

TIME PERIODS

Deadline for the submission of requests for participation in the case of selective tendering

1. A procuring entity that uses selective tendering shall establish that the final date for the submission of requests for participation shall not, in principle, be less than 25 (twenty-five) days from the date of publication of the notice of intended procurement. Where a state of urgency duly substantiated by the procuring entity renders this time period impracticable, the time period may be reduced to no less than 10 (ten) days.

Deadlines for the submission of tenders

2. Except as provided for in paragraphs 3, 4, 6 and 7, a procuring entity shall establish that the final date for the submission of tenders shall not be less than 40 (forty) days from the date on which:
 - (a) in the case of open tendering, the notice of intended procurement is published; or
 - (b) in the case of selective tendering, the entity notifies suppliers that they will be invited to submit tenders, whether or not it uses a multi-use list.

Cases for which the time period for tendering (open and selective) can be reduced

3. A procuring entity may reduce the time period for tendering set out in paragraph 2 to not less than 10 (ten) days where:
 - (a) the procuring entity published a notice of planned procurement under Article 12.13(3) at least 40 (forty) days and not more than 12 (twelve) months in advance of the publication of the notice of intended procurement, and the notice of planned procurement contains:
 - (i) a description of the procurement;
 - (ii) the approximate final dates for the submission of tenders or requests for participation;
 - (iii) the address from which documents relating to the procurement may be obtained; and
 - (iv) as much of the information that is required under Annex 12-O for the notice of intended procurement as is available;
 - (b) the procuring entity, for procurements of a recurring nature, indicates in an initial notice of intended procurement that subsequent notices will provide time periods for tendering in accordance with this paragraph; or
 - (c) a state of urgency duly substantiated by the procuring entity renders the time period for tendering established in accordance with paragraph 2 impracticable.

4. A procuring entity may reduce the time period for tendering set out in paragraph 2 by 5 (five) days for each one of the following circumstances:
 - (a) the notice of intended procurement is published by electronic means;
 - (b) all the tender documentation is made available by electronic means on the date of the publication of the notice of intended procurement; and
 - (c) the tenders can be received by electronic means by the procuring entity.
 5. The use of paragraph 4, in conjunction with paragraph 3, shall in no case result in the reduction of the time period for tendering set out in paragraph 2 to less than 10 (ten) days from the date on which the notice of intended procurement is published.
 6. Notwithstanding any other provision in this Annex, where a procuring entity purchases commercial goods or services, or any combination thereof, it may reduce the time period for tendering set out in paragraph 2 to:
 - (a) no less than 13 (thirteen) days, provided that it publishes by electronic means, at the same time, both the notice of intended procurement and the tender documentation; and
 - (b) no less than 10 (ten) days, if the entity also accepts tenders for commercial goods or services by electronic means.
 7. Where a procuring entity listed in Appendices 12-A-2, 12-A-3, 12-B-2, 12-B-3, 12-C-2, 12-C-3, 12-D-2, 12-D-3, 12-E-2 and 12-E-3 has selected all or a limited number of qualified suppliers, the time period for tendering may be fixed by mutual agreement between the procuring entity and the selected suppliers. In the absence of agreement, the period shall not be less than 10 (ten) days.
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