



# **PUBLIC PROCUREMENT ECONOMIC OPERATOR'S ABC**



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## Abbreviations

[CPV](#) – the Common Procurement Vocabulary.

[CC](#) – the Civil Code of the Republic of Lithuania.

[CVP IS](#) – the Central Public Procurement Information System.

[Directive 2014/24/EU](#) – Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC.

[Directive 2014/25/EU](#) – Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC.

**EC** – the European Commission.

**EU** – the European Union.

**CJEU** – the Court of Justice of the European Union.

[ESPD](#) – the European Single Procurement Document.

**Lithuania** – the Republic of Lithuania.

[MVPTA](#) (***M**ožos **v**ertės **p**irkimų **t**varkos **a**prašas – procedure for conducting low value procurement*) – as approved by Order No 1S-97 of the Director of the Public Procurement Office dated 28 June 2017 ‘Regarding the approval of the procedure for conducting low value procurement’.

[LP](#) (Law on procurement) – the Law of the Republic of Lithuania on procurement by contracting authorities operating in the water, energy, transport or postal services sectors.

**Procuring entity** – the contracting authority (**CA**) carrying out public procurements in accordance with the LPP or the contracting entity (**CE**) carrying out procurements in accordance with the LP.

**VAT** – value added tax.

[STI](#) – the State Tax Inspectorate.

[LPP](#) – the Law of the Republic of Lithuania on public procurement.

[PPO](#) – the Public Procurement Office.

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# Introduction

Practice has shown that representatives of small and medium-sized businesses who try to participate in public procurements often face various difficulties. These difficulties are often caused by a lack of information and knowledge on public procurement procedures. Also, most new business entities do not dare to participate in public procurements to avoid unclear, sophisticated procedures and administrative burden.

In view of this and in order to encourage small and medium-sized businesses to participate in public procurements more confidently, the PPO has developed the *ECONOMIC OPERATOR'S ABC* that clearly and simply explains what an economic operator should know before starting to participate in public procurements. This document points out the most common mistakes made by economic operators and provides practical examples and case-law of current importance for economic operators. The information provided in this document can be used by economic operators who intend to participate in procurements carried out in accordance with the LPP, the LP, or the LVPP<sup>1</sup>.

## 1. Preparation for participation in a public procurement

Any business entity seeking to participate in public procurement should know that the sale of goods, services or works to the public sector is different from normal business practices. This is because procuring entities use public funds in carrying out public procurements, and an administrative control mechanism is employed to ensure the rational use of these funds. In Lithuania, as in the entire European Union, the legal relations of public procurement<sup>2</sup> are regulated by general and special legal acts, so the procedures are strictly regulated. Criteria for the selection of goods, services or works, procurement conditions, deadlines for the submission of tenders, and so on are established as mandatory.

You can find the legal acts regulating public procurement [here](#). Once a business operator has become familiar with the public procurement system, it is important for it to realistically assess its ability to participate in public procurements, taking into account the goods produced or supplied by the enterprise, services it provides or works it performs as well as other important criteria such as the enterprise's financial situation, the right to engage in certain activities, its experience and specialists.

### Who can be an economic operator?

Economic entities which offer the execution of works, the supply of products or the provision of services on the market are called economic operators. These can be:

- a natural person (*for example, a person carrying out individual activities under a certificate, a person engaged in activities under a business licence can also be an economic operator and participate in public procurements, provided that it meets the requirements established in the specific procurement*);
- a private or public legal entity or a division thereof;
- another organisation or a division thereof;

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<sup>1</sup> Please note that the CE carries out low value procurements in accordance with the rules it approved, the contents of which are not disclosed in this document.

<sup>2</sup> In this document, the term 'public procurements' will be used for discussing both public procurements in accordance with the LPP and procurements in accordance with the LP.

- a group of persons, including any temporary association of economic entities<sup>3</sup>

**For example**, vegetables may be supplied to a kindergarten either by a private limited liability company, a sole proprietor company or a small partnership or by a farmer or a natural person carrying out individual activities under a certificate.

The LLP and the LP do not provide for a minimum time period requirement for a company to be registered to be able to participate in public procurements. Participation is possible immediately after the registration of a company. Of course, tenders are submitted in accordance with the requirements set out in the documents of a specific procurement, which may, inter alia, establish exclusion grounds (prohibition to participate in the case of a criminal record, debts to the STI, etc.), qualification requirements (suitability to pursue the relevant activities, financial and economic standing, technical and professional ability capacity)<sup>4</sup>. In certain cases, there may be qualification requirements which cannot be met by a newly established company, so the economic operator could submit tenders only in those public procurements where it meets the established requirements or in procurements where no qualification requirements are established.

It is important that the economic operator is able to offer those goods, services or works which are provided for in the procurement documents. Economic operators may not offer similar, in their opinion, goods, services or works when the procurement provides that the submission of variants is allowed<sup>5</sup>.

The tenders of economic operators are to be assessed on whether the goods, service or works offered by the economic operator meet the requirements established in the procurement documents for the subject-matter of the public contract. It is also assessed whether the price offered by the economic operator is not excessive and unacceptable to the procuring entity. It is important for economic operators to remember that the rejection of their tender due to an excessive price is not a reproach of the procuring entity to the economic operator's tender or a shortcoming of that tender – the procuring entity cannot, as a general rule, conclude a contract with an economic operator whose tender provides for a price higher than the economic operator planned to spend for that procurement, even if the price offered by the economic operator corresponds to market prices and the economic operator, in its opinion, offered the best possible price.

## Registration in the CVP IS

The CVP IS is an information system administered by the PPO which is used to conduct public procurements and participate in them. Procuring entities must conduct procurements where the value of the contract to be awarded equals to or exceeds EUR 10 000 (ten thousand euro), net of VAT, electronically, via the CVP IS<sup>6</sup>. Only those economic operators who have registered in the CVP IS can participate in electronic public procurements. The web address of the CVP IS is <https://pirkimai.eviesiejipirkimai.lt/>.

<sup>3</sup> LPP Article 2(36).

<sup>4</sup> LLP Article 46, Article 47, Article 50, Article 51; LP Article 59.

<sup>5</sup> LPP Article 43; LP Article 56.

<sup>6</sup> If a low value procurement procedure without publication of a contract notice is conducted in accordance with the conditions established in Article 79(1)(3), Article 79(3)(1), (2) and (4) or Article 79(5) and (6) of the Law on procurement, or only one economic operator is invited to a low value procurement procedure without publication of a contract notice, the requirement to conduct procurements electronically via the CVP IS is not mandatory.

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Registration in and use of the CVP IS is **free of charge**. In order to connect to the CVP IS for the first time, an economic operator should first fill in [the registration form](#). Clicking the active link [Užpildyti registracijos formą \(Fill in the registration form\)](#) will open the organisation's registration questionnaire. New registrations are verified and approved within, at most, 3 working days. More information can be found here: [How to become a user of the CVP IS](#)

An economic operator can be registered only once. If the password is forgotten, the feature [Pamiršote slaptažodį \(Forgotten password?\)](#) can be used.

Please note that natural persons, law firms, foreign economic operators or other organisations which do not have a legal person's identification number can also register in the CVP IS by entering 'b/n' in the field *Įmonės kodas* (Company identification number).

In order to facilitate the process of registration of economic operators, the PPO has [prepared slides](#), which provide answers to most frequently asked questions related to registration in the CVP IS. Recently, there has been a significant increase in the interest of foreign companies in public procurements organised in Lithuania. They attract both natural and legal persons from all over the world. It should be noted that those persons must also register in the CVP IS to be able to participate in the procurements being organised. The registration form in English can be found [here](#). Companies from outside the European Union (for example, China, Ukraine) can also register in the CVP IS but in the case of certain procurements such companies may be restricted (prohibited) to participate in a specific procurement.

## How to find out about public procurements

When an economic operator has already registered in the CVP IS and is ready to participate in public procurements, it becomes important for it to find out information about planned and ongoing procurements.

### Information about currently announced procurements

All information about announced procurements relevant to an economic operator is published on the website of the CVP IS <https://cvpp.eviesiejipirkimai.lt/>. As a general rule, when initiating procurement procedures, the procuring entity publishes a contract notice<sup>7</sup>, so inviting suppliers to participate in the procurement (except for certain cases where the procurement may be conducted without publication of a contract notice<sup>8</sup>).

### Possible types of award procedures

Procurements can be conducted in accordance with the procedures provided for in the LPP and the LP (Directive 2014/24/EU and Directive 2014/25/EU respectively): open procedure, restricted procedure, negotiated procedure with publication of a contract notice, negotiated procedure without publication of a contract notice, competitive dialogue, and innovation partnership. Low value procurements can be conducted by a survey with or without publication of a tender notice. Low value procurements are subject to simpler procurement procedures compared to other simplified (up to the directive value) or international value procurements, they are conducted in a simpler way and it is easier for beginner economic operators to participate in them. Simplified procurements with a value estimated to be below EUR 58 000 (fifty-eight thousand euro) (net of VAT) for supplies or services or EUR 145 000 (one hundred and forty-five thousand euro) (net of VAT) for works are considered as low value public procurements.

### Subscription to public procurement notices

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<sup>7</sup> LPP Article 29(1); LP Article 41(1).

<sup>8</sup> LLP Article 31(1) and (2), Article 71 and the Description, 21.2.1–21.2.20; LP Article 44(1) and (2); LP Article 79.

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An economic operator who wishes to track procurements has the opportunity to subscribe to RSS notices relevant to it according to the company's field of activities. Notices can be filtered by certain types of goods, services, and works, i.e. by CPV codes. You can find the instructional material here: [Viešuju pirkimų skelbimų prenumerata RSS būdu](#) (Subscription to public procurement notices via RSS) and [Kaip užsiprenumeruoti pirkimų skelbimus RSS būdu](#) (How to subscribe to public procurement notices via RSS). After subscribing to information, you will receive a summary of CVP IS notices directly to the specified email address.

## Procurements without publication of a contract notice

Economic operators often wonder why certain procurements are not visible to the public. It is important to note that in some cases, procurements may not be made available to the public and/or may be carried out by means other than the CVP IS. Procurements conducted by means of a survey without publication of a tender notice<sup>9</sup>, except for certain cases specified in [procedure for conducting low value procurement](#)<sup>10</sup>, or, in certain cases, procurements conducted by negotiated procedure without publication of a contract notice can be carried out by means other than the CVP IS. For example, a procurement where the expected value of the procurement contract is lower than EUR 10 000 (net of VAT) can be conducted without publication of a contract notice<sup>11</sup>. Tenders for these procurements may be submitted by post, email, telephone or otherwise because the contracting authority may conduct such a survey either verbally or in writing by interviewing the selected number of economic operators (and selected economic operators). This is because the value of such procurement is relatively low<sup>12</sup> and it is sought to simplify procurement procedures as much as possible without placing a disproportionate administrative burden on procuring entities.

In the case of low value procurements without publication of a contract notice, the economic operator is unable to see when such procurement is conducted<sup>13</sup>. If the economic operator becomes aware of an ongoing procurement without publication of a contract notice, the economic operator, in order to be invited for the procurement, may submit a request to the procuring entity, and the procuring entity in certain cases **may**, but is never obliged, to accept the request submitted by the economic operator – this is decided by the procuring entity itself.

In preparation for conducting public procurement, procuring entities carry out market research<sup>14</sup>, looking for suitable economic operators, comparing service prices, etc., so economic operators should ensure the dissemination of information about their activities, in particular on the internet, in order to be invited to participate in such procurements.



Procuring entities often look for suppliers in the CVP IS, saving time and for their convenience. In the CVP IS, procuring entities see only those economic operators who are registered in this system. Therefore, economic operators are advised to register in the system

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<sup>9</sup> A survey without publication of a tender notice is a method of low value procurement when the procuring entity addresses economic operators with an invitation for tenders (there is no notice published by means of the CVP IS). A survey without publication of a tender notice may be conducted either verbally or in writing.

<sup>10</sup> The procedure for conducting low value procurement (approved by Order No 1S-97 of the Director of the Public Procurement Office dated 28 June 2017 'Regarding the approval of the procedure for conducting low value procurement').

<sup>11</sup> Procedure for conducting low value procurement, point 21.2.1.

<sup>12</sup> Compared to the amount of more than EUR 5 billion which is spent on public procurements in Lithuania every year.

<sup>13</sup> The CVP IS can also be used to conduct procurements without publication of a contract notice, in which case they are only visible to economic operators who are invited to such procurement.

<sup>14</sup> For more detail, see [Rinkos konsultacijos: iššūkiai ir galimybės](#) (Market consultations: Challenges and Opportunities).

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because this gives them more opportunities to be noticed and invited to participate in a procurement without publication of a contract notice.

## Information about scheduled procurements

For economic operators who seek to plan in advance in which procurements they wish to participate, it is useful to know their potential customers as early as at the beginning of the year.

Economic operators have such a possibility because Article 26(1) of the LPP and Article 38(1) of the LP provide for the obligation for procuring entities to prepare and approve procurement plans for the current calendar year and publish a summary of scheduled procurements in the CVP IS by 15 March.

It should be noted that a procurement plan and summary of scheduled purchases are not the same.<sup>15</sup> The procurement plan is an internal document of the procuring entity. If the procuring entity conducts only low value procurements, it is not obliged to prepare an annual procurement plan and to publish summaries.

If the procuring entity conducts not only low value procurements, but also simplified, international value procurements, it must prepare procurement plans but is allowed not to include low value procurements in them and not to publish them in the summary.

Simplified and international notices must be included in the annual procurement plan, which is published at <https://cvpp.eviesiejipirkimai.lt/PlannedProcurement/List>, and can also be published on the website of the procuring entity.

Therefore, in the CVP IS, economic operators can see information about scheduled simplified and international procurements, i.e. about procurements where the expected value of the purchases of goods and services is EUR 58 000, net of VAT, and above or the expected value of works is EUR 145 000, net of VAT, and above.

Notices can be searched [here](#) by the type of the subject-matter of the public contract or by the name of the procuring entity.

## Market consultations

If an economic operator has subscribed to notices (see page 5, *Subscription to notices*), it also receives notices of market consultations. Procuring entities publish notices of market consultations before the beginning of the procurement. Their purpose is to inform economic operators about the planned procurement and to clarify various issues related to the subject-matter of the public contract, solutions existing in the market, to prepare for the procurement and to develop as clear and competitive technical specification and other procurement documents as possible. The invitation to market consultations shall specify the procedures and stages for carrying out the consultation. In Lithuania, market consultation is an option, but not an obligation; therefore, it is for the procuring entity to decide whether it will be conducted.

We encourage suppliers to actively engage in market consultations and answer questions because the best results are achieved when there is good cooperation between the procuring entity and the economic operator. If the economic operator interested in the procurement actively participates in market consultations, it can be useful not only for the procuring entity but also for the economic operator itself. After market consultations, when all outstanding issues have been clarified, procurement with clear and unambiguous terms is normally announced.

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<sup>15</sup> [FAQ](#)

All market consultations are announced [here](#). As shown in the figure below, you can use the search by selecting *Rinkos konsultacija* (Market consultation) in the notice form field.

The screenshot shows the CVPP website interface. At the top, there are logos for CVPP, EN | LT, Log in, VIESŲJU PIRKIMŲ TARNYBA, BPD, and the European Union flag. Below the navigation bar, there are tabs for 'Notices till 1st July, 2017', 'Contracts', 'Reports/protocols', 'Annual procurement plan', 'Unreliable suppliers', and 'Energy contract notices'. A 'Social enterprises list' link is also present.

The main content area is titled 'Notice search'. It includes a search bar with a dropdown menu set to 'All' and a 'Search' button. To the right, there is a 'Sort by:' dropdown menu set to 'Rank'. Below the search bar, there are three search results, each with a title, publisher, reference number, deadline, and publish date. The first result is 'Europos jūrų reikalų ir žuvininkystės fondo Lietuvos žuvininkystės sektoriaus 2014–2020 metų veiksmų programos valdymo ir kontrolės sistemos vertinimo paslaugų pirkimas'. The second result is 'Įranga automobilių aikštelių valdymui - automobilių srautų stebėjimo sistema ir jos montavimo paslaugos'. The third result is 'Transkutaninė kraujo dujų stebėjimo sistema'. The fourth result is 'Plovimo priemonės indų plovimo mašinoms'.

On the right side, there is a 'Filters' section with several dropdown menus: 'Contract Type' (All), 'Procedure Type' (All), 'Notice type' (All), and 'Publication form' (Market Consulting). A dropdown menu for 'Market Consulting' is open, showing a list of options: 'All', 'National', 'European', 'Low Value', 'Technical specification project', and 'Market Consulting'. The 'Market Consulting' option is selected and circled in red.

Please note that procedures marked with symbols 'T' and 'MC' on the website <https://cvpp.eviesiejipirkimai.lt/> (see the illustration below) are not in fact procurements and their procuring entities are not yet purchasing anything, so there is no need to bid any prices for them. These procedures are an opportunity to help procuring entities to better prepare for the procurement, provide comments and suggestions on the terms of the future procurement. No claims can be made in these procedures.

### PKM Vilkas Kolektyvinio rengimo simuliacinės sistemos TS projektas

Published by: Gynybos resursų agentūra prie Krašto apsaugos ministerijos

Notice type: **Notice**

Tender Id: 541837

Reference nr: 2021-686619

Deadline: **29/04/2021**

Publish date: 15/04/2021

### Elektronikos ir elektrotechnikos pirkimas

Published by: Vilniaus universitetas

Notice type: **Notice**

Tender Id: 541976

Reference nr: 2021-664025

Deadline: **22/04/2021**

Publish date: 14/04/2021

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## Contracts awarded and tenders of successful tenderer

[Published contracts awarded](#) and tenders of successful tenderers can also be found, as they are made available to the public.

## 2. Preparation of proposals

### Preparation of proposals

If the economic operator has found a procurement that is suitable for it according to the CPV code, this is just the beginning. Before preparing tenders, the economic operator should carefully examine the procurement documents and assess all their requirements. Although, at first sight, procurements announced under the same CPV code may appear to be similar, a closer examination may reveal that the requirements provided for in the procurement documents vary significantly. For example, there may be a requirement inappropriate for the supplier for the shelf life of the goods or the frequency of delivery of the goods, which may make the procurement unattractive to the economic operator.

*For example, the contracting authority is a kindergarten located away from the city centre, and the procurement is aimed at purchasing a small quantity of goods with deliveries once a week. In this case, the economic operator may decide to refrain from participating in the procurement because of the procurement terms inappropriate to it.*

The interpretations provided by the Court of Cassation and their application in public procurement practice implies the need for suppliers to fully and carefully familiarise themselves with all public procurement documents and their requirements, especially taking into account that there may be different terms not only in procurements conducted by different procuring entities but also in the terms of a procurement repeatedly conducted by the same procuring entity<sup>16</sup>.

It is very important to examine the procurement documents in as much detail and as responsibly as possible because the tender being submitted must fully comply with the requirements set out in the procurement documents. Please note that the conditions required for the drawing-up of tenders may be contained not only in the contract notice and general conditions, but also in their annexes – in the tender form, technical specification, technical design, and draft contract.

Procurement documents usually include the contract notice ([see an example](#)) and terms of procurement, which usually provide:

- general information on the procuring entity
- information about how a tender should be submitted
- grounds for exclusion of economic operators ([see an example](#))
- qualification requirements for economic operators ([see an example](#))
- tender form
- ESPD declaration form
- technical specification
- draft contract or essential terms and conditions of the future contract
- information on the tender evaluation criteria
- tender evaluation procedure

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<sup>16</sup> <http://liteko.teismai.lt/viesasprendimupaiaska/tekstas.aspx?id=fe9aa3b7-1609-421a-a369-c899b9fd5bf1>

Information about the documents to be submitted with the tender or application to be provided in the terms of each specific procurement.

The content and degree of detail of the terms of procurement as well as their requirements may vary and it depends on many circumstances, e.g.:

- Different requirements apply to low value procurements, international value procurements and simplified non-low-value procurements.

Simplified procurements <https://cvpp.eviesiejipirkimai.lt/> are seen on the website as marked with a Lithuanian flag (either with or without the letter 'M':  or ), and international value (non-simplified) procurements are marked with a symbol of the flag of the European Union .

### Elektros generatorių techninis aptarnavimas ir remontas

Published by: Uždaroji akcinė bendrovė "Kauno vandenys"

Notice type: Notice

Tender Id: 541979



Reference nr: 2021-632790

Deadline: **26/04/2021**

Publish date: 15/04/2021

- There will be different terms when an organisation carries out procurements in the way of an open procedure, restricted procedure, negotiated procedure or otherwise. The type of procurement procedure is seen in the contract notice (see [an example](#)) as well as in other procurement documents.
- Different types of organisations are subject to the requirements of different laws. For example, procurements conducted by Lithuanian railways, airports, enterprises carrying out water supply and heat production as well as their terms may differ from procurements conducted by many other organisations (ministries, agencies, schools, and hospitals). Information on the applicable regulation is seen in the contract notice, which displays the text *Komunalinės paslaugos* (Utility services) (this does not mean that utility services are purchased) or the following text: 'The procurement is conducted in accordance with the Law of the Republic of Lithuania on procurement by contracting authorities operating in the water, energy, transport or postal services sectors ([see an example](#)).

There are situations when the procuring entity, in preparing the terms of public procurement, technical specifications or a draft contract, does not have specific knowledge related to the subject-matter of the public contract and consequently formulates unclear, incomplete, disproportionate or even illogical conditions. Economic operators often misinterpret such situations as malicious or even corrupt behaviour of the procuring entity; however, it is recommended to act calmly in such situations, not to jump to hasty conclusions and to address the procuring entity indicating the shortcomings noticed or requesting certain necessary information.



**Important!** If the economic operator finds that the terms of the procurement documents are inaccurate, ambiguous, disproportionate or discriminatory, it has the right to request the procuring entity to clarify (update) or amend unclear (inaccurate) requirements of the procurement documents (including technical specifications).

Economic operators must endeavour to clarify any uncertainties in the terms of the procurement documents before submitting a tender in order to decide whether they are able to submit a tender that meets the requirements set out in the procurement documents.

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## **Updating and clarification of the terms of procurement**

Economic operators may apply for clarification or updating of the terms of procurement for a limited time after the publication of the procurement documents. In the economic operator is late submitting a query, the procuring entity may legitimately refuse to provide answers.

The period allowed for economic operators to ask questions or submit proposals on the terms of the procurement documents depends on the value of the procurement:

- in the case of international value or simplified procurement procedures, **the time limit is established in the procurement documents**;
- in the case of low value procurements, this time limit is **2 working days before the end of the time limit for the submission of tenders**<sup>17</sup>.

After the publication of procurement documents and receipt of economic operators' requests to clarify, update them or upon receipt of a complaint regarding the procurement documents, the procuring entities can amend, update the procurement documents before the end of the time limit for the submission of tenders. **When the essential terms of the procurement are changed (the qualification requirements or technical specification are changed so that to enable more economic entities to participate in the procurement after the changes are made, the type of the contract is changed, or the subject-matter of the public contract is changed), the procuring entity must terminate the procurement and, after correcting the procurement documents where required, initiate a new procurement.** For more information about the amendment of procurement documents after their publication, please see the notice of the PPO<sup>18</sup>.

In any case, the requirements established in procurement documents may only be updated before the opening of envelopes with tenders and, in any case, **tenders received will be evaluated in accordance with the requirements and procedure established in the procurement documents.** Therefore, before submitting a tender, it is important to take time and examine whether the terms of procurement are clearly understandable and appropriate because **the terms established in the procurement documents cannot be adjusted after the end of the time limit for the submission of tenders.**

When participating in a procurement, an economic operator should assess the provisions of the **draft contract**, according to which the contract has to be executed if it becomes the successful tenderer. Quite often, it is only after becoming the successful tenderer that the economic operator realises that the contract imposes on it a disproportionate share of liabilities and risks or that there are other provisions which the economic operator is reluctant to accept. In this case, the economic operator requests the procuring entity to adjust the contract but the contractor is no longer able to do so due to the mandatory prohibition established by the LPP/LP to amend the public contract the draft of which constituted an integral part of the procurement documents, and eventually disputes between economic operators and procuring entities arise where they could be avoided.



It is important to note that if the economic operator refuses to conclude the contract, it may be required to indemnify the losses incurred by the procuring entity; therefore, economic operators should participate in a procurement only when they are confident that they are

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<sup>17</sup> [FAQ](#)

<sup>18</sup> <http://vpt.lrv.lt/lt/naujienos/pirkimo-dokumentu-keitimas-po-ju-paskelbimo>

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prepared to conclude the contract without any reservations or conditions and to execute it as provided for in the procurement documents.

## **Preparation of proposals**

After assessing all the terms and conditions provided for in the procurement documents, reviewing the draft public procurement contract, and clarifying all unclear requirements, an economic operator can start drawing up a tender to be submitted in a specific procurement. The deadline for the submission of tenders should be indicated in the documents of the specific procurement.

We encourage tenderers to pay attention to the recommendations given below when they draw up a tender.

### **1. Specify the product offered**

If the product you offer meets the requirements of the procuring entity only with an additional appendix (accessory, module, option), which is not included in the standard configuration, not only indicate in the tender the required data of the offered product (manufacturer, name, model, etc.) but also clearly state that you also offer the accessory that will help to ensure the required properties (indicate its manufacturer, name, model, and other details). Similarly, please also set out in detail which product model and modification you are offering if a product model has modifications or different variants with different characteristics.

**For example**, it is seen below that the product with model C5985 can be made in different configurations (with different properties, prices), the width and backrest type can be selected, so it is not enough to indicate the model C5985 when offering this product but it is necessary to specify in detail whether C5985 M45 T16 or C5985 M65 T16 with C5985 M45 T17 with C5985 M65 T17 is offered.

# C5985

Reference: C5985M45T16 41 Blanc

GTIN-13: 8435593208342

3 section electric twin pillar grey frame table M45 62x192 T16

WIDTH    
M45 62x192  
M65 70x192 (+96.80€)

HEADREST TYPE    
T16  
T17 (+181.50€) \* on request

COLOR    
41 Blanc

<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				

QUANTITY

## 2. Indicate all the economic entities whose capacities are relied on

All the entities on whose capabilities (qualifications) the economic operator intends to rely must be made public when submitting the tender. The economic operator must do so by submitting the ESPDs of those entities together with its own ESPD.

If it turns out that the economic operator itself, without indicating that it relies on the capacity (qualification) of other economic entities, fails to meet the qualification requirements clearly and unambiguously formulated in the procurement documents, it shall not acquire the right to engage (indicate) any new entities to meet the qualification requirements after the deadline.



Thus, please indicate all the persons, specialists, experts as well as companies with which you will cooperate, whose documents (certificates, work experience, diplomas, CVs, etc.) you are providing or will provide later, in order to prove that you have the necessary capacities and personnel to execute the contract. You will not be allowed to indicate any non-indicated companies or persons at a later stage in order to substantiate your compliance with the qualification requirements and your tender may be rejected.

## 3. Collect all the documents proving compliance with the qualification requirements

**Together with the tender**, submit the required documents proving the properties of the products. Make sure that the values to be indicated in the table of the technical specification correspond to the values indicated in the supporting documents.



It would help to avoid errors and speed up the evaluation of tenders if you, when entering the specific characteristics of the product in the tender form, also clearly indicate in which supporting documents (and specific places, i.e. page, paragraph, point, etc.) these characteristics could be found and clearly mark them.

If there are grounds for the exclusion of the economic operator (e.g. the economic operator's manager was convicted), you must also provide documents proving self-cleaning along with the tender.

#### 4. Check in which lots of the procurement you plan to participate

In certain cases, in order to ensure greater competition or more reliable performance of the contract, procuring entities may limit the number of lots of the subject-matter of the procurement contract which may be tendered for or in which the same economic operator may become the successful tenderer.

**For example**, if the subject-matter of the procurement contract consists of three lots, the procuring entity may establish that the same economic operator may be recognised as the successful tenderer for at most two lots of the subject-matter of the procurement contract.

#### 5. Make sure that your company does not have debts to the STI and SoDra (State Social Insurance Fund Board) at the time of submitting the tender

An unnoticed debt can become a serious obstacle to participating in the procurement, and you may also be found to have provided false information. Information on whether the economic operator has any debts must be indicated in the ESPD, which should be submitted<sup>19</sup> together with the tender. Remember that the ESPD is not a merely meaningless document but a declaration in respect of which inaccurate or false information may lead to the rejection of your tender and to a restriction on access to other procurements.

#### The most common mistakes made by economic operators in preparing their tenders

Article 45 of the LPP and Article 58 of the LP set out the general principles for the evaluation of tenders submitted by economic operators, and the procuring entity shall select the successful tender if all the conditions provided for in paragraph 1 of these Articles are met and there are no grounds for the rejection of the tender provided for in the procurement documents. If the procurement documents precisely, clearly and unambiguously state requirements regarding the needs of the procuring entity, i.e. their details are provided in the technical specification and other parts of the procurement documents, and the economic operator and/or its tender fails to meet all the requirements, the procuring entity **must** reject such a tender. Economic operators should avoid the following common mistakes when preparing tenders:

##### 1. Do not submit a tender which fails to meet the requirements, hoping that it will be accepted



#### Important!

Economic operators must offer goods, services and works that meet the requirements set out in the procurement documents. A tender failing to meet the requirements will be rejected and such arguments as 'it is a technical, unintentional error' or 'there is an error only one line' will be of no significance.

**Example 1.** *The technical specification provides for the dimensions of the product: at least 95x45x45 cm (with a tolerance of 5 cm) and, in the opinion of the economic operator, it is an ambiguous requirement because it is not clear what is exactly meant by 'at least' and how to understand the tolerable error of 5*

<sup>19</sup>In low value procurements, procuring entities may not require its submission. Read the terms of procurement carefully.

cm. In such a case, the economic operator should reasonably ask the procuring entity to adjust the ambiguous condition. If the procuring entity refuses to do so, the economic operator may file a claim.

In this situation, the economic operator provided a product with dimensions of 115x75x75 cm, and the procurement commission acknowledged that such a product did not meet the requirements of the procurement documents and the tender had to be rejected. The economic operator **may not** provide goods that fail to comply with the procurement documents, for example, in this case a larger one (115x75x75 cm), and expect that such a tender would be accepted. The received tenders are evaluated in accordance with the requirements and procedure set out in the procurement documents.

In any case, before drawing up a tender, economic operators, in order to save their own and others' time, must carefully examine the terms of the procurement and, if they find any uncertainty, not to ignore them but to provide reasoned comments to the procuring entity.

There are also cases where the procurement documents provide for a very specific size. This means that a product of that very specified size must be provided and otherwise the tender will be rejected.

**Example 2.** The technical specification provides that the table should be 120 cm long. Therefore, the economic operator should provide a product, i.e. a table with a length of no other than 120 cm. If the economic operator submits a tender indicating that the length of the table is 121 cm, then its tender will be rejected as failing to meet the requirements established in the procurement documents, despite the fact that the parameters were exceeded only 'slightly'. When drawing up the procurement documents, the procuring entity assesses what goods it needs and sets the parameters according to its needs. It is possible that the room can only accommodate a table of the specified size, and neither a larger nor a smaller one would be suitable.

#### Good example:

Parameter	Requirement	Economic operator's tender	
Table length	120 cm	120 cm	☑

#### Bad example:

Parameter	Requirement	Economic operator's tender	
Table length	120 cm	121 cm	☒

## 2. Remember to provide all supporting documents with the tender

If the procurement documents clearly and unambiguously state that the economic operators must submit the documents of the product manufacturers confirming the compliance of the product with the requirements indicated in the specification of the procurement documents, then in order to participate in the procurement, economic operators must immediately submit such documents when submitting the tender.

The case-law on this issue is quite strict, so if these documents are not submitted with the tender, it is not possible to submit any new ones at a later time<sup>20</sup>, and the tender will be rejected.

### Important!

The Court of Cassation has also held that when the characteristics of the items to be purchased are described by precise data in the terms of procurement, **such requirements of the technical specification are fulfilled by providing specific data but not abstract commitments that the requirements will be fulfilled. If the technical documentation initially submitted by an economic operator does not substantiate compliance with the requirements of the technical specification, the economic operator may not subsequently be allowed to submit documents which would make an inappropriate tender appropriate. That conclusion is not undermined by the fact that this technical information also existed in the past, i.e. the installation proposed by the applicant meets the required parameters and, if the relevant documents had been submitted initially, the tender would not have been rejected** <sup>21</sup>.

Therefore, if it is impossible to be convinced from the entirety of information and documents provided in the tender that the product offered by the economic operator meets all the requirements specified in the procurement documents, and the economic operator should submit new documents to make it possible, the procuring entity should consider rejection of the proposal but not its updating.

***For example, if the economic operator has failed to submit an annex to the technical specification together with the tender although such a requirement was stated in the procurement documents, the economic operator should be considered not to be allowed to update the tender by submitting the missing document***<sup>22</sup>.

### 3. Make sure that you do not make price-related errors

The economic operator should draw up the tender with great care and carefully check again for arithmetical errors before submitting it because it is not always possible to adjust a tender that has already been submitted in public procurement. A common mistake made by suppliers is that the tender is submitted in haste, in the hope that the procuring entity will not notice the errors or, if it does, will request that they are corrected. **Unfortunately, in some cases, an error may result in the economic operator's tender being rejected.** When drawing up a tender, it is recommended to pay attention to which method of price calculation is applied and which part of the tender could be updated and which could not.

The method of price calculation applied determines whether the total price of the tender can be updated when correcting arithmetic errors if such are found in the tender<sup>23</sup>.

- Make sure that you have stated all the prices correctly, multiplied and added all the numbers correctly.
- Make sure that you have followed the rounding rules. If you are asked to state the price to two decimal places, make sure to do so. If the procurement documents require the price to be indicated to two decimal places but, according to the specifics of the subject-matter of the procurement contract, it is

<sup>20</sup> <https://klausk.vpt.lt/hc/lt/articles/360005893279>

<sup>21</sup> See point 34 of the Order of the Supreme Court of Lithuania dated 18 June 2018 in civil case No e3K-3-234-469/2018 and the case-law of the Court of Cassation cited therein.

<sup>22</sup> <https://klausk.vpt.lt/hc/lt/articles/360007999660-Tiek%C4%97jas-su-pasi%C5%ABlymu-nepateik%C4%97-technin%C4%97s-specifikacijos-priedo-ar-toks-pasi%C5%ABlymas-turi-b%C5%ABti-atmestas-kaip-netinkamas->

<sup>23</sup> [FAQ](#)

necessary to indicate four digits (e.g. when purchasing electricity, fuel), contact the procuring entity and ask them to adjust the procurement documents.

- Price calculation errors often occur when copying or rewriting prices from an Excel spreadsheet or specialised programmes that display numbers to two decimal places but use more decimal places to perform calculations. Check at least some of the products in your tender using a simple calculator.

**Example.** The tender states that the per unit price of the product is 10.53 and the price for the whole quantity (20) is stated as 210.57. However, a recalculation with the calculator shows that  $10.53 \times 20 = 210.60$  but not 210.57. The error occurred when the economic operator was rewriting the data from an Excel spreadsheet, which, while displaying a unit price of 10.53, used a more accurate value of 10.528525 for the calculations and rounded the result obtained.

fx			
10,528525			
D	E	F	G
	Kaina vnt.	Kiekis	Viso kiekio kaina be PVM
	10,53	20	210,57
	11,12	50	556,23
	12,7	30	380,96
		Iš viso:	1147,75

The forms of tenders prepared by procuring entities may (and do) differ. Carefully review the header row of the table and check what is required in the relevant column. A common mistake is to indicate the total price of the total quantity in the column, although the table clearly requires that the per unit price should be indicated.

**Example.** The triangular and rectangular symbols in the tables mark how the tables in the tenders of two different organisations request the same data to be indicated in different columns.

Kaina vnt. be PVM	Kaina vnt. su PVM	Kaina iš viso be PVM	Kaina iš viso su PVM
▲	■	▲	■

Kaina vnt. be PVM	Kaina iš viso be PVM	Kaina vnt. su PVM	Kaina iš viso su PVM
▲	▲	■	■

- Do not leave any blank boxes in the price table. If you are unable to supply certain goods, you may not submit separately a tender for that procurement or for that lot of the procurement (where the procurement is divided into lots). If you intend to provide certain services for free, do not leave the box blank and enter 0.
- Make sure that you not only have correctly calculated the products in the rows, but also that you have calculated the total sum of the rows correctly.
- Please note the applicable VAT rate.

Not all goods and services are subject to the same VAT rate.

Article 19 of the Law of the Republic of Lithuania on value added tax specifies the items to which a reduced VAT rate is applied, and Chapter IV specifies the cases when certain goods or services are exempt from VAT. If the procuring entity has not indicated the applicable VAT rate or, in your opinion, it differs from the one provided for in the Law of the Republic of Lithuania on value added tax, please contact the procuring entity and ask for an explanation. You can also contact the State Tax Inspectorate regarding VAT application issues.

If you are not a VAT payer and do not intend to become such during the performance of the contract, indicate the price only without VAT in the tender, by filling in the relevant fields that require the price without VAT and clearly stating that VAT is not applicable because you are not a VAT payer.

#### 4. When drawing up your tender, do not copy anything from the requirement formulated by the procuring entity

Economic operators must draw up tenders in accordance with the terms of the procurement and must not in any way copy the technical specifications drawn up by the procuring entity. 'Blindly' copying technical specifications very often leads to errors and the tender being submitted does not meet the requirements set out in the procurement documents.

**For example**, if the terms of procurement state that the diagonal measurement of the TV set must be 130 cm to 135 cm, and the economic operator does not specify the exact size in its tender but instead also indicates '130 cm to 135 cm', i.e. just copies the procuring entity's requirement, then such a tender will be rejected as failing to comply with the requirements of the procurement documents. For the tender to be suitable, the economic operator must specify the exact dimensions of the proposed TV set, which must be between 130 cm and 135 cm.

Good example:

Parameter	Requirement	Economic operator's tender
TV set diagonal	130 to 135 cm	133 cm



Bad example:

Parameter	Requirement	Economic operator's tender



TV set diagonal	130 to 135 cm	130 to 135 cm
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### 5. Do not correct the documents drawn up by the procuring entity

Arbitrary corrections and 'improvements' to tender forms may lead to the rejection of the tender; therefore, if you believe that certain corrections are necessary due to a mistake possibly made by the procuring entity, please contact the procuring entity and ask it to clarify or explain its procurement documents.

- Do not change any specified quantities, names or descriptions of the works, goods or services.
- Do not delete rows or columns in the price table and do not insert any new ones.
- Do not correct any 'mistakes' of the procuring entity.
- Do not make any notes where they are not requested and do not state any additional conditions or reservations.

**Example.** The procuring entity stated that the weight of the phone must be 'no less than' 100 g. You think that it is likely that the procuring entity has made a mistake because a phone with a lower weight would be considered to be better. The tables below show the tenders of two suppliers. **In the first case**, the economic operator offered a lighter (better) phone but did not inform the procuring entity about the noticed error because it assumed that the product with a better parameter would be accepted. **In the second case**, the economic operator itself corrected the requirement and changed the word 'less' to 'more'. Both cases are bad and the economic operator's tender will be rejected. If the economic operator sees that the procurement documents limit the possibility of presenting a product with better characteristics, it should request clarification from the procuring entity but not arbitrarily amend the procurement documents or submit a tender in the hope that it will be accepted.

Parameter	Requirement	Economic operator's tender
Weight of the phone	No less than 100 g	95 g

⊗

Parameter	Requirement	Economic operator's tender
Weight of the phone	No <b>more</b> than 100 g	95 g

⊗

## 3. Submission of tenders

### Procedure for the submission of tenders

If an economic operator makes a decision to participate in a particular procurement, it must draw up and submit a tender by the deadline established by the procuring entity. In the **procurement documents**, the procuring entity indicates the measures by which tenders should be submitted. According to the LPP and

the LP<sup>24</sup>, applications and tenders should be submitted by electronic means in compliance with the requirements established in Article 22 of the LPP and Article 34 of the LP, i.e. by the means of the CVP IS, apart from certain established exceptions<sup>25</sup>. In Lithuania, the CVP IS is the only information system provided for in the Law on public procurement that must be used to submit and receive tenders, participate in public procurements (except for cases when the use of the electronic procurement system is not mandatory under law at all).

If the procurement documents provide that tenders must be submitted by means of the CVP IS, the tenders will be submitted by means of the CVP IS. Neither the LLP nor the LP provide for procurement entities' obligation to require that tenders should be signed by an electronic signature but such a requirement may be established in the procurement documents of a specific procurement, in which case its use is mandatory for the economic operators.



If the procurement documents establish the requirement of signing the tender with an electronic signature, make sure to arrange it in advance and try how it works [in the test and training environment](#) of the CVP IS. It is not uncommon that economic operators fail to submit a tender signed by an electronic signature when they do it for the first time. This is because their computer's hardware and software are unprepared for signing. Please remember that after the end of the time limit for the submission of tenders no

tenders are accepted under any circumstances and for any reasons whatsoever.



Tenders may be submitted by means of the CVP IS only upon uploading all required documents and clicking the *Pateikti pasiūlymą* (Submit tender) button in the tender submission window.

Please note that tenders **may not be** submitted by correspondence means of the CVP IS. When a tender is submitted via the correspondence function, the procuring entity has the possibility to review the tender before the end of the established time limit for

the submission of tenders<sup>26</sup> and it can be the reason for the rejection of the tender.

In order to help economic operators to submit tenders smoothly, the PPO has prepared instructional material: [How to prepare and submit tender \(proposal\) using the CVP IS](#).

### Important!

The tender must be submitted by the deadline for the submission of tenders specified in the procurement documents. No tenders may be submitted via the CVP IS after the deadline for the submission of tenders.

### Important!

Economic operators must take into account the time necessary to submit tenders. Economic operators often fail to submit a tender within the established time because they leave this action till the last day or even minute of the time limit, without taking into account that there may be technical problems (it turns out that the validity of the electronic signature has expired, the signing equipment fails to operate, internet connection is interrupted or slows down, etc.).

When drawing up procurement documents, the procuring entity chooses tender evaluation criterion (the price and cost and quality ratio, or only the price or cost). This determines the number of tender

<sup>24</sup> LPP Article 40(6); LP Article 53(6).

<sup>25</sup>In the cases specified in LPP Article 22(5), LPP Article 72(3), LP Article 80(2), and the procedure for conducting low value procurement.

<sup>26</sup> LPP Article 22(10); LP Article 34(10).

envelopes, i.e. a tender will be submitted either in one or in two envelopes. When submitting tenders, economic operators should pay attention to the evaluation criterion and submit their tenders accordingly.

One envelope	Two envelopes
<p>If the procuring entity chooses to evaluate tenders by <b>the price or cost</b> or by <b>the price or cost and quality ratio</b> and all the evaluation criteria are <b>quantitatively</b> measurable<sup>27</sup>, the economic operator's tender should be submitted <u>in one envelope</u>.</p>	<p>When the procuring entity chooses to evaluate tenders by the price or cost and quality ratio and it is <b>impossible to quantitatively measure/calculate</b><sup>28</sup> the evaluation criteria, the tenders must be submitted in <u>two envelopes</u> (except for the cases of a negotiated procedure or dialogue).</p>



The illustration below represents the view of the system when tenders are submitted in two envelopes. If you see such a view (**Vokas 1 (Envelope 1)** and **Vokas 2 (Envelope 2)**), submit your tender with particular care because if the price of the tender is placed in the wrong envelope, your tender will be rejected.

If it is required to submit a tender in two envelopes, the terms of the specific procurement must provide what information must be provided in the first and what information must be provided in the second envelope. Please note that the first envelope shall contain data on the economic operator's compliance with the qualification requirements, data related to the technical parameters of the goods, technical characteristics of the tender, and everything else what is provided for in the procurement documents. Information on prices or cost **may not be** provided in the same envelope. This is intended to ensure that the evaluation is more objective, the evaluators do not know the prices of the submitted tenders and knowing the price even subconsciously does not affect the evaluation.

The second envelope **only** contains information about the price or cost (the filled-in tender form intended for the presentation of the price is submitted).

<sup>27</sup> What does a quantitatively measurable criterion mean? In order to establish the requirement to submit a tender in one envelope, the evaluation criteria must be objectively measurable/calculable. For example, the period of the provision of services, the period of additional warranty, the number of contracts fulfilled by the employees who will execute the contract.

<sup>28</sup> For example, experts evaluate the aesthetic advantages of the product and give points.

## Important!

Economic operators must be careful and include the information on the price or cost with the information of the second envelope. If this information is found in the first envelope, then the submitted tender will be rejected.

## ESPD

Previously (before 1 July 2017) procurement participants<sup>29</sup> had to submit documents certifying their compliance with all qualification requirements (and absence of grounds for exclusion) together with the tender; however, this caused a significant administrative burden both on economic operators to obtain them and on procuring entities to evaluate them. In order to reduce this burden, the European Commission developed the ESPD – the declaration by which economic operators preliminarily declare their compliance with the established qualification requirements and absence of grounds for their exclusion from the procurement. The same declaration form is used by all the EU Member States.

In the procurement documents, procuring entities must indicate that economic operators, when submitting their tenders, also have to submit the ESPD<sup>30</sup>.

When announcing a procurement, the procuring entity forms an ESPD, while selecting the questions that are appropriate for this very procurement, taking into account the method of procurement, etc. **This means that an economic operator should fill in the ESPD form attached by the procuring entity to the procurement documents and adapted to that very procurement rather than the whole standard form.**

The economic operator will have to perform the following actions:

1. save in its computer the ESPD form presented by the procuring entity;
2. upload the aforementioned ESPD form at: <https://ebvpd.eviesiejipirkimai.lt/espd-web/> (select *ekonominės veiklos vykdytojas* (economic operator) and click *importuoti EBVPD* (import the ESPD));
3. provide answers;
4. save the ESPD form;
5. upload the ESPD form in the tender submission window in the CVP IS in the box *Prisegti dokumentus* (Attach documents) together with the other documents of the tender (application).

The ESPD should be attached to the procurement documents and saved in XML format. If it is not available, the economic operator should address the procuring entity with a request to upload the ESPD in the CVP IS to the procurement documents in such a format. If the ESPD is attached in XML format and PDF format, the economic operator needs only the ESPD form in XML format.

A detailed instruction on how to fill in and submit the ESPD can be found [here](#) (video with English subtitles)  
The most frequently asked questions about the ESPD can be found [here](#).

The procurement documents must indicate how the ESPD document should be signed and in what format it should be submitted.

If the procuring entity requests to provide documents certifying compliance with the qualification requirements and absence of grounds for exclusion, it may mean that the economic operator is a potential

<sup>29</sup> Economic operators who have submitted their tenders.

<sup>30</sup> In carrying out low value procurements, the procuring entity may choose whether the ESPD will be used in the procurement (procedure for conducting low value procurement, point 2.3.37).

successful tenderer because documents certifying the information indicated in the ESPD is most often<sup>31</sup> requested from the potential successful tenderer.

The requested documents must be provided immediately but not later than by the deadline established in the request sent by the procuring entity. If documents are not submitted or are submitted late (irrespective of the reasons), your tender may be rejected.

If, already after the receipt of the request, you see that you will not be able to submit the documents by the established deadline, immediately address the procuring entity with a reasoned request to extend the time limit. Such a request must be provided at once but not when you have already missed the initially given time limit. Please remember that the procuring entity may refuse to extend the established time limit if the initially given time limit was objectively sufficient.

## 4. Results of public procurement

After economic operators have taken part in procurement procedures, they want to know its results as soon as possible and to receive as detailed information about the procurement procedure as possible, i.e. decisions taken, tenders of the other tenderers, received points, etc. However, it should be noted that procuring entities must follow the provisions of the LPP and the LP and may not disclose all the information related to the procurement procedure but can disclose only information provided for by the provisions of the LPP and the LP.

First, economic operators' attention should be drawn to the fact that **there is no regulation as to how much time the procuring entity should take to evaluate the received tenders**. It is decided by the procuring entity itself on the basis of an assessment of all the circumstances related to the specific procurement. Sometimes there are many tenders, their evaluation is complicated, so procedures may take longer than it was expected due to justified circumstances rather than the fault or unreasonable delay of the procuring entity. According to the European Commission<sup>32</sup>, in the case of international value procurements, in 2018 the average duration from the envelope opening day<sup>33</sup> to the signing of the contract in the EU Member states ranged from 30 to 267 and a period of up to 120 was considered to be 'good'. In the case of simplified and low value procurement procedures, this period is usually shorter but it is **rare** when final decisions in a procurement procedure are made before 30 days, so there is no need to be concerned if no information is received within such a period.

However, if it still happens that the economic operator does not receive information about the results of the procurement procedure longer than expected, it is recommended to contact the procuring entity first because it knows best the reasons why the procedures took longer. However, it would not be worth drawing hasty conclusions, make claims or complaints on suspicion that the procuring entity is protracting the procedures because the economic operator does not know the reasons for the protraction of the procedures.

<sup>31</sup> Article 50(4) of the LPP allows requesting the presentation of some or all documents substantiating the information of the ESPD at any stage of the procedures when it is necessary in order to ensure the proper performance of the procurement procedure.

<sup>32</sup> [https://ec.europa.eu/internal\\_market/scoreboard/performance\\_per\\_policy\\_area/public\\_procurement/index\\_en.htm](https://ec.europa.eu/internal_market/scoreboard/performance_per_policy_area/public_procurement/index_en.htm), see the criterion 'Decision speed'.

<sup>33</sup> The day of familiarisation with tenders submitted by electronic means, which commonly coincides with the deadline for tenderers to submit their tenders. Economic operators often wrongly call this date the 'end of procurement', when in fact it is only the end of the time limit for the submission of tenders, while the procuring entity's main work is just beginning on this day and may take a really long time.

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It should be noted that Article 58(5) of the LPP and Article 68(8) of the LP provide for a limited number of entities who can access information related to the consideration, clarification, evaluation and comparison of tenders and it does not include tenderers, so they are not allowed access to all the possible information available in the procurement procedure that they wish.

After evaluating all the tenders and determining the economic operator whose tender can be recognised as successful, the procuring entity will send it a request to submit documents certifying the compliance with the qualification requirements and the absence of grounds for exclusion. Only after evaluating those documents, the procuring entity will be able to make the final decision on the successful tender and only then will send all the participants (economic operators who have submitted their tenders) a notice of the decision to determine the successful tender and summarised information (information summary<sup>34</sup>) on the results of the procurement procedure. The information to be provided will usually cover the following aspects:

1. The ranking of tenders with indication of the names of all the tenders included in the ranking of tenders and prices offered by them<sup>35</sup>.
2. The name of the economic operator who has been recognised as the successful tenderer.
3. The characteristics of the successful tender and its comparative advantages for which the tender has been recognised as the best – if tenders are evaluated by the lowest price, the advantage to be indicated is the price of the successful tender; if tenders are evaluated by the price and quality ratio, the price and summary information on the quality points awarded to the successful tenderer.
4. The exact time of deferment (it is the period for which the procuring entity suspends the conclusion of the contract in order to give the economic operator the time to defend its infringed rights, i.e. to lodge a claim)<sup>36</sup>.

Upon reviewing the results of the evaluation, the economic operator may wonder what more detailed information can be obtained from the procuring entity **upon request**: whether it is possible to request the provision of the report on the evaluation of technical proposals by the expert commission that awarded points for the qualitative aspects of the tender, the justification of the points awarded, full names and information on the education of the members of the expert commission, and so on.

First of all, the economic operator has the right to request the procuring entity to familiarise it with the successful tenderer's tender. It should be noted that participants can only be familiarised with the tender of the successful tenderer. Therefore, participants are not familiarised with the tenders of unsuccessful tenderers. This right is not granted to economic operators who did not submit a tender in the procurement procedure and economic operators whose tenders were rejected, when the time limit within which they could appeal against such a decision has expired. The successful tenderer does not have the right to be familiarise with the tenders of other tenderers.

Sending the ranking of tenders with the information it contains is not familiarisation with the tenders – these are two completely different things.

Considering the need to ensure that the economic operator is able properly to exercise its right to defend its interests when tenders are evaluated on the basis of price or cost and quality ratio criteria as provided

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<sup>34</sup> The information provided for in Article 58(2) of the LLP and Article 68(2) of the LP that was not yet provided during the procedure.

<sup>35</sup> The law directly and clearly obliges procuring entities to indicate the price offered by the successful tenderer. However, the Office is of the opinion that, in accordance with the principle of transparency, the procuring entity should also indicate the prices (total prices) offered by all the economic operators. The prices of economic operator's tenders do not constitute confidential information; also, in the case of a simplified or international procurement procedure, the report on the procurement procedures will still be typically filled in (for example, Atn-1), where the prices of all the tenders will still have to be indicated. See also [FAQ](#).

<sup>36</sup> It does not apply to low value procurements ([FAQ](#)).

for by the LPP (the LP), the procuring entity must provide the economic operator with **summary** information on the evaluation of its tender, which would indicate in general the shortcomings of its tender that prevented the economic operator from receiving the highest evaluation (maximum number of points) for the relevant evaluation criteria. Such information should be sufficiently detailed to enable the economic operator to understand the reasons for failing to receive the highest evaluation, what aspects the economic operator could improve in future procurement procedures; **however**, the possibility to receive such information should not be construed as a possibility to argue with the procuring entity by correspondence and requesting highly detailed justifications, detailed arguments or other highly detailed information that the procuring entity is not obliged to provide.

Therefore, the procuring entity **does not have** the obligation to provide the economic operator with the following:

- the minutes of the evaluation of tenders; minutes of the meetings of the commission;
- conclusions of the evaluation by the experts or commission with justifications, detailed description of how each component of the tender was taken into account in the evaluation of tenders;
- surnames, positions, education and qualification data of the commission members or experts;
- detailed comparison of the successful tender and the unsuccessful tenderer (or theirs and other suppliers’);
- information on the number of points awarded by each commission member or expert to the tenders of the requesting economic operator or other economic operators.

If the economic operator objectively considers (and can substantiate it by not just assumptions and speculations) that its tender was evaluated by unreasonably low scores or the successful tender should not have been evaluated with such high scores as it was awarded and such evaluation violates the interests of the economic operator, it has the right to make a reasoned claim to the procuring entity and, if it does not agree with the result of the examination of the claim, to apply to the court. In this respect, economic operators are encouraged to be honest with each other and with procuring entities. Claims must be made when there are obviously unlawful decisions but not in all cases in order to become the successful tenderer at any cost. Before making a claim, economic operators should critically evaluate their tender to see whether it really has no shortcomings.

### **When tenders are submitted in two envelopes**

If there is a procurement procedure where each tender is submitted in two envelopes, the economic operators are informed about decisions similarly to what is described above but the procedure of familiarisation is somewhat different. After examining the information contained in the first envelope and evaluating the technical data of the tenders, the procuring entity **must inform in writing**<sup>37</sup> **all the economic operators**<sup>38</sup>.

This means that the procuring entity sends each economic operator not only its evaluation but also those of the competitors; however, when sending the information, it is not allowed to disclose the economic operators’ identities (because this information is sent to them only after the final evaluation of all the tenders and determination of the ranking of tenders).

**For example**, the procuring entity can designate the economic operators as ‘A’, ‘B’, ‘C’, etc. (disclosing to each of them personally its designation). If the procuring entity sends the information by means of the CVP

<sup>37</sup> If the procurement procedure is carried out by means of the CVP IS, the procuring entity must communicate the results of the verification and evaluation by correspondence means of the CVP IS.

<sup>38</sup> LPP Article 44(5); LP Article 57(5).

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IS, the economic operators do not see the others. If the procurement procedure is carried out other than by means of the CVP IS and the results are communicated in a different way, for example, email, the procuring entity must ensure confidentiality.

After examining the information contained in the second envelope, the procuring entity performs the final evaluation of the tender and communicates the final decisions in the same manner as described above, i.e. the names of the economic operators are disclosed after making the final decision and final evaluation of the tenders.

## 5. Lodging claims

Each economic operator who believes that the procuring entity has failed to comply with requirements of legal acts and so infringed its interests has the right to defend its interests by lodging a claim with the procuring entity. This right is guaranteed by law<sup>39</sup>.

An economic operator shall have the right to lodge a claim with the contracting authority, to make a request to or to bring a lawsuit before a court (except for an action for nullification of a public contract or a framework agreement or an action for recognition of the termination of the public contract as unjustified):

- 1) within 10 days (in the case of a simplified procurement, including low value procurement, within 5 working days) from the date on which a notice of the contracting authority about the decision taken by the contracting authority is sent to economic operators or, if this notice is not sent by electronic means, within 15 days from the date on which the notice is sent to the economic operators;
- 2) within 10 days (in the case of a simplified procurement, including low value procurement, within 5 working days) from the date on which a decision taken by the contracting authority is published, if this Law does not require to inform the economic operators in writing about the decisions taken by the contracting authority.

### **The same time limits apply to lodging claims regarding the requirements of procurement terms**

Economic operators' remedies vary from one EU Member State to another. In Lithuania, the rights of economic operators are primarily protected by lodging a claim with the procuring entity, thus enabling the procuring entity itself to examine the arguments stated in the claim submitted by the economic operator and correct the entity's possible mistake.

If the economic operator does not agree with the result of the examination of the claim, it has the right to apply to court. **There is no** other institution dealing with disputes between economic operators and procuring entities **in Lithuania**.

### **The PPO (Public Procurement Office) does not examine claims submitted by economic operators and is not a dispute resolution body in public procurement.**

Economic operators have the right to make claims against decisions that have been sent to the economic operators or published in the CVP IS. Such decisions may be taken in relation, for example, published

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<sup>39</sup> LPP Article 102; LP Article 108.

procurement terms, amendment or revision of procurement terms, determination of the ranking of tenders, determination of the successful tenderer and the like.

**For example**, for lodging a claim regarding the procurement terms, the deadline for submitting the claim is calculated from the publication of the procurement terms in the CVP IS.

The economic operator may contact the procuring entity with a request to explain the inaccurate procurement terms rather than to lodge a claim at once. If the contracting entity does not take into account the observation submitted by the economic operator or does not provide a reasoned explanation, then the economic operator lodges a claim. However, it is important that when requesting for an explanation first rather than lodging a claim, attention should be paid to the time limit for submitting a claim because submitting a request to explain the inaccurate procurement terms does not extend the time limit for lodging a claim <sup>40</sup>.

### **Important!**

Economic operators who submit an inquiry or claim to the procuring entity should clearly and precisely indicate what they are submitting – either an inquiry or claim.

It is very important that the economic operators themselves know what they are submitting – either an inquiry or claim, and submit them depending on the situation. Receiving additional information needed to draw up a tender or clarifying the content of unclear terms requires submitting an inquiry but not a claim. On the contrary, if the economic operator considers a certain condition to be unlawful, disproportionate and unduly restricts competition, it should lodge a reasoned claim and not ask questions or ask the procuring entity to ‘explain’ to the supplier and ‘prove’ something.

The content of the claim must be specific and clear, indicating which decisions of the organisation are being appealed against and for what reason and also clearly stating the requirement. For example, stating that the technical specification drawn up by the procuring entity discriminates against economic operators because the implementation of the functionality ‘Y’ indicated in its item ‘X’ is the patented technology of the company ‘Z’, so no other manufacturer’s equipment can be offered and the manufacturers who manufacture equivalent equipment are discriminated in this way and, therefore, it is requested to cancel that requirement. If possible, documents proving the arguments indicated in the claim or references to Internet sources and literature should be attached.

### **Important!**

When lodging a claim, economic operators must know:

- The time limits for lodging a claim and adhere to them because the procuring entity is not obliged to examine a claim lodged not in accordance with the time limits established in the LPP and the LP <sup>41</sup>.
- A claim will only be examined when it is lodged in the appropriate form, i.e. the claim must be submitted in writing and may not be stated on the phone. A claim may be submitted in writing not only by means of the CVP IS but also by fax, by electronic means, or through a postal service provider or another appropriate carrier against acknowledgement by signature<sup>42</sup>; however, in all cases it is recommended to lodge a claim by means of the CVP IS.
- The claim must be justified, substantiated, and clearly state what is being complained about and what is required.

<sup>40</sup> The Court of Appeal of Lithuania, in the order of 27 April 2017 adopted in civil case No e2-847-302/2017.

<sup>41</sup> [What are the time limits for lodging a claim?](#)

<sup>42</sup> LPP Article 101(3); LP Article 107(3).

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The procuring entity is not obliged to examine any claims submitted out of time; **however, if the procuring entity sees from the preliminary assessment of the content of the claim that the economic operator's claim can be justified**, it may accept such a late claim in order to avoid violations of the LPP or the LP.

There are often complaints from economic operators in which they indicate that they are not informed about the suspension of procedures upon submitting a claim, and state that they believe that the procuring entity is ignoring them (their claim). However, this impression is usually wrong because the procuring entity is not obliged to inform economic operators of the suspension of the procedures; therefore, the mere fact that an economic operator has not received a notification that 'the procedures are being suspended' does not mean that they have not been suspended or that the procuring entity is ignoring the economic operator. The suspension of the procedures means that no further action is taken and no other decisions are made until the claim has been examined. The procuring entity must examine the claim and submit a response within **6 working days**.

The suspension of the procedures is intended rather for the procuring entity itself, while the economic operator continues to fulfil its obligations regardless of the suspension of the procurement procedures. The suspension of the procurement procedures does not mean that the time limit for the submission of tenders is also suspended – economic operators can still submit tenders. If the time limit for the submission of tenders has already ended, economic operators are no longer able to submit tenders.

In practice, there are cases where economic operators do not submit tenders because they have been notified that the procurement procedures have been suspended due to a claim from another economic operator. The time limit for the submission of tenders expires while then the procuring entity is examining the claim, and economic operators no longer have the possibility to submit tenders. If the procuring entity decides that the claim is unfounded, it is not obliged to extend the time limit for the submission of tenders and those economic operators who have not submitted tenders will no longer be able to participate in the procurement procedure. It is important to remember that suspended procurement procedures do not prevent economic operators from submitting tenders, lodging other claims or presenting other inquiries.

### **Important!**

If the procuring entity fails to examine a claim presented to it within the established time limit of 6 working days, the economic operator has the right to appeal to the courts <sup>43</sup>; however, examining a claim can sometimes reasonably take longer (the procuring entity should inform about that), so we also recommend reviewing this [FAQ](#).

It shall not be mandatory for the procuring entity to examine the claims lodged repeatedly concerning a decision or action taken by the same procuring entity. Therefore, if the economic operator is not satisfied with the result of the examination of the claim, it can appeal to court but never lodge a second or third claim requesting to 'repeatedly revise' the decision.

An economic operator who has submitted one claim to the procuring entity shall not be restricted from submitting new ones, provided that these are not to be considered repeated claims, all the more so as the interests of economic operators in public procurement procedures may be infringed by decisions of the procuring entity made at different times. It is not the moment of the making the procuring entity's contested

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<sup>43</sup> LPP Article 102; LP Article 108.

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decisions that is important for assessing whether claims are repeated, but the separability of the content of those decisions, such as different procurement terms<sup>44</sup>.

**For example**, an economic operator can lodge one claim concerning the procurement terms, another claim concerning the updated procurement terms, and yet another claim concerning the clarification of the procurement terms (when another economic operator requests the clarification of the terms and the clarification of the terms published by the procuring entity, whereby it changed any of the terms, is appealed against). In this situation, the procuring entity should respond to all the three claims, provided that they have been lodged in time<sup>45</sup>.

The right of economic operators to submit new non-repeated claims to the procuring entity does not in itself repeal the procedure for calculating the time limits for claims and actions and its mandatory application. Therefore, although economic operators have the right to submit new (non-repeated) claims to the procuring entity, the latter also has the right not to examine them (leave them unexamined) because of the missed deadline<sup>46</sup>.

## 6. Execution of the contract

The contract/agreement<sup>47</sup> must be executed in accordance with the terms and conditions provided for therein, so economic operators must be careful in executing the contract and apply all their efforts to ensure the proper performance of the contractual obligations. Goods must be supplied, services provided and works performed exactly as they are provided for in the contract.

Each procuring entity shall appoint an employee to be responsible for the performance of the contract, who shall monitor whether the contract is performed properly, without infringing the provisions of the procurement contract. If contractual obligations are not performed properly, evidence must be gathered and the penalties provided for in the contract must be applied. In the worst-case scenario, the contract may be terminated. This may be the case when the economic operator substantially fails to perform the contract, breaches its essential terms or shows significant or persistent deficiencies in the performance of substantive requirements.

**Material breach of the contract** is an assessable criterion the assessment of which must take into account the specifics of each contract. Therefore, for example, missing a deadline by one day can be considered as the improper performance and material breach of the contract in one case, while even a longer infringement of a time limit established in the contract will not be considered as a ground for its termination in another case.

So, the procuring entity establishes in each specific contract what will be considered a material breach of that contract. If the contract itself does not provide, or provides abstractly, what is considered a material breach, for example: *Failure to perform or the improper performance of any obligation under the contract shall be considered a material breach of the terms and conditions of the contract*, it should be determined in accordance with the criteria set out in Article 6.217 of the Civil Code, which help to assess whether the breach is material<sup>48</sup>.

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<sup>44</sup> **Supreme Court of Lithuania, e3K-3-360-248/2018**

<sup>45</sup> [You must respond to both claims if they are not identical and if they have been lodged in time.](#)

<sup>46</sup> **Supreme Court of Lithuania, e3K-3-360-248/2018**

<sup>47</sup> All contracts concluded in writing are published at <https://cvpp.eviesiejipirkimai.lt/>.

<sup>48</sup> [FAQ](#)

## Important!

Economic operators who have shown significant or persistent deficiencies in the performance of substantive requirements of the contract are included in the list of unreliable economic operators<sup>49</sup>. Economic operators included in the list are restricted from participating in procurements. An economic operator is included in the list of unreliable economic operators for a period of 3 years.

More information about the list of unreliable economic operators can be found [here](#).

Economic operators often wonder whether they can participate in public procurements if they are included in the list of economic operators who have provided false information<sup>50</sup> or the list of unreliable economic operators. It should be noted that it may be possible in certain cases. In international value and simplified procurement procedures, procuring entities must establish this requirement, so such an economic operator would have to prove that it 'has cleaned up' in order to participate in the procedures<sup>51</sup>; however, it will be the procuring entity who will decide on whether the measures applied by the economic operator are sufficient.

In low value procurement procedures, the exclusion ground related to economic operators who have provided false information is not mandatory; therefore, if an economic operator participates in a low value procurement procedure where such a ground for exclusion is not established, such an economic operator could participate in the procurement and would not be rejected. If the procuring entity had nevertheless included this ground for exclusion in the procurement documents, then such an economic operator, in order to participate in the procedures, would have to prove that it 'has cleaned up' in order to participate in the procedures; however, it will be the procuring entity who will decide on whether the measures applied by the economic operator are sufficient.

## Amendment of the contract

The contract must be performed as provided for therein. When participating in procurement procedures and signing public contracts, economic operators must take into account that the possibility for amending the contract, if necessary, will be very limited.

It should be noted that changes to the terms of a contract cannot be made simply by agreement between the parties. A public procurement contract is not an ordinary commercial contract; therefore, in order to make an amendment, the provisions of the LPP and the LP or the provisions established in the contract regarding amendment of the contract must be followed. If, however, there is a need to amend the concluded contract, the procuring entity must always assess whether there is a legal basis for that. If the contract does not establish a provision on amendment, etc., the procuring entity may consider the possibility of amending the terms of the contract in accordance with the cases provided for in Article 89 of the LPP, Article 97 of the LP. In the absence of any of the cases referred to in the aforementioned Article, the contract may not be amended. More information about the amendment of contracts can be found [here](#).

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<sup>49</sup> Article 91(1) of the LPP provides that economic operators should be included in **the list of unreliable economic operators** if they have failed to perform or improperly performed the contract when:

- 1) the contract has been terminated as a result of a material breach of the public contract, or the contracting authority has decided that the economic operator has shown significant or persistent deficiencies in the performance of a substantive requirement established in the public contract and this led the contracting authority to imposing a sanction provided for in the contract;
- 2) a judgment has been passed that satisfies the contracting authority's claim for damages for losses as a result of the contractor's significant or persistent deficiencies in the performance of a substantive requirement under the public contract.

<sup>50</sup> More information about the list of economic operators who have provided false information can be found [here](#).

<sup>51</sup> LPP Article 46(8).

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It should be noted that economic operators fail to pay attention to the fact that an economic entity whose capacities are relied on can only be replaced if such replacement is possible according to the provisions of Article 89 of the LPP, Article 97 of the LP, i.e. the engagement of a new economic entity means the amendment of the contract.

All newly engaged economic entities whose capacities are relied on must comply with the qualification requirements and requirements for the absence of exclusion grounds established in the procurement documents for economic entities.

Similarly, if an economic entity whose capacities are relied on is replaced with another one (when the economic operator has relied on the capacities of the economic entity in the evaluation of the qualification), it must be evaluated whether the economic operator together with the newly engaged economic entity complies with all the minimum qualification requirements established in the procurement documents, i.e. the economic operator's replacement would have been appropriate at the time of submission of the tender.

There is no exhaustive list of when an economic entity may not be replaced, added or removed because the terms of the contract must be followed. As mentioned above, the cases in which new economic entities whose capacities are relied on can be engaged or when the existing ones are replaced must be justified by objective reasons.

### **Important!**

The economic operator must indicate the contact person responsible for the performance of the contract because procuring entities often face problems finding and contacting the person responsible for the performance of the contract. If the contact person changes, the procuring entity should be informed of the change.

## **7. Electronic invoices**

In the course of the execution of procurement contracts, invoices must be presented only electronically. Electronic invoices meeting the European standard on electronic invoicing, the reference to which was published in Commission Implementing Decision (EU) 2017/1870 of 16 October 2017 on the publication of the reference of the European standard on electronic invoicing and the list of its syntaxes pursuant to Directive 2014/55/EU of the European Parliament and of the Council (OJ L 266, 17.10.2017, p. 19) ('the European standard on electronic invoicing') should be presented by the means selected by the economic operator. Invoices failing to meet the European standard on electronic invoicing may only be presented using the means of the [E.sąskaita](#) information system.

1. Invoices failing to meet the European standard on electronic invoicing.
2. Invoices meeting the European standard on electronic invoicing.

In the first case, invoices failing to meet the European standard on electronic invoicing may only be presented using the means of the E.sąskaita information system. In this case, economic operators draw up invoices in the E.sąskaita system and procurement entities accept them via the same E.sąskaita system. So, the means used by both the economic operator and the procuring entity coincide.

In the second case, invoices meeting the European standard on electronic invoicing may also be presented by economic operators using other means selected by the economic operator. This does not mean, however, that email, fax or a courier can be used but means that economic operators can use service providers similar to the E.sąskaita system. Economic operators can present invoices using any access point used in the [PEPPOL](#) network that uses the [PEPPOL AS4](#) profile.

More detailed information: <https://klausk.vpt.lt/hc/lt/articles/360010149960>

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## 8. Consultations for economic operators

[The Public Procurement Office](#) consults contracting authorities and economic operators on issues of the application of the LPP and the LP free of charge. Consultations are provided only electronically – either by email [klausk@vpt.lt](mailto:klausk@vpt.lt) or by filling in the form <https://klausk.vpt.lt/hc/lt/requests/new>.

It should be noted that consultations being provided are consultations of general nature on the application of the law. For the clarification of specific procurement terms, documents the submission of which is required in specific procurements and all other issues related to specific procurements, economic operators should contact the authority carrying out that specific procurement procedure. The provision of consultations does not cover the examination of complaints and assessment of the lawfulness of terms and conditions.

Economic operators are also consulted on the technical issues of working with the CVP IS electronic procurement system. These consultations are provided by email [pagalba@vpt.lt](mailto:pagalba@vpt.lt) and are also provided on the phone during certain times during the day. The contact phone numbers are published at <https://vpt.lrv.lt/en/cpp-is/consultations-by-phone>

A lot of useful information for economic entities is published here: <https://vpt.lrv.lt/lt/metodine-pagalba/tiekejams>, and on issues of working with the CVP IS here: <https://vpt.lrv.lt/en/e-public-procurement>

### Tips for economic operators

- 1. Do not wait until the last minute to submit tenders.** In order to submit a proper, error-free tender in time, it is advisable not to wait until the last minute but to take care of it earlier, thus avoiding additional stress and ensuring that there will still be an opportunity to submit a tender later in the event of a connection failure or system or other problems.
- 2. Take note of the time limit for the submission of tenders and other time limits and adhere to them.**
- 3. When there are two envelopes in a procurement procedure, do not place in the first envelope the price proposal or documents from which the procuring entity could determine or predict the proposed price<sup>52</sup>.**
- 4. Before submitting a tender, make sure it is free of arithmetic errors.** Hurrying often leads to errors that appear minor at first glances, such as a value indicated in the wrong line, incorrectly performed arithmetic operations, or similar. However, such errors complicate the work of both the economic operator and the procuring entity. Therefore, it is highly advisable to economic operators to allow enough time before submitting a tender and to check whether the prepared tender is free of errors in order to save their own and procuring entities' time.

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<sup>52</sup> [FAQ](#)

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## Reference sheet

<https://cvpp.eviesiejipirkimai.lt/>

<https://pirkimai.eviesiejipirkimai.lt/>

<https://vpt.lrv.lt/en/e-public-procurement>

<http://vpt.lrv.lt/lt/metodine-pagalba/gaires-ir-rekomendacijos>

<http://vpt.lrv.lt/lt/metodine-pagalba/tiekejams/apie-viesuosius-pirkimus-paprastai-1>

<https://pirkimai.eviesiejipirkimai.lt/ctm/Company/CompanyRegistration/RegisterCompany?B=PPO&OID=1>

<http://klausk.vpt.lt>

Further relevant information can be found in the PPO's [frequently asked questions section](#).

## Document versions

Version	Date	Notes, additional information
0	11.2.2020	Document <a href="#">draft</a> . (Lithuanian version)
1.	7.2.2020	Initial version of the document. This document. (translation published 16.04.2021)

For the latest version, visit [the PPO's website](#)