

## Turkey Clarifies Handover Rules for Public Procurement Contracts

*4 Aug 2017*

Turkey has clarified the principles required as a result of administrative judicial decisions during implementation of agreements within the scope of decisions by the Public Procurement Authority. These include procedural requirement where the most economically advantageous bidder in a tender process is different to the contractor which is currently performing the work.

The Communiqué Amending the Public Procurement Communiqué ("**Amendment Communiqué**") was published in Official Gazette number 30109 on 29 June 2017.

The Amendment Communiqué clarifies that in such circumstances, the existing agreement will be terminated if the successful bidder applies in writing and meets other requirements to execute the new agreement. The new agreement will be signed once the liquidation process is complete for the existing contractor.

The existing contractor's agreement will continue if the successful bidder:

- Declines to execute the agreement.
- Fails to sign the agreement by related deadlines.
- Fails to submit documents required for execution.

The provisions apply from 29 June 2017, regardless of the tender's date.

Please see this [link](#) for the full text of the Amendment Communiqué (only available in Turkish).

## Related Practices

- [Real Estate and Construction](#)
- [Public Procurement and Government Contracts](#)

## Related Attorneys

- [DR. E. SEYFİ MOROĞLU, LL.M.](#)
- [A. BAŞAK ACAR, LL.M.](#)