of the Council
* the contracting authority invites the successful candidate to submit a declaration for the purposes of the business partner assessment (under the Income Tax Act)
* the contracting authority shall send to MoTC SR (Office of the Secretary-General of the Service Office) the information about the planned conclusion of the contract (is sent only on Mondays), unless reservations are made by MoTC SR within 3 working days of the information submission date, it is possible to continue the contract conclusion procedure
* the contracting authority checks that the successful candidate and all its subcontractors are registered in the public sector partner register
* submission of a contract for signature to the statutory body of the contracting authority
* signing of the contract