

Deposit payment

Required in order to challenge the outcome of a procurement, including:

- 1) a decision to award a procurement contract/framework agreement;
- 2) a decision to terminate a procurement;
- 3) a decision on the results of a candidate selection (rejection of application).

Not required in order to challenge the outcome of a procurement:

- 1) legality of the procurement suspension;
- 2) requirements specified in the procurement documents;
- 3) the progress of the design contest.

! If the deposit payment has not been received or it is deemed that it has not been received or submitted, the application will not be accepted for review. In this case, by making the necessary deposit payment, the applicant may resubmit the application if the time limit for submitting the application to the Procurement Supervision Bureau (IUB) as established in law is complied with (in order to contest the outcome).

! If the subject matter of the procurement is divided into lots, the deposit payment is applicable to each contract of service or supply of construction work to be entered into as part of the procurement.

Forms of payment of the deposit

Transfer to IUB account
LV37 TREL 8130 6930 0000 0

When submitting an application to the IUB, the deposit must have already been received in the IUB account.

Bank guarantee

Insurance policy

with proof of payment of the insurance premium

The original copy of the document to be submitted to the IUB along with the application

Depending on the method chosen to pay the deposit, **the deposit will not be deemed to have been received or submitted if:**

- the transfer to the IUB account:

- 1) has not received by the time the application is submitted;
- 2) is not identifiable (paragraph 4 of Cabinet Regulation No. 110 of 28 February 2017);
- 3) has not been paid in full (paragraph 5 of Cabinet Regulation No. 110 of 28 February 2017).

- as regards the bank guarantee or the insurance policy:

- 1) original copies of the documents have not been submitted;
- 2) the period of validity is less than 4 months (from the day the application is received by the IUB);
- 3) the contents do not comply with the provisions of paragraph 11 of Cabinet Regulation No. 110 of 28 February 2017;
- 4) a document confirming the payment of the insurance premium is not included with the insurance policy.

Amount of the deposit

IF THE ESTIMATED VALUE OF THE CONTRACT
IS KNOWN:

**0.5% of the estimated (not tendered) value
of the contract,**

BUT no more than

- **EUR 15 000** for construction works
- **EUR 840** for supplies and services

In calculating the amount of the deposit, account shall be taken of the estimated value of the contract as indicated in the procurement notices published on the IUB website and/or procurement rules.

IF THE ESTIMATED VALUE OF THE CONTRACT
CANNOT BE DETERMINED OR IS NOT
SPECIFIED IN THE PROCUREMENT
DOCUMENTS*:

- **EUR 3 400** for construction works
- **EUR 840** for supplies and services

* Also applies if:

- a decision on entering into a framework agreement is challenged and it is entered into with several parties;
- a decision on inclusion in the dynamic purchasing system (rejection of application) is challenged.

Payment of the deposit

within 5 working days if:

- the deposit payment is received for an application that does not require a deposit payment;
- it is deemed that the deposit payment has not been received or submitted;
- a decision is made not to review an application;
- a decision is made whereby the contracting authority is prohibited from entering into a contract, or a decision is repealed regarding the termination of the procurement procedure;
- the applicant withdraws the application before it is examined and the infringements in the application have been remedied (the contracting authority repeals the contested decision);
- a court judgement has become final in which the court ordered the repayment of the deposit.

within 1 month if:

- the deposit has been paid but the application has not been submitted

! In all other cases, the deposit payment is not returned and it is transferred to the state budget.

Payment of the deposit is refunded to the account of the entity from which the deposit was paid (in the case of a transfer).

If the deposit payment is submitted in the form of a bank guarantee or an insurance policy, in order to return the deposit the IUB submits an application to the bank or the insurer releasing the party which made the deposit payment from its commitments, and also notifies the party which made the deposit payment.

! The IUB will not reimburse costs related to the payment of the deposit (including bank fees and insurance premiums).