

Purchase and Tender Regulations

BEZMIALEM VAKIF UNIVERSITY PURCHASE AND PROCUREMENT REGULATION

FIRST PART

Purpose, Scope, Basis and Definitions

ARTICLE 1 - (1) The purpose of this Regulation; Bezmialem Bezmialem With the most reasonable prices and conditions in line with the principles of efficiency in all kinds of domestic and foreign buying and selling, construction, repair and maintenance, leasing, leasing, transportation, project, study, consultancy and similar works, taking into account the economic and social needs of the foundation university, and to arrange the procedures and principles regarding the provision of free market conditions at the most appropriate time.

Scope

ARTICLE 2 - (1) This Regulation shall be amended as follows: Bezmialem covers the provisions related to the construction and commissioning of all kinds of trading, construction, service, leasing, transportation and similar works required by the academic and administrative units affiliated to the Foundation University and the University.

Rest

ARTICLE 3 - (1) This Regulation has been prepared on the basis of the Higher Education Law dated 4/11/1981 and numbered 2547 and the annexed article 124 of the Law on the Establishment of Higher Education Institutions No 2809 dated 28/3/1983.

ARTICLE 4 - (1) In this Regulation;

a) Buying and selling: Movable and immovable assets and all kinds of goods and services are the best

timely purchases and sales at appropriate values and conditions,

b) Secretary General: General Secretary of the Bezmialem Foundation University,

c) Assistant Secretary General: Bezmialem Assistant Secretary General of Vakif University

ç) Hospital General Coordinator: Bezmialem Vakif University Health Application and Research Center

General Coordinator,

d) Service: All kinds of services such as research, study, plan, project supervision, consultancy and similar services that are carried out for wages against natural persons, ordinary

partnerships, joint ventures or legal entities, except employment of pensioners, wage earners, casual employees and contracted personnel, ,

e) Administration: Bezmialem Academic and administrative units of the Foundation University and the University,

f) Tender: With the terms and conditions of this Regulation, the procedure before the contract, which is completed with the approval of the competent authorities,

g) Tender authority: The person who has the authority and responsibility to make tender and spending,

appropriately entrusted with duty,

ğ) Signature Circulars: In order to meet all the needs of the University and the Health Practice and Research Center, the representatives and the authorities of the bureau established by the decisions of the Board of Trustees,

h) Operation Director: Bezmialem Vakif University Bezmialem Vakif University Health Practice and Research Center Business Director,

i) Renting: Renting and immovable property, services and rights to rent or rent administering,

i) Commission: Commissions to be established in accordance with the relevant legislation for the works listed in Article 1 of this Regulation,

j) Director of Financial and Administrative Affairs: Bezmialem Vakif University, Financial and Administrative Affairs Director,

k) Medical Director: Bezmialem Vakif University Health Practice and Research Center Medical Director,

l) Board of Trustees: Bezmialem Vakif University Board of Trustees,

m) Fair value: The fair value of the trading day,

n) Rector: Bezmialem Rector of the Foundation University,

o) Vice-Rector: Bezmialem Vice-Rector Vice-Chancellor,

ö) Purchasing Manager: University and Bezmialem Vakif University Health Application and Research Center Purchasing Managers,

p) Contractor: means a real person, ordinary partnership, joint venture or legal person, contractor with whom the tender has been awarded by one of the bidding methods.

SECOND PART

Purchasing and Bidding Commissions, Purchasing Principles and Requirements

ARTICLE 5 - (1) The bodies related to the procurement works are:

a) The University Tender Commission consists of the following persons:

- 1) Member of the Board of Trustees (President of the Tender Commission)
- 2) Rector or Vice Chancellor, Dean / Institute Director / Vocational High School Principal, etc. to be appointed by the Rector when the Rector or Vice Rector can not attend. one of the teaching staff,
- 3) The Secretary General or the Assistant Secretary General,
- 4) Director of Financial and Administrative Affairs,
- 5) Purchasing manager,
- 6) Technical member (s) related to purchasing.

b) Health Care Application and Research Center The Tender Commission consists of the following persons:

- 1) Member of the Board of Trustees (President of the Tender Commission)
- 2) The Secretary General or the Assistant Secretary General
- 3) General Coordinator or Medical Director,
- 4) Managing Director,
- 5) Purchasing Manager,
- 6) Director of Financial and Administrative Affairs,

2) In cases where technical opinion is required in the matter of business, one or more members from within or outside the university may be added if it is deemed appropriate by the tender commission. Tender

A technical commission of at least three persons may be established by the Commission President in support of the Commission decision.

3) Inspection and Acceptance Commission: It is composed of at least three members according to the content and expertise of the work, authorized to determine the required skill of the work after the completion of the tender issues determined and approved by the tender commission. The tender price will be paid after the commission's decision on this commission has been signed and approved. Unacceptable jobs are not paid.

4) Committees shall convene with the full number of members and decide by absolute majority. If the votes are equal, a majority will be achieved in the direction of the president. Members who take part in the Tender Commissions of the University and the Health Practice and Research Center can not take part in the Examination and Acceptance Commission.

ARTICLE 6 - (1) Within the scope of establishing academic and / or research infrastructure for academic units; computer, software, equipment, and so on, the following points shall be taken into account when planning for the procurement of all class, workshop and laboratory equipment:

- a) Compliance with the university's strategy,
- b) whether the investments are planned or made and whether their needs are met;

Studying,

- c) Identification of jointly available products,
- d) Planning infrastructural, training, support needs with other units,
- e) Careful use of resources outside the university in research projects.

ARTICLE 7 - (1) For the purchasing principles;

a) If the purchase of goods and services is made under the most favorable conditions, if possible,

b) The ability to provide desired qualifications in goods and services procurement, the most favorable offer with optimal price and payment conditions, delivery and maintenance conditions at any time,

c) In the short and long term needs of the university, the failure of the education services; but to take necessary precautions to avoid unnecessary stocks of the University,

ç) It is necessary to provide descriptive information about purchase of goods and services to each company invited to tender, and to offer more than one company in terms of competition in order to be able to easily examine and understand contracts and contracts.

(2) All procurement operations and transactions shall be carried out within the framework of the authorities (monetary limits) determined in the current signature circular established by the decisions of the Board of Trustees and other decisions taken in the Board of Trustees in meeting the academic and administrative needs of the University and Bezmialem Vakif University Health Practice and Research Center.

(3) In the implementation of procurement and procurement procedures, not only the lowest price criterion is taken into account but the price, quality, delivery / maintenance / guarantee conditions of the requested goods and services, experience, merit and financial status of the tenderers are evaluated together and the most suitable tender is preferred for the benefit of the university .

Even if any of these criteria does not meet the desired conditions, the price can be ignored and the related unit can be determined by the Technical Report and purchased.

(4) If necessary, more than one supplier is asked for the amount of goods / service requested. There is no need for the requested goods / services to have a limited number of suppliers on the market, shorter supply period, or more than one bid for qualified purchases.

(5) If there is no change in quality and conditions in all types of goods / service purchases that are subject to continuous consumption, purchasing goods / services from the same supplier may continue.

(6) For the requested goods / services, firstly, the suppliers that have been worked or tried before are offered.

(7) Procurement invoices are requested from supplier companies after the purchase conditions such as delivery method, delivery conditions, periods, installation, maintenance, payment method are decided upon abroad purchases.

(8) Procurement requests for which no purchase request has been made, which are not clearly defined or whose necessary approvals have not been obtained, shall not be processed.

(9) Emergency purchases; directly under the authority and responsibility of the purchasing department. University and Health Practice and Research Center and may cause harm if not intervened promptly or may cause harm to Education and Health Services

the events for which the application of the procurement procedures can not be expected because the student may be dismissed, is considered an emergency by the Secretary General for University, the General Coordinator for the Healthcare Application and Research Center. The procurement unit may make purchases within the authority set out in the signature circular (monetary limits) and other decisions taken in the Board of Trustees.

ARTICLE 8 - (1) After completing the purchase request form explaining all the properties of the goods and services requested by the administrative units, departments and Academic units and signing them to the related unit managers, the General Secretariat for University, General Coordinator for Health Application and Research Center It presented.

ARTICLE 9 - This article has been removed from the enforcement.

THIRD PART

ARTICLE 10 - (1) The works referred to in Article 1 of this Regulation shall be carried out in accordance with the following procedures within the authority specified in the signature circular:

- a) Closed tender procedure,
- b) open bid procedure,
- c) Direct supply procedure,
- ç) Open subtraction method.

Closed bid method

ARTICLE 11 - (1) In this procedure, proposals shall be made in writing. After the bidding letter has been put in an envelope, the name of the bidding company or the person bidding on the envelope is clearly written and the envelope is closed. The closing part of the envelope is signed by the bidder. The documents of the proposal should be prepared in accordance with

the specifications and if the documents and additional information required to be submitted with the proposal letter are given, they must be given absolutely. The prices quoted in the letter of offer shall

The letters of offer are signed by the bidders.

Open bid method

ARTICLE 12 - (1) Open tender procedure; is a purchasing procedure that is performed by taking the written offers openly or by fax or e-mail in cases where it is beneficial to receive open bids in terms of quality, or when demanding a closed bid leads to unnecessary loss of time.

ARTICLE 13 - (1) In this procedure; repair and maintenance of supplies / supplies, printer / copier and toner / cartridge for printer and copier machines in urgent need other than publication, retail food, beverage, flowers and bulk purchases within the authority limits stated in the signature circular and other decisions taken by the Board of Trustees , education, curriculum development, software, research, study, project, planning, consultancy, discovery, map, advertising, photography, film, control, interpreting, insurance, means, securities and private properties and services such as real estate leasing can be obtained directly from a company.

The approval process is carried out directly at the purchasing department in the purchasing department in order to complete the purchase requisition form.

Closed, open, negotiated in direct procurement procedures

ARTICLE 14 - (1) In the direct procurement procedure, negotiation is provided in terms of quality. But; it is possible to re-negotiate with the most suitable bidder in closed bid and open bid procedures.

ARTICLE 15 - (1) In this procedure, the person or persons who can supply the requested job or property in accordance with the written conditions of the contract shall be able to participate and when the appropriate price is determined by the proposals made by the attendees, Obtain the following guidelines during the tender phase with open auction method:

a) In cases where it is determined that the Contracting Entity will not be able to benefit from the work done in accordance with Article 1 of this Ordinance with one of the other tender procedures, the tender shall be tendered by open auction,

b) Open subtitle; provided that they comply with the conditions set forth in the condition, provide the collateral and submit the required documents to the commission. Commission; and documents

the documents and documents are returned to those who can not enter the conditions and the conditions are not in accordance with the relevant legislation. This point is also indicated by a record,

c) After the persons who are entitled to participate in the open decrees have been determined with a record and this fact has been announced to the tenderers present there; the

commission chairman invites them to submit their requests, signatures, and bid. Tenders who do not sign the contract can not bid.

ç) After determining the withdrawals from the bidding and the willingness to bid; it shall be notified that the tender has been made to the owner of the most recent and proper bidder, subject to the approval condition of the competent authority, and this matter shall be signed in writing.

ARTICLE 16 - (1) The University may carry out purchasing activities in electronic medium by e-bidding in order to carry out its purchasing activities more effectively and to find the most suitable price when purchasing. For e-tender;

a) First of all, to make agreements with the institutions that present electronic tendering,

b) Determination of the most appropriate price by using one of the procurement and procurement methods specified in article 10 of this Regulation regarding the product or service to be purchased,

c) The best priced product or service will be moved to the electronic procurement platform of the contracted server and the price of products and services will be further reduced by utilizing a wide range of vendor data base including new suppliers,

ç) The suppliers who will participate in the e-bidding shall submit their latest bids as registration proposal to the system.

Tender procedure between certain tenderers

ARTICLE 16 / A - (1) The tender procedure between certain tenderers is the procedure that the tenderers invited to the tender can submit. The tender can be concluded by evaluating the tenders of the invited tenderers within the context of the tender documents (Technical specification, Administrative specification, Contract draft, etc.) prepared by the administration.

(2) All tenderers shall submit the price quotations in closed envelope to the Purchasing Department before the tender. After the closed envelopes are opened with the commission collected on the tender day, the invited tenderers are invited to the commission in turn and discounted new price offers are received. If necessary, after this step the open tipping process can be passed between all or part of the tenders.

ARTICLE 17 - (1) The following persons may not participate in any form of tender for themselves or on behalf of others, directly or indirectly or as a subcontractor:

a) Persons who are permanently prohibited from participating in public tenders, those convicted of organizing crimes and crimes within the scope of Anti-Terror Law No 3713 dated 12/4/1991,

b) those who are deemed to be fraudulently bankrupt,

c) Contractors who provide consultancy services for the procurement business,

d) Relatives of blood and relatives of third degree (inclusive) in the Board of Trustees, Tender Commission and purchasing departments.

(2) Despite these prohibitions, the tenderers participating in the tender are excluded from the tender and the tender guarantees are recorded as income.

In addition, if the tender has been awarded to one of these due to the fact that the tender can not be determined during the evaluation of the tender, the tender is canceled by recording the income.

Delivery and payment

ARTICLE 18 - (1) The inspection and acceptance commission shall be convened following the completion of the work in the purchase request form. If the Commission believes that the purchase commission has been completed in accordance with its decision, it shall submit its decision to the Chairman of the Board of Trustees. The approval of the decision will be forwarded to the relevant unit manager in charge of the Financial and Administrative Affairs Directorate based on the payment. Urgent

the request holder must check the conformity of the goods / service received and approve the goods and service delivery receipt in order to be able to pay for the works not submitted to the procurement and tender commission in terms of cases or amount.

(2) The invoice for which the necessary approvals have been completed shall be paid by the Financial and Administrative Affairs Directorate within the agreed terms of payment with the contractor.

SECTION FOUR

ARTICLE 19 - (1) The specifications related to the purchases to be made shall be prepared by the requesting owners and technical members / members taking into consideration the provisions of this Regulation and other relevant legislation.

(2) All kinds of administrative and technical features of procurement issues are specified in the specifications. In addition to the special and technical conditions to be set according to the nature of the works, additional requirements are also included in the conditions.

(3) a) Administrative specification: Announcement of the administrative procedure of the work to be made to the tenderers is prepared by the procurement directorate. According to the nature of the business, it shall be placed in full or in part in accordance with the following additional conditions or other additional conditions. These include:

- 1) Your business,
- 2) The form and date of submission of the proposal,
- 3) If the security is not taken, if it is taken,
- 4) Option time,
- 5) The duration of work,

- 6) Payment status,
- 7) In the form of delivery,
- 8) Taxes and fees,
- 9) Customs affairs,
- 10) Conditions for participation in the tribunal and those who can not attend,
- 11) The University is free to make purchases and to give to the business as it wishes, to stop or cancel the order and the order,
- 12) Resolution of disputes.

b) Technical specification: Specification which includes necessary technical explanations and conditions for the work to be carried out in accordance with necessity and is prepared by the requesting unit and the technical member / members. The following detailed technical explanations on the purchase request form or request made by the requesting entity are also considered technical specifications according to their urgency and nature:

- 1) The topic of the work, its nature and method,
- 2) Warranty,
- 3) Delivery time, place and shape,
- 4) Maintenance, service, installation.

(4) Unless otherwise provided in the Terms and Conditions, negotiations may be made with the firm that offers the most suitable bid in terms of price and quality. The contracts include:

- a) clear and detailed description of the goods / service to be received,
- b) Cost of goods / services to be purchased, payment plan and collateral,
- c) Term, termination, renewal conditions,
- d) Stamp duty, notarization and similar financial obligations and insurance obligations in necessary cases,
- d) Criminal conditions to be applied in cases such as not being done as it is required, not being completed, and rights to be born for administration.

(5) In case of continuing service procurement, if the contract period is completed and the work is to be continued with the same contractor, a contract shall be concluded without a request for a new purchase, provided that no price increase other than the price or cyclical price increases specified in the contract has been made.

Refreshed. However, additional service requests require a new purchase request form to be filled, provided the current contract terms remain the same.

ARTICLE 20 - (1) Depending on the nature of the business, the procurement commission may take a 3% preliminary guarantee on the estimated cost of the business. Direct supply and open bid method

in the case of purchases to be made, since the estimated price has not been reported, provisional guarantee can be obtained in the amount to be determined by the administration.

ARTICLE 21 - (1) Before the signing of the contract, 6% of the Bank Letter of Guarantee or Guarantee in cash may be taken from the tenderer by calculating over the tender price.

ARTICLE 22 - (1) Tickets; With the approval of the Chairperson of the Board of Trustees, it becomes final within fifteen business days at the latest. This situation shall be notified to the e-mail address specified in the tender file of all the tender participant firm within ten working days at the latest. The company which is left in the bidding stage is invited to make a contract and to issue a performance bond. The day after the e-mail is sent, the date of notification to the contractor

counted. Within ten days from the date of notification, it shall be notified to sign the contract by giving the documents and definitive guarantee mentioned in this Regulation.

(2) In case the Contractor does not sign a contract within the contract, the tenderer's claim on the tender shall be recorded as revenue without protest and judgment. If the second most economically advantageous bid price is deemed appropriate by the chairman of the Board of Trustees, the university may sign a contract with the tenderer in accordance with the principles and procedures specified in the regulation.

If the second economically most advantageous bidder can not sign the contract, the tender is canceled.

(3) The tender guarantees are returned if the tender is not awarded to him.

(4) The guarantee of the contracting firm that can not fulfill the commitment is recorded as income. If the contractor damages the university, this loss is not less than the amount of the performance bond, but the difference is not refunded.

PART FIVE

Final Provisions

Force

ARTICLE 23 - (1) This Regulation shall enter into force on the date of its publication.

Executive

ARTICLE 24 - (1) The provisions of this Regulation shall be executed by the Chairperson of Board of Trustees of Bezmialem Vakif University.