

## Tenders

Bidding on Turkish tenders is complex. The tender system usually allows relatively short lead times; specifications are sometimes written on a specific company's or country's products, and there is a general reluctance to extend bidding deadlines unless it is apparent that nearly all prospective bidders on a particular tender will be unable to submit quotations. In addition to these difficulties, bids can be rejected for trivial omissions such as the lack of a required stamp or signature.

It is not unusual for tenders to be called on a speculative basis. The buyer then uses these responses to prepare the specification, often taking the "best" from each tender so that no single contractor can supply exactly what is called for. For very large contracts it is common practice to call for qualification bids. In these bids, potential suppliers are asked to submit details of their past experience, work force, product lines and other data. Final tender calls are then sent only to those selected after this preliminary investigation.

**Law No. 2490.** The principal legislation on this subject, promulgated in 1934, is "The Law Governing the Adjudication of Contracts by Government Departments and Some Related Concerns" (Law No. 2490), which specifies that buyers are bound to accept the "lowest suitable offer." This condition can cause problems, since buyers often fail to define "suitable," in order to avoid being accused of discrimination. This means, in practice, that price is usually the overwhelmingly important determinant.

All government departments and organizations covered by Law No. 2490 are required to make public tender calls in the Official Gazette, in the daily press or in both. For local purchases, 15 days' notice is the usual minimum but translation time reduces this period considerably.

**Adjudication.** Two types of adjudication are in force: an open bargaining session (usually only for local purchases, up to relatively modest sums) and sealed envelope bids. In both cases, tenderers must provide a bid bond (either cash deposit, treasury bonds or bank guarantee).