

Procurement Monitoring Report Template  
In view of the **Slovak Republic** reporting process  
under the Directives 2014/23/EU, 2014/24/EU and 2014/25/EU

**General information**

**Scope of reporting**

Monitoring report covers the period between 1<sup>st</sup> January 2017 and 31<sup>st</sup> December 2017.

The report contains information for above-threshold and below-threshold contracts realized by:

- contracting authorities (CA),
- contracting entities (CE),
- subsidized persons or organizations to whom the CA provides funds (private authorities – PA):
  - in case the subsidized person or organization receives > 50% of the funds for the supplies, services and works must, as a matter of the amount of the estimated contract value (ECV), act as that CA (above-threshold procedure, below-threshold procedure or low value contract procedure),
  - in case the subsidized person or organization receives ≤ 50% of the funds for the supplies, services and works, proceeds with below-threshold procedure or low value contract procedure according to national legislation (Act no. [343/2015 Z. z.](#)(SK) on Public Procurement and on modification and amendment of certain Acts – further than "Act No. [343/2015 Z. z.](#)(SK)").

The report contains a separate evaluation for above-threshold and below-threshold contracts

- evaluation for above-threshold contracts includes – above-threshold contracts under EU Directives [2014/23/EU](#)(EN), [2014/24/EU](#)(EN), [2014/25/EU](#)(EN) and [2009/81/ES](#)(EN) (the Defense and Safety Directive as it is still in force and has not been replaced by a new Directive), and national legislation in case of PA (Act No. [343/2015 Z. z.](#)(SK)),
- evaluation for below-threshold contracts includes – below-threshold contracts under national legislation (Act No. [343/2015 Z. z.](#)(SK)),
- the report does not contain information about design contests and low value contracts.

**General information**

Number of procurement procedures (i.e. the number of notices announcing a call for competition) (above-threshold): **1650**

Number of awarded contracts (above-threshold): **3265**

Number of contract award notices (above-threshold): **891**

**Information on monitoring and reporting bodies**

- [Office for Public Procurement](#) (PPO), [Central Coordinating Body](#) (CCB), [Supreme Audit Office of the Slovak Republic](#) (SAO), [Antimonopoly Office of the Slovak Republic](#) (AMO), [The Central Contact Point for OLAF](#) (TCCP OLAF) and Managing Authorities – [Government Office of the Slovak Republic](#) (GO), [Ministry of Transport and Construction of the Slovak Republic](#) (MTC), [Ministry of Interior of the Slovak Republic](#) (MI), [Ministry of Justice of the Slovak Republic](#) (MJ), [Ministry of Finance of the Slovak Republic](#) (MF), [Ministry of Economy of the Slovak Republic](#) (ME), [Ministry of Environment of the Slovak Republic](#) (MENV), [Ministry of Education, Science, Research and Sport of the Slovak Republic](#) (MESRS), [Ministry of Health of the Slovak Republic](#) (MH) and [Ministry of Labour, Social Affairs and Family of the Slovak Republic](#) (MLSAF).
- The report for the Slovak Republic (SR or SK as Slovakia) has been drawn up and submitted to the European Commission (EC) by the PPO.

**I. Estimation of the aggregated total value of procurement which would have been covered by the directives if its value had exceeded the relevant thresholds**

Estimation of the aggregated total value of procurement which would have been covered by the directives if its value had exceeded the relevant thresholds.

Below-threshold contracts are divided at national level according to several criteria. The use of individual procurement procedures depends on the type of CA, the type of the contract and the threshold value.

The CA shall proceed as follows when awarding the below-threshold contract:

1. **Using the Electronic Marketplace** in the case of the supplies (except food), services and works commonly available on the market via the information system [Electronic Contract System](#)(SK)([EKS](#)(EN)) which is administrated by MI; the terms of use of the Electronic Marketplace are determined by the [Business Terms of The Electronic Marketplace](#) (BTEM(EN);OPET(SK);
  - **Commonly available on the market:**
    - Supplies (except food) and services (except social and other specific services)
 

Central Government Authorities	≥ 15 000 Eur	< 135 000	Eur
Other contracting authority	≥ 15 000 Eur	< 209 000	Eur
    - Works
 

	≥ 15 000 Eur	< 5 225 000	Eur
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2. **Without the use of the Electronic Marketplace** (in the case of the supplies (except food), services and works other than commonly available on the market through publication of Notices in the national [Journal](#));
  - **Other than commonly available on the market:**
    - Supplies (except food) and services (except social and other specific services)
 

Central Government Authorities	≥ 50 000	Eur	< 135 000	Eur
Other contracting authority	≥ 50 000	Eur	< 209 000	Eur
    - Social and other specific services
 

	≥ 200 000	Eur	< 750 000	Eur
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    - Works
 

	≥ 150 000	Eur	< 5 225 000	Eur
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    - Food
 

Central Government Authorities	≥ 40 000	Eur	< 135 000	Eur
Other contracting authority	≥ 40 000	Eur	< 209 000	Eur
3. **Low value contracts** (are not monitored and are not included in the report for below-threshold contracts):
  - **Commonly available on the market:**
    - Supplies (except food), services and works
 

	< 15 000	Eur
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  - **Other than commonly available on the market:**
    - Supplies (except food) and services
 

	< 50 000	Eur
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    - Social and other specific services
 

	< 200 000	Eur
--	-----------	-----
    - Works
 

	< 150 000	Eur
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    - Food
 

	< 40 000	Eur
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Contracts	Estimated Contract Value (from CN) <sup>1</sup>	Total Contract Award Value (CAN) <sup>1</sup>
Below-threshold contracts (the Electronic Marketplace) <sup>2</sup>	446 640 850 €	390 743 266 €
Below-threshold contracts (without the Electronic Marketplace)	1 639 420 535 €	591 474 084 €
Total value (together)	2 086 061 385 €	982 217 350 €

Number of awarded contracts using the Electronic Marketplace: **24 295**  
 Number of contracts (awards) using the Electronic Marketplace: **24 295**  
 Number of awarded contracts without use of the Electronic Marketplace: **1 998**  
 Number of contract award notices without use of the Electronic Marketplace: **1 824**  
 The data available under national publication requirements.

<sup>1</sup> Number of procurement procedures published during evaluation period does not equal the number of contract award notices, the amounts shown in the table do not represent savings.

<sup>2</sup> According to the statement of the Electronic Market operator, the total value of the contracts is calculated from the competitive prices of individual contracts, which may be depending on the status of the customer with or without VAT. The resulting value can not accurately determine the amount of VAT, nor the exact value.

## II. Most frequent sources of wrong application or of legal uncertainty, including possible structural or recurring problems in the application of the rules

<p><b>II.1. Qualitative reporting on application of public procurement rules</b></p>	
<p>Main sources of wrong application or of legal uncertainty.</p>	<p>The most frequent cases of wrong application of the rules and of legal uncertainty depending on the procurement stage:</p> <ol style="list-style-type: none"> <li>1. <b>The most frequent cases of wrong application of the rules in preparation phase of public procurement:</b> <ul style="list-style-type: none"> <li>• avoiding the obligation to follow the law,</li> <li>• insufficient knowledge of public procurement rules,</li> <li>• misapplication of the exclusions, effort to obtain a specific product, respectively procurement of a product with discriminatory requirements for the subject of the contract,</li> <li>• incorrect application and evaluation of contract award criteria based on the most economically advantageous tender (MEAT),</li> <li>• the behavior of CA/CE which is contrary to the principles of public procurement,</li> <li>• misapplication of the rules governing the calculation of the ECV,</li> <li>• incorrect selection of the procurement procedure,</li> <li>• illegal description of the subject matter of the contract,</li> <li>• completion of Contract Notice (CN) or call for competition and procurement documents,</li> <li>• discriminatory and disproportionate selection criteria,</li> <li>• selection of contract award criteria,</li> <li>• determination of disproportionate contract performance conditions,</li> <li>• unauthorized division of the contract (avoiding more strict, eg. above-threshold procedure),</li> <li>• the unauthorized use of the negotiated procedure without prior publication.</li> </ul> </li> <li>2. <b>The most frequent cases of wrong application of the rules in evaluation phase of public procurement:</b> <ul style="list-style-type: none"> <li>• infringement of the principles of public procurement with a possible significant impact on the outcome of public procurement, respectively violations related to evaluation of tenders or the selection of candidates,</li> <li>• opening of tenders,</li> <li>• evaluation of the selection criteria,</li> <li>• unjustified exclusion of candidates,</li> <li>• subcontractors,</li> <li>• process of the Electronic Auction,</li> <li>• establishment of a commission to evaluate tenders,</li> <li>• no measures taken to prevent, identify and remedy conflicts of interest,</li> <li>• unauthorized cancellation of the procedure.</li> </ul> </li> </ol>

	<p>3. <b>The most frequent cases of wrong application of the rules in awarding phase of public procurement:</b></p> <ul style="list-style-type: none"> <li>awarding of the contract, and contract modifications contrary to the procurement documents.</li> </ul> <p>4. <b>Other cases of wrong application of the rules:</b></p> <ul style="list-style-type: none"> <li>non-fulfillment of information obligations (publication of documentation for the public procurement process),</li> <li>unauthorized use of the Electronic Marketplace (EKS) – the use of the EKS which is intended only for supplies, services and works "Commonly available on the market" in situations when supplies, services and works did not meet the condition of "Commonly available on the market".</li> <li>infringement of the <a href="#">Business Terms of The Electronic Marketplace</a> (BTEM(EN);OPET(SK)).</li> </ul> <p><u>Types of CA particularly affected by public procurement errors:</u></p> <ul style="list-style-type: none"> <li>Local Authorities.</li> </ul> <p><u>Types of procedures or contracts particularly affected by public procurement errors:</u></p> <ul style="list-style-type: none"> <li>negotiated procedure without prior publication of a contract notice – the unauthorized use of negotiated procedure without prior publication of a contract notice to procure maintenance/development/change/support of the IT systems; in the case of negotiated procedure without prior publication of a contract notice, also so-called "lock-in" situation when CA in the preparation stage incorrectly assess their authorization to use that particular procedure,</li> <li>below-threshold procedure – a discriminatory description of the subject of the contract, a discriminatory procedure when evaluating selection criteria and tenders.</li> </ul>
<p>Specific legal provisions (from EU or national law) which appear to raise significant problems of application.</p>	<p><u>The specific legal provisions in question:</u></p> <ul style="list-style-type: none"> <li>Articles 5, 10, 18, 24, 32, 34, 42, 58 of the Directive No. <a href="#">2014/24/EÚ</a>(EN).</li> <li>Section (§) 20, 28, 32 - 36, 41, 44 of the Act No. <a href="#">345/2015 Z. z.</a>(SK).</li> </ul> <p><u>A description of the type of difficulties identified:</u></p> <ul style="list-style-type: none"> <li>the behavior of CA which is contrary to the principles of public procurement,</li> <li>infringement of the principles of public procurement – discriminatory terms of participation, respectively description of the subject of the contract, which favors a limited number of economic operators,</li> <li>division of the contract in order to reduce the ECV below the limit set by the law and the application of exclusions in violation of the law,</li> <li>exclusion under Art. 10 (a) of the Directive, when CA may still have difficulty in distinguishing when it is still a service contract falling within the scope of the Directive and when it isn't,</li> <li>the use of a negotiated procedure without prior publication within the meaning of Art. 32 (2) (b) of the Directive, when CA still have difficulties in interpreting the phrase that lack of competition is not the result of an artificial narrowing of procurement parameters; the practical problems of the CA are caused by the so-called "vendor lock-in", which is the result of contracts awarded in the past,</li> </ul>

	<ul style="list-style-type: none"> <li>• in case of contracts realized with the use of the Electronic Marketplace (Article 15.1.2 <a href="#">OPET(SK)</a>), which defines the stand-by condition for the effectiveness of the contract with the supplier and effectiveness is linked to the termination of the administrative financial control of public procurement by the Managing Authority/Intermediate Body – this provision initially caused that beneficiary fulfills the contract even before the end of the financial control by Managing Authority/Intermediate Body, that is, before the entry into force of the contract, which gave rise to unjustified expenditure (performance based on ineffective contract); the CCB has published a number of methodological guidelines on this issue, highlighting this lack,</li> <li>• other legal provisions (from EU or national law) which appear to raise significant problems of application is not due to the lack of the wording of the provisions but to their misinterpretation.</li> </ul> <p><u>High frequency of requests for guidance as to how to understand or interpret a given provision:</u></p> <ul style="list-style-type: none"> <li>• guidance on the provision of the CCB guideline No. 14 and the ESIF management system for the 2014-2020 program period for contracts with a low value above 15 000 Eur, ie a raised financial limit (from 5 000 Eur to 15 000 Eur) for low-value contracts financed by EU funds and associated publication obligations; information on changing the financial limits for low value contracts funded by EU was published at the website of <a href="#">Partnership Agreement(SK)</a> covered by GO, available at the following <a href="#">link(SK)</a>,</li> <li>• guidelines for awarding partial contracts under the framework agreement – the CCB published <a href="#">methodical interpretation No. 3(SK)</a>,</li> <li>• guidelines on the extension of the scope of below-threshold contracts and low value contracts that do not fall within the scope of the Act No. <a href="#">343/2015 Z. z.(SK)</a>,</li> <li>• guidelines on the financial limit for contracts for the supplies that are food,</li> <li>• guidelines on the application of contract modifications,</li> <li>• guidelines for low value contracts – use of the Electronic Marketplace, information obligations and proof of participation by another person.</li> </ul> <p><u>Need to issue (additional) interpretative guidance on a given provision:</u></p> <ul style="list-style-type: none"> <li>• processing and publication of the general methodological guidelines and interpretative statements at the <a href="#">PPO's website</a> at the following <a href="#">link(SK)</a>,</li> <li>• processing and publication of methodological guidelines for a specific request at the <a href="#">PPO's website</a> at the following <a href="#">link(SK)</a>.</li> </ul>
<p>An assessment on whether a wrong application of rules might exist, by observing patterns of application of the rules which do not by themselves constitute cases of wrong application of the rules, but nonetheless</p>	<p><u>The specific type of problems identified:</u></p> <ul style="list-style-type: none"> <li>• most of the procurement procedures have the lowest price as the evaluation criterion,</li> <li>• incorrect assessment of evaluation criteria in public procurement where the most economically advantageous tender (MEAT) is the evaluation criterion,</li> </ul>

point at structural or recurring problems yielding a sub-optimal outcome.

- MEAT is rarely applied; in order to make more frequent use of this award criterion, the PPO in 2017 organized several training sessions, and in collaboration with other institutions, two conferences were organized to use the MEAT criteria; further information is available at the following [link](#)(SK); the issue of more active use of the MEAT criteria was developed in two OECD's strategies ([Development and Implementation of a National e-Procurement Strategy for The Slovak Republic](#)(EN) & [Developing Administrative Capacity For Public Procurement In The Slovak Republic: A Training Action Plan For 2016-2019](#)(EN)), as a result of the assistance project between the national institutions, the OECD and the EC (DG Regio); it should be noted that the use of this criterion for the evaluation of tenders is not directly linked to the non-optimal outcome of public procurement and that in many procurement procedures the lowest price is correctly applied criterion,
- incorrect assessment of the conditions for using the negotiated procedure without prior publication of a contract notice,
- the description of the subject of the contract is ambiguous or vice versa, focused on a specific product - too specific definition of the subject of the contract,
- restricted settings of participation conditions – there is unjustified discrimination of the economic operators capable of fulfilling the subject of the contract,
- incorrect division of the contract into lots,
- incorrect communication setting,
- incorrect application of the exclusion grounds when evaluating the subcontractors,
- the institute of direct payments for the subcontractors is rarely applied.

Any possible assessment of the impact of these difficulties on the efficiency of the public procurement process:

- all the above mentioned deficiencies have an impact on the quality of competition, as the result is almost always a reduction in the number of economic operators who could participate in the procurement,
- in case of negotiated procedure without prior publication of a contract notice, the number of tenderers is reduced to only one particular tenderer, in case of requirements for the subject of the contract, to reduce the relevant tenders to a particular tender, in case of discriminatory conditions of participation, to reduce the number of potential economic operators to one particular economic operator, respectively to a particular group of economic operators etc.,
- these problems have a significant impact on the efficiency of the public procurement process.

Bias towards the systematic use of certain award criteria irrespective of the context (e.g. systematic use of lowest price as award criterion):

- using the lowest price as the only criteria for evaluating tenders instead of other criteria,
- non-use of secondary procurement policies.

	<p><u>Overly frequent use of derogatory procedures or shortest possible deadlines:</u></p> <ul style="list-style-type: none"> <li>the unlawful use of negotiated procedure without prior publication of a contract notice.</li> </ul>
<p><b>II.2 Supporting documents</b></p>	
<p>Please provide any available evidence of the issues identified under section II.1.</p>	<p><u>Audit reports on identified irregularities related to public procurement, including auditors specialising in ESIF irregularities:</u></p> <ol style="list-style-type: none"> <li>audit findings that identified lacks in audits completed in 2017 by the Audit Authority (under MF) were mainly: <ul style="list-style-type: none"> <li>use of ECV contrary to the Act No. <a href="#">343/2015 Z. z.(SK)</a>,</li> <li>setting criteria for the evaluation of tenders which may not be an objective criterion for the evaluation of tenders,</li> <li>setting inappropriate contract terms,</li> <li>infringement of the principles of non-discrimination in setting the conditions for participation and equal treatment in the evaluation of participation conditions,</li> <li>setting discriminatory selection criteria to demonstrate experience with the realization of different types of work in one contract,</li> <li>use of discriminatory conditions in the technical specification of the subject of the contract,</li> <li>use of discriminatory requirements in the description of the subject of the contract,</li> <li>use of the discriminatory selection criteria in technical or professional capacity - demonstration of experience exclusively with the subject of the contract in one reference,</li> </ul> <p><i><b>Note:</b> The audit evidence document, which identifies shortcomings identified in public procurement for audits completed in 2017, is not published. Audit reports are confidential and it is common practice that audit findings on a general level are published by the relevant Managing Authorities among the most relevant shortcomings in their websites, but without specifying the specific project, CA, etc.</i></p> </li> <li>the SR has established a Partnership Agreement with the EC on the use of the European Structural and Investment Funds in 2014-2020; further information on the Partnership Agreement (<a href="#">Partnership Agreement of the SR for the years 2014-2020 EN</a>) and the ESIF management system for 2014-2020 are available at the following <a href="#">link(SK)</a>,</li> <li>structured form of identified violations of the Act No. <a href="#">343/2015 Z. z.(SK)</a> by the Coordination Committee for cooperation in the control of public procurement (<a href="#">The Status of The Coordination Committee(SK)</a>) is available at the following <a href="#">link(SK)</a>.</li> </ol> <p><u>Additional interpretative guidance documents published in order to clarify legal issues:</u></p> <ol style="list-style-type: none"> <li>the processing and publication of types of supporting documents at the <a href="#">PPO's website</a>: <ul style="list-style-type: none"> <li>the general methodological guidelines available at the following <a href="#">link(SK)</a>,</li> <li>methodological guidelines for a specific request available at the following <a href="#">link(SK)</a>,</li> <li>interpretative statements available at the following <a href="#">link(SK)</a>,</li> <li>the procurement methodologies available at the following <a href="#">link(SK)</a>,</li> <li>presentations with audio commentary on selected provisions of the Act No. <a href="#">343/2015 Z. z.(SK)</a> available at the following <a href="#">link(SK)</a>,</li> </ul> </li> </ol>



	<p>2. the processing and publication of types of supporting documents by the CCB at the website of the <a href="#">Partnership Agreement</a> falling under GO:</p> <ul style="list-style-type: none"> <li>• the CCB methodical guidelines No. 5, 12, 13, 14, 18, 31 available at the following <a href="#">link(SK)</a>,</li> <li>• <a href="#">methodological interpretation of CCB No. 3(SK)</a> in the case of for awarding partial contracts under the framework agreement,</li> <li>• the CCB templates No. 14, 28, 32 available at the following <a href="#">link(SK)</a>,</li> <li>• the CCB publications available at the following <a href="#">link(SK)</a>.</li> </ul> <p><u>Policy or other administrative documents discussing issues in relation to the implementation of the rules:</u></p> <ul style="list-style-type: none"> <li>• the CCB conferences available at the following <a href="#">link(SK)</a>,</li> <li>• the OECD strategies of public procurement available at the following <a href="#">link(SK;EN)</a>.</li> </ul>																																
<p><b>II.3. Quantitative indicators</b></p>	<p>This section contains quantitative indicators related to section II.1. Other indicators can also be included in the report.</p>																																
<p>Indicators about the national review system.</p> <p><b>Explanatory Notes</b> Numbers represented in the table are only gathered by the PPO.</p>	<table border="1"> <thead> <tr> <th colspan="2" data-bbox="638 608 2152 651">Indicators for 2017</th> </tr> <tr> <th data-bbox="638 651 1910 694">Objections</th> <th data-bbox="1910 651 2152 694">Number</th> </tr> </thead> <tbody> <tr> <td data-bbox="638 694 1910 737">Number of objections</td> <td data-bbox="1910 694 2152 737">232</td> </tr> <tr> <td data-bbox="638 737 1910 780">Number of resolved objections</td> <td data-bbox="1910 737 2152 780">165</td> </tr> <tr> <td data-bbox="638 780 1910 823">Number of objections resolved in favor of the complainant</td> <td data-bbox="1910 780 2152 823">58</td> </tr> <tr> <td data-bbox="638 823 1910 866">The average length of the review</td> <td data-bbox="1910 823 2152 866"></td> </tr> <tr> <th data-bbox="638 866 1910 909">Complaints</th> <th data-bbox="1910 866 2152 909">Number</th> </tr> <tr> <td data-bbox="638 909 1910 952">Number of complaints</td> <td data-bbox="1910 909 2152 952">1005</td> </tr> <tr> <td data-bbox="638 952 1910 995">Number of resolved complaints</td> <td data-bbox="1910 952 2152 995">779</td> </tr> <tr> <td data-bbox="638 995 1910 1038">Number of objections resolved in favor of the complainant</td> <td data-bbox="1910 995 2152 1038"></td> </tr> <tr> <td data-bbox="638 1038 1910 1082">The average length of the review</td> <td data-bbox="1910 1038 2152 1082"></td> </tr> <tr> <th data-bbox="638 1082 1910 1125">Appeals</th> <th data-bbox="1910 1082 2152 1125">Number</th> </tr> <tr> <td data-bbox="638 1125 1910 1168">Number of appeals</td> <td data-bbox="1910 1125 2152 1168">55</td> </tr> <tr> <td data-bbox="638 1168 1910 1211">Number of resolved appeals</td> <td data-bbox="1910 1168 2152 1211">53</td> </tr> <tr> <td data-bbox="638 1211 1910 1254">Number of appeals resolved in favor of the complainant</td> <td data-bbox="1910 1211 2152 1254">17</td> </tr> <tr> <td data-bbox="638 1254 1910 1297">The average length of the review</td> <td data-bbox="1910 1254 2152 1297">45 (Days)</td> </tr> </tbody> </table>	Indicators for 2017		Objections	Number	Number of objections	232	Number of resolved objections	165	Number of objections resolved in favor of the complainant	58	The average length of the review		Complaints	Number	Number of complaints	1005	Number of resolved complaints	779	Number of objections resolved in favor of the complainant		The average length of the review		Appeals	Number	Number of appeals	55	Number of resolved appeals	53	Number of appeals resolved in favor of the complainant	17	The average length of the review	45 (Days)
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Histogram of values of procedures, covering also procedures below the thresholds.

**Explanatory Notes**

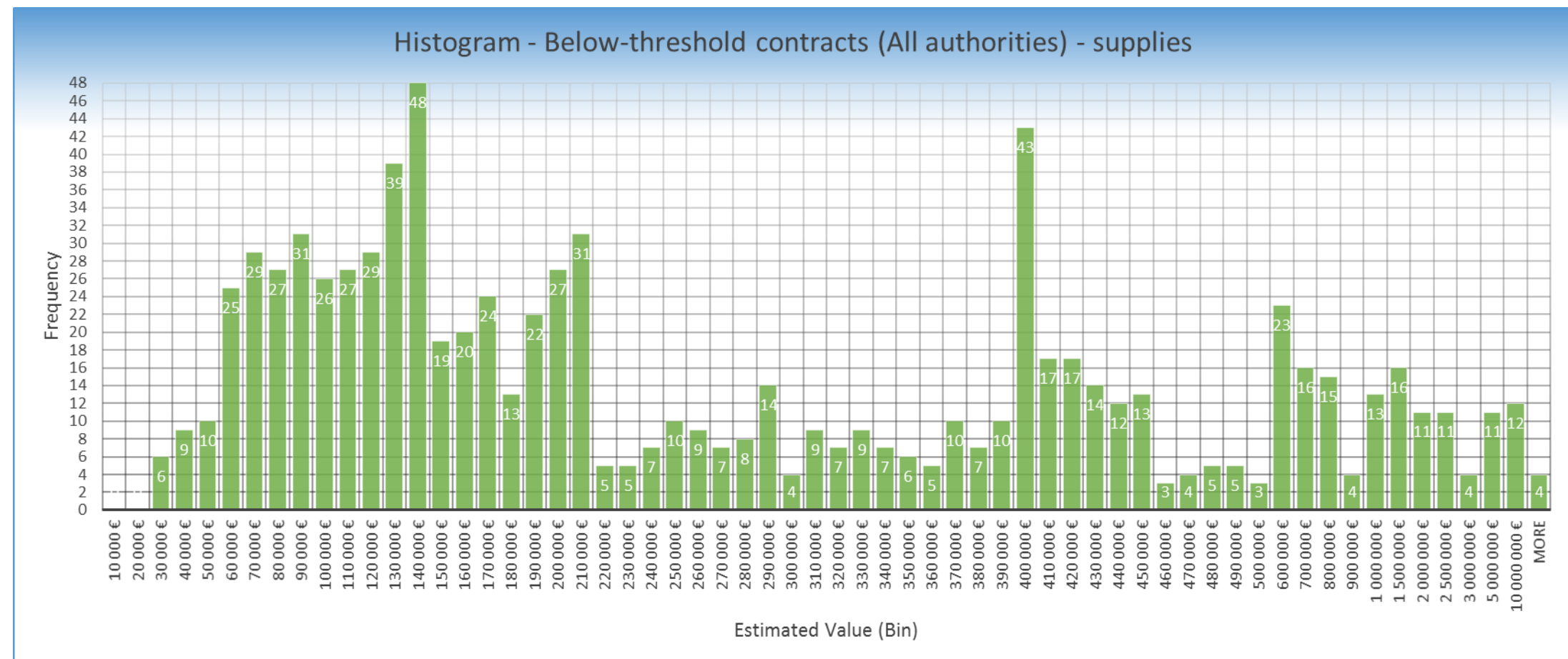
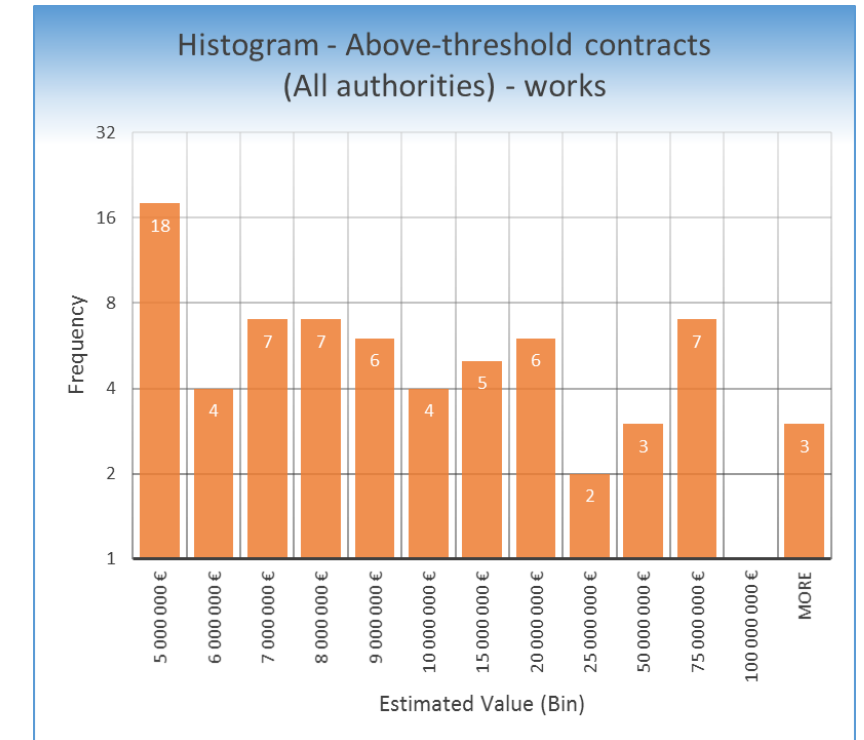
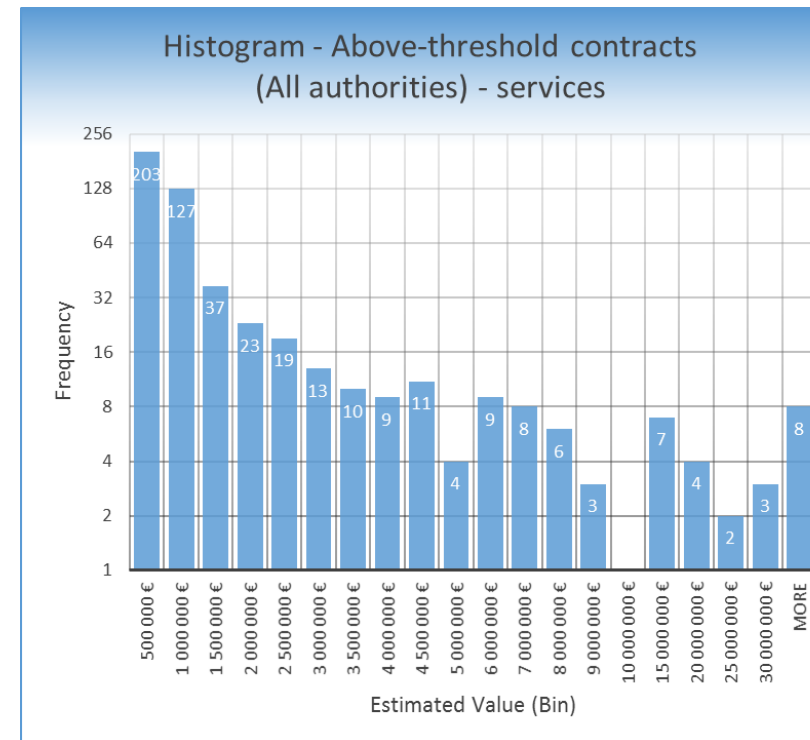
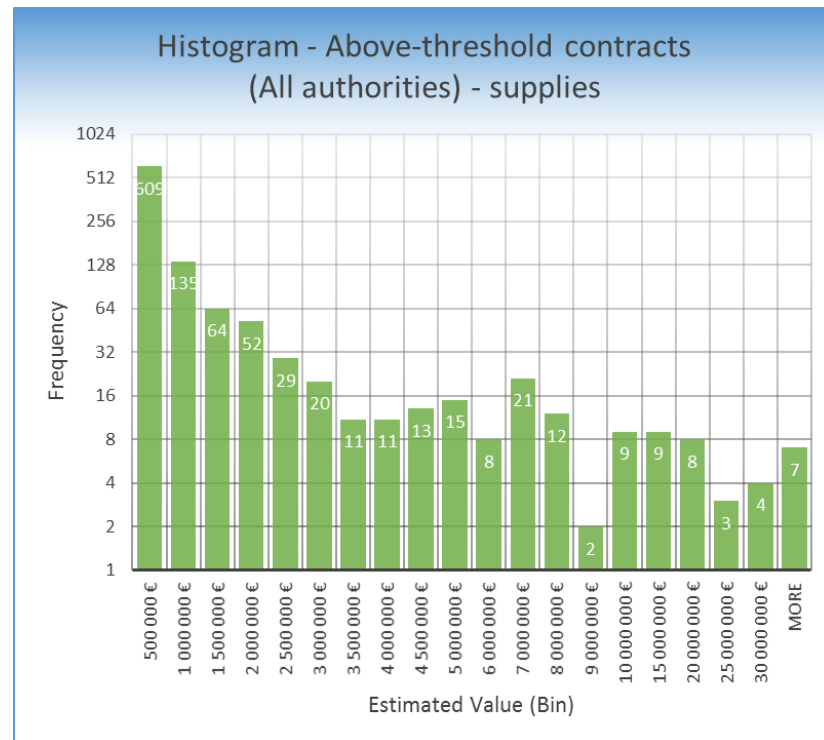
- Histograms are based on the data from contract notices (CN).

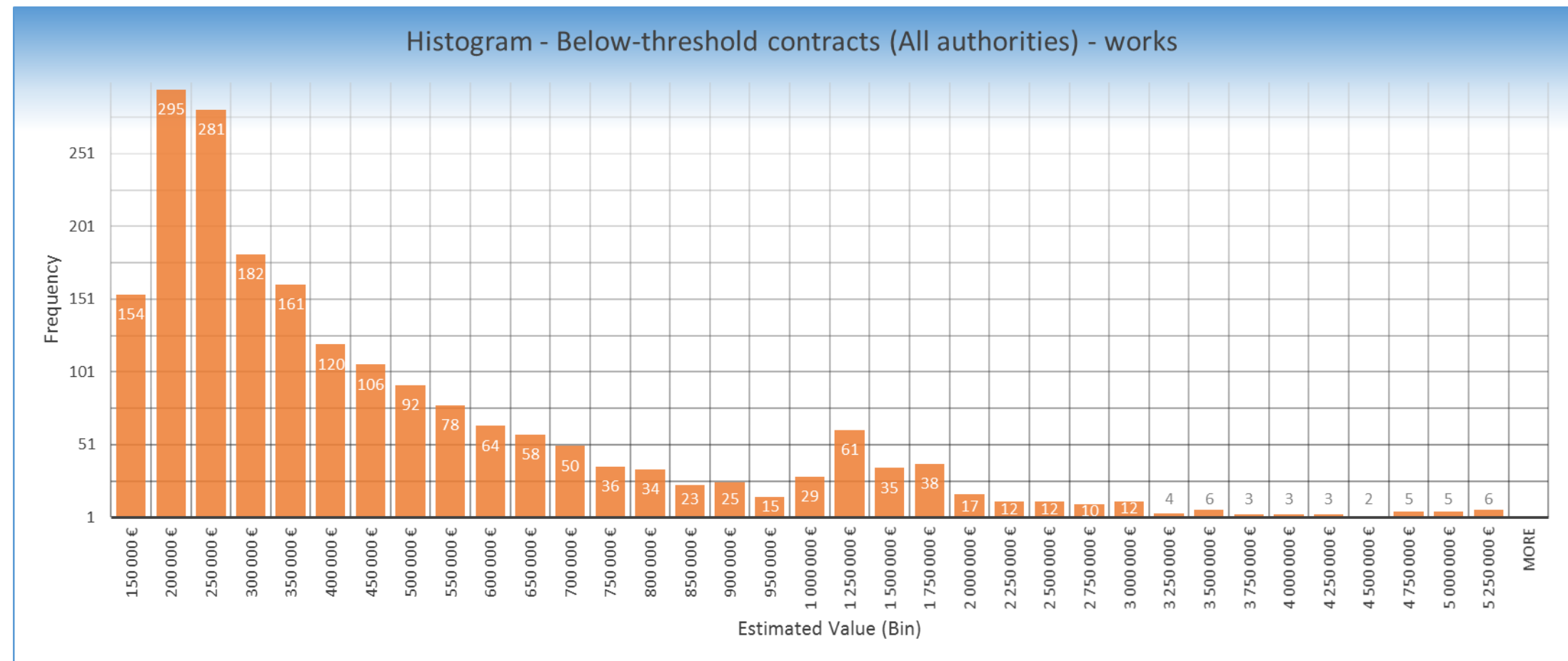
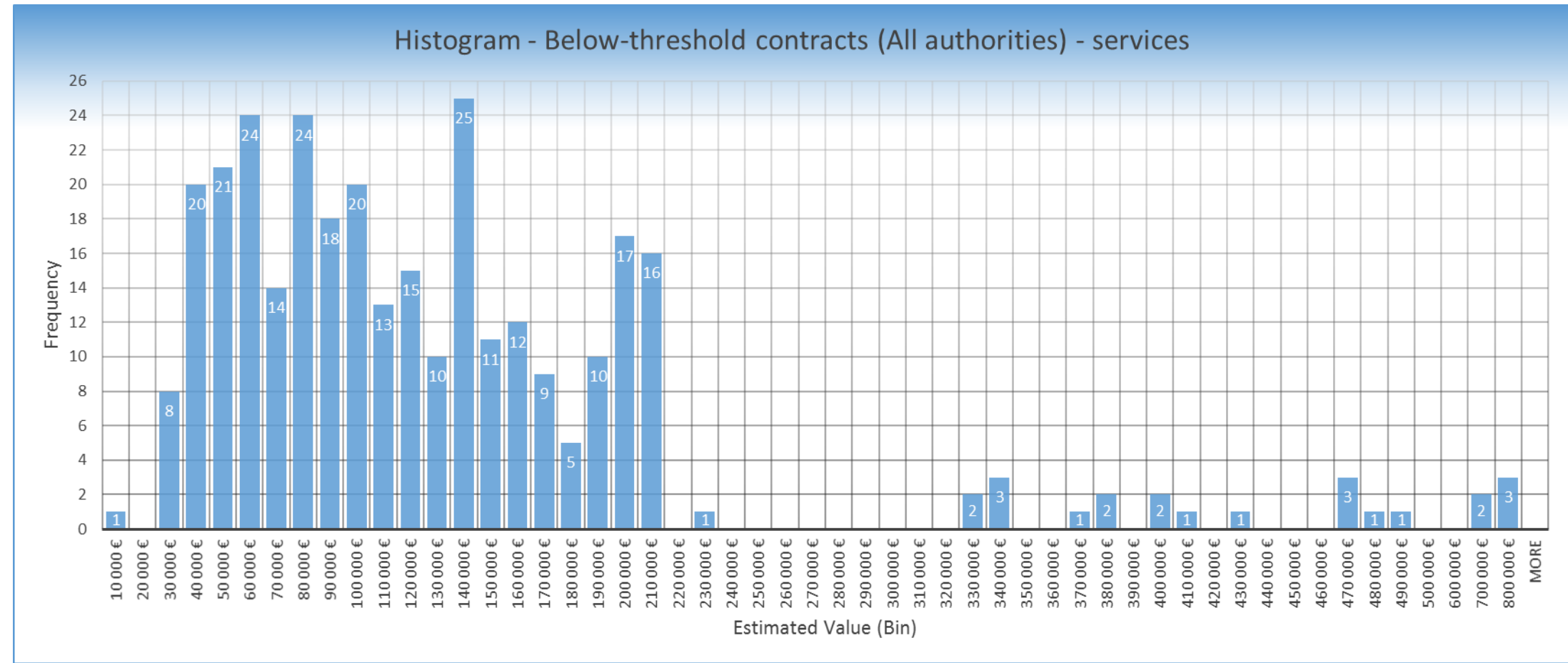
**Above-threshold:**

- Contracts with ECV  $\geq 100\,000\text{ €}$  were included in the evaluation of the above-threshold contracts (above-threshold histograms).

**Below-threshold:**

- Contracts with ECV  $\geq 10\,000\text{ €}$  were included in the evaluation of the below-threshold contracts (below-threshold histograms).
- Only the contracts without the use of the Electronic Marketplace (EKS) are included in the histograms of the below-threshold contracts. Contracts with the use of the Electronic Marketplace (EKS) are described in chapter I.
- Below-threshold histograms also include an evaluation of the contracts by PA to whom the CA provides funds and are not required to follow the Directive (2014/24/EU(EN)). They are required to follow The National Law (Act No. 343/2015 Z. z.(SK)).





### III. Prevention, detection and adequate reporting of cases of procurement fraud, corruption, conflict of interests and other serious irregularities

<p><b>III.1. Qualitative reporting on fraud, corruption, conflict of interests etc.</b></p>	
<p>Describe the actions undertaken and/or mechanisms put in place to ensure compliance with the new provisions on the prevention, detection and adequate reporting of public procurement irregularities including fraud, corruption and conflicts of interests.</p>	<p><u>How these actions/mechanisms have been implemented:</u></p> <ol style="list-style-type: none"> <li>1. performing of Ex-ante assessments – the main goal is: <ul style="list-style-type: none"> <li>• to ensure prevention of errors in public procurement</li> <li>• to check the compliance of documents submitted by CA/CE (controlled) with the Act No. <a href="#">343/2015 Z. z.(SK)</a>, before the above-threshold contract notice or concession notice are submitted to publish, fully or partially financed by the EU funds,</li> <li>• in the case of an infringement being identified, indicate and give a brief justification to those parts of documents that are not in accordance with the Act No. <a href="#">343/2015 Z. z.(SK)</a>,</li> </ul> </li> <li>2. performing of mandatory control of above-threshold contracts financed by the EU funds under the Act No. <a href="#">343/2015 Z. z.(SK)</a>,</li> <li>3. establishment of <a href="#">The Central Contact Point for OLAF</a> (TCCP OLAF)(EN): <ul style="list-style-type: none"> <li>• in the context of this activity TCCP OLAF receives, records and monitors all detected and revealed violations of the rules on drawing on EU funds, as well as suspicions of their violation; these irregularities are then analyzed and reported to OLAF,</li> <li>• the PPO in cooperation with TCCP OLAF has set up an address for reporting suspicion of irregularities in case of drawing EU funds; this address is available at the following <a href="#">link</a>(e-mail),</li> <li>• Coordination Committee sets up permanent and temporary working groups (currently 5 active working groups) aimed to solve specific tasks in the field of the protection of the EU's financial interests: <ul style="list-style-type: none"> <li>○ Working Group on Irregularities,</li> <li>○ Working Group on Article 325 of the Treaty on the Functioning of the EU,</li> <li>○ Working Group on Public Procurement Cooperation,</li> <li>○ Working Group on Coordination of Audit Activities,</li> <li>○ Working Group on Communication,</li> </ul> </li> </ul> </li> <li>4. establishment of the PPO's Coordination Committee for cooperation in the control of public procurement in accordance with the ESIF management system for the 2014-2020 program period, which represents a communication platform for all the Managing Authorities/Intermediate Bodies, AMO, PPO, Audit Authority (under MF), Certifying Authority (under MF), SAO and CCB; this expert forum serves to address current issues of public procurement funded by EU funds (further than "Coordination Committee"),</li> <li>5. establishment of <a href="#">The Register of Public Sector Partners</a>(SK) – established by the Act No. <a href="#">315/2016 Z. z.(SK)</a>, the administrator and operator of which is MJ (the "forerunner" of this register was the <a href="#">Register of Final Beneficial Owners</a>(SK), managed by the PPO); the purpose of this register is to uncover the ownership structure of the entities to the level of the Final Beneficial Owners; public sector partner/s is/are defined as:</li> </ol>

	<ul style="list-style-type: none"> <li>• the private entity and the legal entity which receives from the public sector entities a monetary performance or assets above the statutory limit,</li> <li>• entities awarding a contract, a framework agreement or a concession contract under the public procurement rules (taking into account the financial limits),</li> <li>• subcontractors,</li> <li>• the entity to which the claim is transferred towards the State or public sector entities,</li> <li>• health care providers and health insurance companies,</li> <li>• the private entity and the legal entity (on a voluntary basis), which are not public sector partners,</li> </ul> <p>6. ARACHNE system – a specific in-depth data analysis tool to identify ESIF projects susceptible to fraud, conflict of interest and inconsistencies; it can increase the efficiency of project selection and management, audit and strengthen detection of fraud and fraud prevention,</p> <p>7. Cooperation with <a href="#">AMO(EN)</a> – the main goal is:</p> <ul style="list-style-type: none"> <li>• to establish consistent procurement procedures in the context of the protection of competition,</li> <li>• to ensure mutual awareness of agreements restricting competition, which contain signs of collusive behavior in the procurement process and other information concerning the restriction of competition.</li> </ul>
<p><b>III.2. Supporting documents</b></p>	
<p>Please provide any available evidence on the actions/mechanisms and measures described under section III.1. above demonstrating compliance with the new provisions on the prevention, detection and adequate reporting of public procurement irregularities and conflicts of interests.</p>	<p><u>Policy or other administrative documents discussing issues in relation to the implementation of the actions/mechanisms:</u></p> <ol style="list-style-type: none"> <li>1. performing of Ex-ante assessments and mandatory control of the above-threshold contracts financed from EU funds under the Act No. <a href="#">343/2015 Z. z.</a>(SK),</li> <li>2. administration of <a href="#">The Register of Public Sector Partners</a>(SK) under the Act No. <a href="#">315/2016 Z. z.</a>(SK),</li> <li>3. information on the protection of the EU's financial interests in the Slovak Republic is available at the following <a href="#">link</a>(EN),</li> <li>4. information on the national strategy for the protection of the EU's financial interests is available at the following <a href="#">link</a>(EN),</li> <li>5. annual reports on irregularities: <ul style="list-style-type: none"> <li>• the report for 2016 is published at the following <a href="#">link</a>(SK),</li> <li>• the report for 2017 will be published at the website of <a href="#">TCCP OLAF</a>(EN) in July/August 2018,</li> </ul> </li> <li>6. information on the activities of the Coordination Committee available at the following <a href="#">link</a>(SK)</li> <li>7. the ESIF management system, including the indication and description of risk factors indicating the potential presence of the criminal offense, further information are available at the following <a href="#">link</a>(SK),</li> <li>8. methodical instructions and guidelines: <ul style="list-style-type: none"> <li>• to the use of the ARACHNE system available at the following <a href="#">link</a>(SK),</li> <li>• specific methodological <a href="#">guidance of the CCB No. 13</a>(SK) to the conflict of interest in public procurement.</li> </ul> </li> </ol>

<p><b>III.3. Quantitative indicators</b></p>	<p>This section contains examples of quantitative indicators related to section III.1. Other indicators can also be included in the report.</p>																																																																																
<p>Statistical distribution of buyers by frequency of actual competition.</p> <p><b>Explanatory Notes</b></p> <ul style="list-style-type: none"> <li>Only the contracts without the use of the Electronic Marketplace (EKS) are included in the evaluation of the below-threshold contracts. Contracts with the use of the Electronic Marketplace (EKS) are described in chapter I.</li> </ul>	<p>Evaluation/calculation process for each CA/CE and PA was made as:</p> <ol style="list-style-type: none"> <li>Calculation of the total number of contract awards.</li> <li>Calculation of the number of contract awards which received only one bid.</li> <li>The second number was divided by the first number.</li> </ol> <p>In the tables, there are included the numbers of CA/CE and PA whose result from 3) above falls within each of the following intervals: &lt;0%, 10%&gt;, (10%, 20%&gt;, (20%, 30%&gt;, ... , (90%,100%&gt;<sup>3</sup>.</p> <p>In the tables there are included only buyers with at least three contract awards over the reporting period and excluded all framework agreements as well as contracts based on framework agreements, as their number of bidders may be misleading (e.g. when multiple contract awards are based on the same framework agreement or for framework agreements with reopening of competition).</p> <table border="1" data-bbox="645 614 1084 1153"> <thead> <tr> <th colspan="2">Above-threshold</th> </tr> <tr> <th>Intervals</th> <th>Number of Buyers</th> </tr> </thead> <tbody> <tr><td>&lt;0, 10%&gt;</td><td>34</td></tr> <tr><td>(10, 20%&gt;</td><td>6</td></tr> <tr><td>(20, 30%&gt;</td><td>4</td></tr> <tr><td>(30, 40%&gt;</td><td>9</td></tr> <tr><td>(40, 50%&gt;</td><td>2</td></tr> <tr><td>(50, 60%&gt;</td><td>2</td></tr> <tr><td>(60, 70%&gt;</td><td>6</td></tr> <tr><td>(70, 80%&gt;</td><td>3</td></tr> <tr><td>(80, 90%&gt;</td><td>2</td></tr> <tr><td>(90, 100%&gt;</td><td>10</td></tr> <tr> <td><b>Summary</b></td> <td><b>78</b></td> </tr> </tbody> </table> <table border="1" data-bbox="1176 614 1615 1153"> <thead> <tr> <th colspan="2">Below-threshold</th> </tr> <tr> <th>Intervals</th> <th>Number of Buyers</th> </tr> </thead> <tbody> <tr><td>&lt;0, 10%&gt;</td><td>58</td></tr> <tr><td>(10, 20%&gt;</td><td>9</td></tr> <tr><td>(20, 30%&gt;</td><td>10</td></tr> <tr><td>(30, 40%&gt;</td><td>22</td></tr> <tr><td>(40, 50%&gt;</td><td>10</td></tr> <tr><td>(50, 60%&gt;</td><td>3</td></tr> <tr><td>(60, 70%&gt;</td><td>4</td></tr> <tr><td>(70, 80%&gt;</td><td>3</td></tr> <tr><td>(80, 90%&gt;</td><td>0</td></tr> <tr><td>(90, 100%&gt;</td><td>6</td></tr> <tr> <td><b>Summary</b></td> <td><b>125</b></td> </tr> </tbody> </table> <table border="1" data-bbox="1706 614 2145 1153"> <thead> <tr> <th colspan="2">Thresholds together</th> </tr> <tr> <th>Intervals</th> <th>Number of Buyers</th> </tr> </thead> <tbody> <tr><td>&lt;0, 10%&gt;</td><td>83</td></tr> <tr><td>(10, 20%&gt;</td><td>19</td></tr> <tr><td>(20, 30%&gt;</td><td>18</td></tr> <tr><td>(30, 40%&gt;</td><td>27</td></tr> <tr><td>(40, 50%&gt;</td><td>16</td></tr> <tr><td>(50, 60%&gt;</td><td>6</td></tr> <tr><td>(60, 70%&gt;</td><td>3</td></tr> <tr><td>(70, 80%&gt;</td><td>5</td></tr> <tr><td>(80, 90%&gt;</td><td>5</td></tr> <tr><td>(90, 100%&gt;</td><td>14</td></tr> <tr> <td><b>Summary</b></td> <td><b>196</b></td> </tr> </tbody> </table>			Above-threshold		Intervals	Number of Buyers	<0, 10%>	34	(10, 20%>	6	(20, 30%>	4	(30, 40%>	9	(40, 50%>	2	(50, 60%>	2	(60, 70%>	6	(70, 80%>	3	(80, 90%>	2	(90, 100%>	10	<b>Summary</b>	<b>78</b>	Below-threshold		Intervals	Number of Buyers	<0, 10%>	58	(10, 20%>	9	(20, 30%>	10	(30, 40%>	22	(40, 50%>	10	(50, 60%>	3	(60, 70%>	4	(70, 80%>	3	(80, 90%>	0	(90, 100%>	6	<b>Summary</b>	<b>125</b>	Thresholds together		Intervals	Number of Buyers	<0, 10%>	83	(10, 20%>	19	(20, 30%>	18	(30, 40%>	27	(40, 50%>	16	(50, 60%>	6	(60, 70%>	3	(70, 80%>	5	(80, 90%>	5	(90, 100%>	14	<b>Summary</b>	<b>196</b>
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Statistical distribution of buyers by frequency of using a negotiated procedure without the prior publication of a call of competition.

#### Explanatory Notes

- Only the contracts without the use of the Electronic Marketplace (EKS) are included in the evaluation of the below-threshold contracts. Contracts with the use of the Electronic Marketplace (EKS) are described in chapter I.

Evaluation/calculation process for each CA/CE and PA was made as:

- 1) Calculation of the total number of procedures.
- 2) Calculation of the number of negotiated procedures without the prior publication of a call for competition.
- 3) The second number was divided by the first number.

In the tables, there are included the numbers of CA/CE and PA whose result from 3) above falls within each of the following intervals: <0%, 10%>, (10%, 20%>, (20%, 30%>, ... , (90%,100%><sup>4</sup>.

In the tables there are included only procurement procedures which resulted in at least one contract award and included only buyers who ran at least three procurement procedures over the reporting period.

Above-threshold	
Intervals	Number of Buyers
<0, 10%>	49
(10, 20%>	5
(20, 30%>	4
(30, 40%>	4
(40, 50%>	0
(50, 60%>	0
(60, 70%>	1
(70, 80%>	0
(80, 90%>	1
(90, 100%>	1
<b>Summary</b>	<b>65</b>

Below-threshold	
Intervals	Number of Buyers
<0, 10%>	91
(10, 20%>	5
(20, 30%>	9
(30, 40%>	6
(40, 50%>	1
(50, 60%>	1
(60, 70%>	1
(70, 80%>	2
(80, 90%>	0
(90, 100%>	0
<b>Summary</b>	<b>116</b>

Thresholds together	
Intervals	Number of Buyers
<0, 10%>	126
(10, 20%>	18
(20, 30%>	11
(30, 40%>	8
(40, 50%>	1
(50, 60%>	1
(60, 70%>	4
(70, 80%>	1
(80, 90%>	1
(90, 100%>	1
<b>Summary</b>	<b>172</b>

<sup>4</sup> The symbols "<" and "(" indicate whether the endpoint of the interval should be included. For example (40%, 50%> approximately means that the interval should contain CA/CE and PA whose score is larger than 40.001% and smaller than 50.000%. The rest of the intervals are analogous.

Quantitative assessment of collusion risks	This type of information is not available.
Risk of undiscovered conflict of interest.	<p><u>Percent of contracts awarded to companies with concealed ownership structure (i.e. whose ultimate beneficiary owner cannot be verified):</u></p> <ol style="list-style-type: none"> <li>1. according to the Act No. <a href="#">343/2015 Z. z.</a>(SK), CA and CE may not award a contract, a concession contract or a framework agreement with tenderer/s or subcontractor/s who are not registered to <a href="#">The Register of Public Sector Partners</a>(SK) and have this obligation under Act No. <a href="#">315/2016 Z. z.</a>(SK),</li> <li>2. administrator and operator of <a href="#">The Register of Public Sector Partners</a>(SK) established under Act No. <a href="#">315/2016 Z. z.</a>(SK) is MJ,</li> <li>3. the percentage of contracts awarded to companies with concealed ownership structure is therefore minimal (unlawful) and therefore can not be quantified.</li> </ol>



#### IV. Level of SMEs' participation in public procurement

SMEs are defined in the Commission Recommendation (2003/361/EC) as having less than 250 persons employed and an annual turnover of up to EUR 50 million or a balance sheet total of no more than EUR 43 million. Further information is available at [http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition\\_en](http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en).

IV.1. Qualitative reporting on SME participation	
Key challenges encountered.	<p><u>Key challenges encountered in facilitating the participation of SMEs in public procurement:</u></p> <ul style="list-style-type: none"> <li>• the transposition of the institutions to make SMEs easier to participate in public procurement from EU Directives into national legislation did not significantly affect the growth of SMEs in public procurement; for this reason, the following points were required to obtain: <ul style="list-style-type: none"> <li>○ modification and amendment of original Act No. <a href="#">343/2015 Z. z.</a>(SK) related to dynamic purchasing system, simplifying the below-threshold procedure and simplifying and making more effective the low value contract procedure,</li> <li>○ publishing additional manuals and guidelines.</li> </ul> </li> </ul> <p><u>Measures taken to overcome them:</u></p> <ol style="list-style-type: none"> <li>1. admission of amendment to the Act No. <a href="#">248/2017 Z. z.</a>(SK) amending and adding the Act No. <a href="#">343/2015 Z. z.</a>(SK): <ul style="list-style-type: none"> <li>• simplifying and making more effective the low value contract procedure up to 200 000 Eur; simplification of food purchases for facilities for school catering, facilities for seniors, homes for social services, subsidized housing facilities, nursing care facilities, rehabilitation centers, specialized facilities and day-care centers ("stationary"),</li> <li>• acceleration and greater flexibility when using a dynamic purchasing system,</li> <li>• simplifying the below-threshold procedure: <ul style="list-style-type: none"> <li>○ the use of the Electronic Marketplace (EKS) for the supplies, services and works commonly available on the market is voluntary, it is not mandatory anymore,</li> <li>○ the possibility to use the so-called "one-envelope system" or to change the order of evaluation of documents,</li> <li>○ the obligation to evaluate the exclusion grounds and selection criteria for only the tenderer who ranks first instead of the first three tenderers,</li> </ul> </li> <li>• obligation of the CA and the CE to use the IS <a href="#">Evidence of References</a>(SK) administrated by PPO, for above-threshold and below-threshold contracts to simplify the participation of economic operators in public procurement – by introducing the obligation to take into account the references of tenderers and candidates published in the IS <a href="#">Evidence of References</a>(SK) eliminated the obligation of tenderers and candidates to submit lists of supplies or services and references to completed works – the benefit of this measure is a significant reduction in the administrative burden for tenderers and candidates in the preparation of their tenders and requests for participation, which is a frequent obstacle to the participation of SMEs in public procurement processes,</li> </ul> </li> </ol>

	<p>2. for the purpose of support and facilitating the participation of SMEs in public procurement, the CCB established the <a href="#">website</a>(SK) for the publication of low value contracts, which facilitates access for SMEs to low-value contracts; this measure also increases the transparency of low value contracts.</p> <p><u>Difficulties still existing in the Member State:</u></p> <ol style="list-style-type: none"> <li>1. the PPO held meetings with various participants in the public procurement process in order to obtain suggestions for the next amendment to the Act No. <a href="#">343/2015 Z. z.</a>(SK) which will help to make public procurement processes more efficient – the meetings, among other things, showed that: <ul style="list-style-type: none"> <li>• tenderers, including SMEs, consider procurement processes to be too long,</li> <li>• one of the obstacles to greater participation of SMEs in public procurement is the financial costs associated with submitting a tender (the financial guarantee) – for this reason, the PPO is preparing an amendment to the Act No. <a href="#">343/2015 Z. z.</a>(SK) which stipulates that the maximum duration of the financial guarantee detention in the public procurement is 12 months and after the expiration of the period the financial guarantee must be returned to the tenderer, even if the procurement is not completed – shortening the length of the financial guarantee detention will reduce the costs of SMEs linked to their participation in public procurement and SMEs will be able to participate in a number of public procurement procedures; for the same reason, the PPO in the forthcoming amendment also proposes a reduction of the deposit, which the tenderers and candidates are obliged to submit with the application of review procedures in public procurement,</li> </ul> </li> <li>2. from the very beginning of the new rules, tenderers but also CA and CE objected to the complexity of the European Single Procurement Document (ESPD) as well as its use, as opposed to a "simple" form of the declaration on oath; both parties perceive that as an unnecessary increase in administrative burden; for this reason, the PPO in the forthcoming amendment to the Act No. <a href="#">343/2015 Z. z.</a>(SK) proposes that, in the case of contracts below EU thresholds, it would be possible to submit and accept a "simple" form of the declaration on oath.</li> </ol>
<p><b>IV.2. Supporting documents</b></p> <p>Please report any available evidence or supporting document for point IV.1, illustrating the measures, achievements or challenges faced, relating to the facilitation of the participation of SMEs in public procurement.</p>	<p><u>List and a brief description of the policy and legislative initiatives launched to support SMEs participation in public procurement:</u></p> <ol style="list-style-type: none"> <li>1. the amendment to the Act No. <a href="#">248/2017 Z. z.</a>(SK) amending and adding the Act No. <a href="#">343/2015 Z. z.</a>(SK),</li> <li>2. overview of changes in the legislative environment with an impact on SMEs available at the following <a href="#">link</a>(SK), which is published on the <a href="#">website</a>(EN) of the Slovak Business Agency (SBA),</li> <li>3. the guide for economic operators that provides a simple overview of the most important rules and obligations for ESIF funding, available at the following <a href="#">link</a>(SK),</li> <li>4. overview of current information on support programs and measures financed from state budget, EU funds as well as advisory, information and educational services for economic operators and other activities aimed at the development of business in Slovakia; materials to support SMEs are available at the following <a href="#">link</a>(SK),</li> <li>5. information materials for both potential and current economic operators (including SMEs) are available at the following <a href="#">link</a>(SK).</li> </ol>

Specific measures targeting the participation of start-ups and scale-ups in public procurement:

- start-ups support program:
  - the main object of the start-ups support program is the provision of advice and services aimed at developing an interest in entrepreneurship, entry into the entrepreneurship and the development of innovative activities of entrepreneurs,
  - the aim is to stimulate motivation to enter into the entrepreneurship and increase the attractiveness of entrepreneurship as a career choice,
  - further information on the start-ups support program is available in the [document](#)(SK); start-ups support scheme is available in the [document](#)(SK).

Specific measures addressing the payments to subcontractors:

1. there are a number of problematic elements in supplier relationships which affect the performance of the contract; the main problem of the participation of SMEs in the position of subcontractors in public procurement, especially in the case of contracts for the works, is the failure to pay invoices and the secondary inability or non-payment of payments to the subcontractors,
2. the above mentioned problem is regulated by the Act No. [343/2015 Z. z.](#)(SK), which allows to use subcontractors and direct payments to the subcontractors – the CA/CE may lay down a mechanism in the procurement documents, specifically in the design of contract, to allow direct payments to subcontractors of the successful tenderer; direct payments to subcontractors must be requested by the subcontractor; the efficient use of the " Direct Payments Institute" presupposes that the CA/CE has an overview of subcontractors working on the contract.

Existing guidelines or instructions for contracting authorities on how to treat grouping (e.g. consortia) of SMEs:

- the Act No. [343/2015 Z. z.](#)(SK) makes it possible to create consortium of SMEs, to group together to make use of its economic or technical capacity; this is a tool for SMEs to overcome the difficulties involved in the size and financial or technical complexity of the awarded contracts; until the tender is accepted, the CA/CE may not require from this type of consortium of economic operators to create a specific legal form; which is clarified in:
  - the procurement methodologies available at the following [link](#)(SK),
  - the [SOCIAL ASPECTS IN PUBLIC PROCUREMENT](#)(SK) guide at the website available at the following [link](#)(SK),
  - the methodological guideline No. [11431-5000/2016](#)(SK), available at the following [link](#)(SK).

Existing guidelines for contracting authorities on the application of 'divide or explain' principle:

1. the division of the contract into lots is regulated by the Act No. [343/2015 Z. z.](#)(SK), the aim is to support the division of the contracts or concessions into smaller lots, and so giving SMEs greater access to public procurement; the application of the division of contracts into lots is also supported by the obligation to justify the non-division of the contract into lots (in the contract notice or in the contract report); to the mentioned have been prepared:
  - examples of good and bad practices, which are part of the [SOCIAL ASPECTS IN PUBLIC PROCUREMENT](#)(SK) guide at the website available at the following [link](#)(SK),

	<ul style="list-style-type: none"> <li>an interpretative statement No. <a href="#">2/2018(SK)</a> to justify non-division of the contract into lots, available at the following <a href="#">link(SK)</a> approved by the Coordination Committee; this interpretative statement: <ul style="list-style-type: none"> <li>explains what factors the CA should take into account when deciding whether or not to divide the contract into lots, and how the CA should proceed to justify the non-division of the contract into lots,</li> <li>refers to specific cases arising from the decision-making practice of the PPO, where it is necessary to divide the contract into lots (cases where, in the context of one contract, they were procured unrelated performances of the contracts, provided by different economic operators on the market; as a result of the non-division of such contracts into lots, there has been discrimination against economic operators and a restriction of competition),</li> </ul> </li> <li>the PPO is preparing a further interpretative statement on the division of the contracts into lots.</li> </ul>																				
<p><b>IV.3. Quantitative indicators</b></p>	<p>This section contains examples of quantitative indicators related to section IV.1. Other indicators can also be included in the report.</p>																				
<p>Please provide, when available, any quantitative data (statistics, etc.) illustrating the achievements and challenges identified under section IV.1. above.</p> <p><b>Explanatory Notes</b></p> <ul style="list-style-type: none"> <li>Evaluation of SMEs participation (%) includes only contracts for which at least one tender has been submitted from SME.</li> <li>Only the contracts without the use of the Electronic Marketplace (EKS) are included in the evaluation of the below-threshold contracts. Contracts with the use of the Electronic Marketplace (EKS) are described in chapter I.</li> </ul>	<table border="1"> <thead> <tr> <th colspan="2">Participation of SMEs in call for tenders (Above-threshold)</th> </tr> <tr> <th></th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Participation of SMEs in call for tenders (%)</td> <td>48%</td> </tr> <tr> <td>Number of contracts awarded to SMEs</td> <td>1478</td> </tr> <tr> <td>Total value of contracts won by SMEs</td> <td>665 031 588 €</td> </tr> <tr> <th colspan="2">Participation of SMEs in call for tenders (Below-threshold)</th> </tr> <tr> <th></th> <th>Number</th> </tr> <tr> <td>Participation of SMEs in call for tenders (%)</td> <td>65%</td> </tr> <tr> <td>Number of contracts awarded to SMEs</td> <td>1174</td> </tr> <tr> <td>Total value of contracts won by SMEs</td> <td>316 103 295 €</td> </tr> </tbody> </table>	Participation of SMEs in call for tenders (Above-threshold)			Number	Participation of SMEs in call for tenders (%)	48%	Number of contracts awarded to SMEs	1478	Total value of contracts won by SMEs	665 031 588 €	Participation of SMEs in call for tenders (Below-threshold)			Number	Participation of SMEs in call for tenders (%)	65%	Number of contracts awarded to SMEs	1174	Total value of contracts won by SMEs	316 103 295 €
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## V. Information on the practical implementation of national strategic procurement

<b>V.1 Green procurement ('GPP')</b>	<p>Green Public Procurement ('GPP') is defined as "a process whereby public authorities seek to procure supplies, services and works with a reduced environmental impact throughout their life cycle when compared to supplies, services and works with the same primary function that would otherwise be procured."<sup>5</sup> A voluntary target of 50 % GPP per Member State in number and value of relevant procedures was proposed by the Commission and welcomed by the Council in 2008.</p>
<b>V.1.1 Qualitative reporting</b>	
<p>Key challenges encountered.</p>	<p><u>Key challenges encountered in promoting green public procurement, and difficulties still existing in the Member State:</u></p> <ol style="list-style-type: none"> <li>1. low awareness of the CA/CE,</li> <li>2. voluntary GPP - low involvement of CA/CE,</li> <li>3. high fluctuation in the positions of the CA/CE - loss of trained employees in the field of public procurement,</li> <li>4. a greater administrative burden for the CA/CE in case of GPP,</li> <li>5. uncertainty of CA in the implementation of the GPP,</li> <li>6. applying the requirements based on the Single European Environmental Characteristics for Green Public Procurement established by the EC, without the CA/CE being aware of their use, which results in insufficient designation of the contract falling within the GPP; this is complicated by the correct collection of information on GPP contracts,</li> <li>7. standard forms used in public procurement do not contain a mandatory section for GPP evaluation.</li> </ol> <p><u>Measures taken to overcome them:</u></p> <ol style="list-style-type: none"> <li>1. establishment of the GPP Working Group at the PPO – the aim of the working group is to analyze public procurement options that take into account the different environmental aspects in order to reduce negative environmental impacts; further information on the working group is available at the following <a href="#">link(SK)</a>,</li> <li>2. the processing and publication of the methodological guide entitled <a href="#">GREEN PUBLIC PROCUREMENT(SK)</a> at the website available at the following <a href="#">link(SK)</a>,</li> <li>3. education and training of the CA/CE – realization of free GPP seminars,</li> <li>4. GPP promotion through active participation in various events and business meetings as well as via the website available on the following links <a href="#">1(SK)</a>, <a href="#">2(SK)</a>, where GPP promotional materials are located; further information is available at the Slovak Environment Agency's website at the following <a href="#">link(EN)</a>, which falls under the MENV,</li> <li>5. providing consultations and running the GPP Helpdesk available at the following <a href="#">link(SK)</a>.</li> </ol>

<sup>5</sup> Commission Communication (COM (2008) 400) "Public procurement for a better environment"

<p><b>V.1.2. Supporting documents</b></p> <p>Please report any available evidence or supporting document for point V.1, illustrating the measures, achievements or challenges faced, relating to the promotion of green public procurement.</p>	<p><u>National definition of 'green' and 'green public procurement':</u></p> <ul style="list-style-type: none"> <li>'green' and 'green public procurement' is a contract awarded between a CA on the one hand and a successful tenderer on the other hand, meeting at least one requirement based on the Single European Environmental Characteristics for Green Public Procurement established by the EC, as defined in the product datasets available at the <a href="#">Commission's website</a>(EN).</li> </ul> <p><u>Information about National action plans or similar documents on GPP in your Member State and the stage of their implementation. Target for the uptake of GPP and the way it is defined i.e. for overall procurement, for specific product groups, by value, by number of contracts:</u></p> <ol style="list-style-type: none"> <li>the third "<a href="#">National Action Plan for Green Public Procurement in Slovakia for 2016 – 2020</a>" (NAP GPP III)(EN) was approved on 14 December 2016 by the Government Resolution No. 590,</li> <li>the strategic objective of the <a href="#">NAP GPP III</a>(EN) is to achieve a 50% share of the 'green' contracts procured by Central Government Authorities from the total volume of contracts they have awarded for selected product groups (12 priority groups): <ul style="list-style-type: none"> <li>copying and graphic paper,</li> <li>computer and monitors (office IT devices),</li> <li>imaging equipment (printers, multifunction devices, copying devices),</li> <li>cleaning products and services,</li> <li>food and catering services,</li> <li>transport,</li> <li>furniture,</li> <li>textiles,</li> <li>electricity,</li> <li>office building design – construction and management,</li> <li>road design – construction and maintenance,</li> <li>street lighting.</li> </ul> </li> </ol> <p><u>Any obligations to include green requirements in the tender documents and the authorities for which they apply:</u></p> <ol style="list-style-type: none"> <li>in the context of GPP, CA in accordance with the Act No. <a href="#">343/2015 Z. z.</a>(SK) have obligation to specify the following in the description of the subject of the above-threshold contracts: <ul style="list-style-type: none"> <li>identify requirements for the highest performance product and highest energy efficiency class according to a specific regulation for an energy-efficient product,</li> <li>take into account, in the case of the supply of motor vehicles of categories M1, M2, M3, N1, N2 and N3, in the description of the subject of the contract or in the tender evaluation criteria, the energy and environmental impacts</li> </ul> </li> </ol>
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- of the operation of these vehicles during their "lifetime", according to the Act No. [158/2011 Z. z.](#)(SK) on the promotion of energy-saving and environmentally-friendly motor vehicles and on modification and amendment of certain Acts,
2. in other cases, there is no obligation on the SR to use GPP criteria; under the new [NAP GPP III](#)(EN), there is an ambition to carry out market analysis and on that basis binding criteria for specific product groups will be established.

Any recommendations concerning the use of specific selection criteria, technical specifications/award criteria/performance clauses which public authorities or contracting entities wishing to procure green can include in their tender documentation.

Categories of products for which these are relevant and the relevant website, if possible:

- the recommendations are based on the current [NAP GPP III](#)(EN), where [the priority product groups of GPP](#)(EN) are listed at national level and the reference to the Environmental Characteristics, which are recommended at national level to implement a green procurement as defined in the [NAP GPP III](#)(EN).

Any information on environmental labels, environmental management systems or standards:

- during education and training of CA/CE, environmental labels are presented and promoted together with the GPP:
  - [EU Ecolabel](#)(EN),
  - [Environmentally Friendly Product](#)(SK) ([Environmentálne vhodný produkt](#)(SK)),
  - [EMS](#)(SK) a [EMAS](#)(EN).



Any recommendations to use the 'green procurement' criteria developed by the European Commission, respectively for which product groups. If different criteria are recommended, please specify whether they are similar to/inspired by the EU criteria:

- alongside [the priority product groups of GPP](#)(EN) that are recommended at national level, also other product groups for which GPP criteria are created at EU level are promoted and recommended; for this purpose, various [GPP seminars](#)(SK) are held.

Activities in the area of capacity-building for procuring green (institutionalised or ad-hoc training, helpdesks, etc.):

- all relevant information, together with references to documentation and websites, are listed above in the chapter V.1.2. Supporting documents.

<b>V.1.3. Quantitative indicators</b>	This section contains examples of quantitative indicators related to section V.1. Other indicators can also be included in the report.								
<p>Please provide, when available, any quantitative data (statistics, etc.) illustrating the achievements and challenges identified under section V.1.1 above. To the extent possible, these indicators should be further grouped by type of legal problem.</p> <p><b>Explanatory Notes</b></p> <ul style="list-style-type: none"> <li>Only the contracts without the use of the Electronic Marketplace (EKS) are included in the evaluation of the below-threshold contracts. Contracts with the use of the Electronic Marketplace (EKS) are described in chapter I.</li> </ul>	<p><u>Percentage of public procurement procedures incorporating green criteria out of the whole volume of procurement at national level:</u></p> <ol style="list-style-type: none"> <li>data available from standard forms used in public procurement (voluntary disclosure of GPP information in additional information):</li> </ol> <table border="1" data-bbox="636 331 2145 624"> <thead> <tr> <th data-bbox="636 331 1912 403">Above-threshold contracts (GPP)</th> <th data-bbox="1912 331 2145 403">Percentage</th> </tr> </thead> <tbody> <tr> <td data-bbox="636 403 1912 480">Percentage of public procurement procedures incorporating green criteria out of the whole volume of procurement at national level</td> <td data-bbox="1912 403 2145 480">1,1%</td> </tr> <tr> <th data-bbox="636 480 1912 552">Below-threshold contracts (GPP)</th> <th data-bbox="1912 480 2145 552">Percentage</th> </tr> <tr> <td data-bbox="636 552 1912 624">Percentage of public procurement procedures incorporating green criteria out of the whole volume of procurement at national level</td> <td data-bbox="1912 552 2145 624">1,6%</td> </tr> </tbody> </table> <ol style="list-style-type: none"> <li>monitoring of <a href="#">the priority product groups of GPP</a>(EN) is realized once a year by online questionnaire survey, which assesses the level of GPP implementation; two indicators are monitored:           <ul style="list-style-type: none"> <li>indicator 1: percentage share of GPPs from total number of public procurement contracts,</li> <li>indicator 2: percentage share of GPPs from total value (Eur) of public procurement contracts,</li> <li>data for 2016 are available at the following <a href="#">link</a>(SK), data for 2017 will be evaluated by 30<sup>th</sup> June 2018.</li> </ul> </li> </ol>	Above-threshold contracts (GPP)	Percentage	Percentage of public procurement procedures incorporating green criteria out of the whole volume of procurement at national level	1,1%	Below-threshold contracts (GPP)	Percentage	Percentage of public procurement procedures incorporating green criteria out of the whole volume of procurement at national level	1,6%
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Below-threshold contracts (GPP)	Percentage								
Percentage of public procurement procedures incorporating green criteria out of the whole volume of procurement at national level	1,6%								
<b>V.2 Socially responsible public procurement ('SRPP')</b>	Socially Responsible Public Procurement ('SRPP') is defined as procurement that takes into account one or several social considerations for advancing social objectives. SRPP covers a wide spectrum of social considerations, such as for example employment opportunities, decent work conditions, compliance with social and labour rights, social inclusion, equal opportunities and accessibility.								
<b>V.2.1 Qualitative reporting</b>									
Key challenges encountered.	<p><u>Key challenges encountered in promoting socially responsible public procurement:</u></p> <ul style="list-style-type: none"> <li>the main priority of SRPP is to encourage CA/CE to apply social aspects in public procurement, and so contributing to the improvement of the solution of entire-society problems with the use of the tools regulated by the national legislation as well as by the EU legislation.</li> </ul> <p><u>Measures taken to overcome them:</u></p> <ol style="list-style-type: none"> <li>in association with the application of social aspects in public procurement under the Act No. <a href="#">343/2015 Z. z.</a>(SK), CA/CE may:           <ul style="list-style-type: none"> <li>reserve the right to participate in public procurement (in case of below-threshold contracts) only for sheltered workshops and social businesses whose main aim is to support the social and professional integration or reintegration of disabled and disadvantaged persons, or may reserve the performance of contracts to the context of sheltered</li> </ul> </li> </ol>								



	<p>employment programmes, assuming that at least 30% of employees of sheltered workshops, sheltered workplaces, social businesses, and sheltered employment programmes are disabled and otherwise disadvantaged persons,</p> <ul style="list-style-type: none"> <li>• divide the contract into lots,</li> <li>• specify the specific conditions for performance of the contract, which may include economic, social, environmental and innovation-related aspects or employment-related aspects,</li> <li>• support the regional employment through the evaluation criteria,</li> </ul> <ol style="list-style-type: none"> <li>2. establishment of the Working Group on Social Aspects in Public Procurement at the PPO – the aim of the working group is to analyze the social aspects that may be taken into account by the CA/CE at different phases of the contract procedure; further information on the working group is available at the following <a href="#">link(SK)</a>,</li> <li>3. the processing and publication of the methodological guide entitled <a href="#">SOCIAL ASPECTS IN PUBLIC PROCUREMENT(SK)</a> at the website available at the following <a href="#">link(SK)</a>,</li> <li>4. preparation and approval of the Act on the Social Economy and Social Enterprises and on modification and amendment of certain Acts (further than "Act on Social Economy and Social Enterprises"), which will come into force on 1<sup>st</sup> May 2018.</li> </ol> <p><u>Difficulties still existing in the Member State:</u></p> <ol style="list-style-type: none"> <li>1. low awareness of the CA/CE,</li> <li>2. voluntary SRPP - low involvement of CA/CE,</li> <li>3. a greater administrative burden for the CA/CE in case of SRPP.</li> </ol>
<p><b>V.2.2. Supporting documents</b></p>	
<p>Please report any available evidence or supporting document for point V.2.1 illustrating the measures, achievements or challenges faced, relating to the promotion of SRPP.</p>	<p><u>National SRPP definition:</u></p> <ul style="list-style-type: none"> <li>• SRPP represents responsible public procurement taking into account one or more social aspects: <ul style="list-style-type: none"> <li>○ creating employment opportunities and social and professional integration or reintegration of disadvantaged persons,</li> <li>○ ensuring dignified work; compliance with social and labor rights (i.e. compliance with basic labor standards); creating equal opportunities,</li> <li>○ simplifying the access and taking into account accessibility for all social groups; taken into account in the technical requirements when describing the subject of the contract,</li> <li>○ taking into account the sustainability criterion; taking into account the issues of ethical trading in the technical specification of the subject of the contract,</li> <li>○ wider voluntary compliance with corporate social responsibility,</li> <li>○ supporting and facilitating the participation of SMEs in public procurement.</li> </ul> </li> </ul> <p><u>List and brief description of national policy initiatives launched in the area of SRPP:</u></p> <ol style="list-style-type: none"> <li>1. in accordance with the objectives of the Directives, the Act No. <a href="#">343/2015 Z. z.(SK)</a> regulates in its provisions the possibilities and obligations of CA/CE, which should help to promote the use of public procurement as a key instrument</li> </ol>

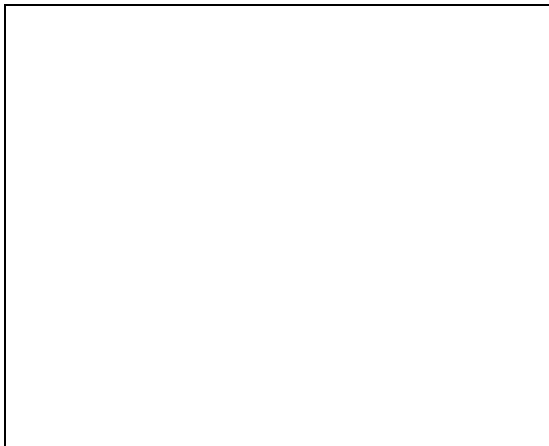
for the fulfillment of social policy objectives and the enforcement of social procurement in line with other national legislation,

2. preparation and approval of the Act on Social Economy and Social Enterprises – this Act also amends the Act No. [343/2015 Z. z.](#) (SK) as follows:

- CA/CE may reserve the right to participate in public procurement not only for below-threshold contracts but also for above-threshold contracts only for registered social businesses whose main aim is to support the social and professional integration or reintegration of disabled and disadvantaged persons, sheltered workshops and disabled private entities, who operate or perform a self-employed activity at a sheltered workplaces, or may reserve the performance of contracts to the context of sheltered employment programmes, assuming that at least 30% of employees of sheltered workshops, sheltered workplaces, social businesses, and sheltered employment programmes are disabled and otherwise disadvantaged persons,
- introduces an obligation for CA/CE to use the social aspects in the description of the subject of the contract as a special condition for performance of the contract or as a criterion for the evaluation of tenders, at least in 6% of these public procurement contracts each year (within the scope of 6% it is included a reserved contract, as well as the modification of the contract, framework agreement or concession during its term without a new public procurement, if the modification consists of an extension of the duration or an increase in the value of the original contract, framework agreement or concession and was awarded as a result of public procurement with a social aspects) – this obligation will take effect on 1<sup>st</sup> January 2020,
- at the same time, defines the social aspect as an aspect related to the subject of the contract which may have a positive social impact on the performance of the subject of the contract, in particular to create or support creating of employment opportunities, dignified, fair and satisfactory working conditions beyond the provisions of the Law, the integration of disadvantaged persons and groups of persons into social relations and the facilitation of their access to the labor market; increase accessibility and usability of supplies, services and works for disabled persons; ethical and fair trade; secure the growth of a knowledge and innovation-based economy, resource sustainability and social and territorial cohesion; increase social responsibility of suppliers by integrating socially beneficial activities into their business activities, including cooperation with affected entities, or reduction of the consequences of economic and social disadvantage of the least developed regions.

Any obligation to include socially responsible criteria or contract performance clauses in the tender documents imposed by national system, and the CA/CE which are required to comply:

1. it is currently a voluntary instrument of social policy, which means that CA/CE can determine the degree of their application,
2. some obligations to include socially responsible criteria are grounded in the Act on Social Economy and Social Enterprises, which will come into force on 1<sup>st</sup> May 2018 (see information above).



Any information on social labels in use:

- in accordance with Act No. [343/2015 Z. z.](#)(SK) the CA/CE may require labeling that take into account social characteristics, such as the "Fair trade" brand, as the proof of compliance with specific characteristics of procured supplies, services and works.




**V.2.3. Quantitative indicators**

Please provide, when available, any quantitative data (statistics, etc.) illustrating the achievements and challenges identified under section V.2.1 above.

**Explanatory Notes**

- Only the contracts without the use of the Electronic Marketplace (EKS) are included in the evaluation of the below-threshold contracts. Contracts with the use of the Electronic Marketplace (EKS) are described in chapter I.

*This section contains examples of quantitative indicators related to section V.2. Other indicators can also be included in the report.*

Number of public procurement procedures incorporating socially responsible award criteria. Please specify how many of those are regulated under the 'light regime' of Title III Chapter I (Articles 74-77 of Directive 2014/24/EU and Articles 91-94 of Directive 2014/25/EU):

- at national level, the use of the 'light regime' is applicable only for the concessions to social and other specific services through a prior notice for Social and other specific services — Concessions; the other Notices for using the 'light regime' are not implemented at national level,
- no single procedure was published in 2017 using the 'light regime',
- data available from standard forms used in public procurement (voluntary disclosure of SRPP information in additional information):

Above threshold tenders (SRPP)	Number
Number of public procurement procedures incorporating SRPP criteria	1
Below threshold tenders (SRPP)	Number
Number of public procurement procedures incorporating SRPP criteria	23

Number of public procurement procedures reserved to sheltered workshops and economic operators in line with article 20 of the Directive:

- reserve the right to participate in public procurement only for sheltered workshops and economic operators in line with article 20 of the Directive is currently allowed only in case of below-threshold contracts at national level:

Below threshold tenders (sheltered workshops and economic operators – art. 20 of the Directive)	Number
Number of public procurement reserved to sheltered workshops and economic operators in line with article 20 of the Directive	15

<p><b>V.3 Public procurement of innovation</b></p>	<p>An innovative solution is defined in 2014/24/EU Art.2 (1.22) as "a new or significantly improved product, service or process". This includes not only those solutions resulting from R&amp;D but also those solutions resulting from activities, "including but not limited to production, building or construction processes, a new marketing method, or a new organisational method in business practices, workplace organisation or external relations." Please report both dimensions of innovation procurement: procurement of R&amp;D and procurement of innovative solutions.</p>
<p><b>V.3.1 Qualitative reporting</b></p>	
<p>Key challenges encountered.</p>	<p><u>Key challenges encountered in promoting innovation procurement and difficulties still existing in the Member State:</u></p> <ol style="list-style-type: none"> <li>1. low awareness of the CA/CE,</li> <li>2. a greater administrative burden for the CA/CE in case of innovation procurement,</li> <li>3. standard forms used in public procurement do not contain a mandatory section for evaluation of innovation,</li> <li>4. not using the innovation partnership.</li> </ol> <p><u>Measures taken to overcome them:</u></p> <ol style="list-style-type: none"> <li>1. establishment of the Working Group on Innovations at the PPO – the aim of the working group is to analyze the possibilities of public procurement as a tool for creating innovation; further information on the working group is available at the following <a href="#">link(SK)</a>,</li> <li>2. the processing and publication of the methodological guide entitled <a href="#">INNOVATION IN PUBLIC PROCUREMENT(SK)</a> at the website available at the following <a href="#">link(SK)</a>,</li> <li>3. processing of the procurement methodology, which contains, among other things, a detailed description of procedures suitable for the procurement of innovation, mentioned procurement methodology is available at the following <a href="#">link(SK)</a>: <ul style="list-style-type: none"> <li>• innovation partnership,</li> <li>• competitive procedure with negotiation,</li> <li>• competitive dialogue.</li> </ul> </li> </ol>
<p><b>V.3.2. Supporting documents</b></p>	
<p>Please report any available evidence or supporting document illustrating the measures, achievements or challenges faced, relating to the promotion and implementation of innovation procurement.</p>	<p><u>National Action Plan and/or targets for innovation procurement and its stage of implementation. Information on how are they defined:</u></p> <ol style="list-style-type: none"> <li>1. Government Resolution No. 665 of 13<sup>th</sup> November 2013 approved the Strategy "Knowledge to Prosperity – Strategy for Research and Innovation for the Intelligent Specialization of the Slovak Republic" (further than "RIS3"); the aim of RIS3 is to link research, development and innovation with immediate needs of practice; the Action Plan for the implementation of the RIS3 for 2014-2016 focuses on the key priorities and measures for the successful implementation of RIS3, taking into account the criteria for Ex-ante conditionality, focusing on "Strengthening research, technological development and innovation and implementing the relevant investment priorities for the 2014-2020 program period"; in accordance with RIS3, these priority tasks are implemented in the following areas: <ul style="list-style-type: none"> <li>• integrated management of research, development and innovation,</li> <li>• provision of interconnections of particular areas of specialization on demand and supply side defined by RIS3,</li> </ul> </li> </ol>

- financial management and its compliance with priorities and objectives of RIS3,
  - monitoring and evaluating the implementation of the RIS3 targets,
  - a strategic approach to the use of research infrastructures in terms of best principles and practice at EU level,
2. on 28<sup>th</sup> October 2014, the EC approved the Operational Program Research and Innovation for the 2014-2020 program period; these program is a joint project of MESRS and ME providing support from the European Structural and Investment Funds in the field of creating a stable environment for innovation for all relevant entities and increasing efficiency and performance of the research, development and inovation system as a key tool for increasing competitiveness, sustainable economic growth and employment,
  3. further information are available at the website of the [Operational Program Research and Innovation](#)(SK) in the [Documents](#)(SK) section.

Any additional provisions for innovation procurement in your national legislation that go beyond the provisions in the EU public procurement directives:

- at national level, there are not any additional provisions for innovation procurement in national legislation that go beyond the provisions in the EU public procurement Directives.

National guidelines on innovation procurement:





1. the processing and publication of the methodological guide entitled [INNOVATION IN PUBLIC PROCUREMENT](#)(SK) at the website available at the following [link](#)(SK),
2. processing of the procurement methodology, which contains, among other things, a detailed description of procedures suitable for the procurement of innovation, mentioned procurement methodology is available at the following [link](#)(SK):
  - innovation partnership,
  - competitive procedure with negotiation,
  - competitive dialogue,
3. the guide to the procurement process for demand-driven projects and national projects is available at the website of the [Operational Program Research and Innovation](#)(SK) at the following [link](#)(SK),
4. further manuals, guidelines, and methodical documents are available at the following [link](#)(SK).

National activities on capacity-building on innovation procurement (institutionalised or ad-hoc training, helpdesks, etc.):

- establishment of the Working Group on Innovation at the PPO – the aim of the working group is to analyze the possibilities of public procurement as a tool for creating innovation; further information on the working group is available at the following [link](#)(SK).

## VI. Replicability

This section should provide information allowing anyone to fully replicate the quantitative results presented in the report.

Links to datasets used to prepare the report.	<a href="https://data.gov.sk/en/organization/656f92fc-f8ed-4da5-a9f5-1499e03ad575">https://data.gov.sk/en/organization/656f92fc-f8ed-4da5-a9f5-1499e03ad575</a> <a href="https://www.uvo.gov.sk/vestnik/calendar">https://www.uvo.gov.sk/vestnik/calendar</a> <a href="https://www.uvo.gov.sk/vestnik-590.html">https://www.uvo.gov.sk/vestnik-590.html</a>
Files used to obtain the results from the datasets.	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">               DataSource.xlsx         </div> <div style="text-align: center;">               Above-threshold histograms.xlsx         </div> <div style="text-align: center;">               Below-threshold histograms.xlsx         </div> <div style="text-align: center;">               Below-threshold Contracts(EKS).xlsx         </div> </div>

## Annex I:

Methodology for estimating the value of procurement which would have been covered by the directives if its value had exceeded the relevant thresholds

### 1. Classification and methodology

Indicate the basic characteristics of the methodology used by selecting from the options below. Description of the methodology is to be given in the subsequent section.

#### 1.1. General approach

- a) [data available under national publication requirements] ✓
- b) ~~[sample-based estimates]~~
- c) ~~[combined]~~

#### 1.2. Source of data

Source of data:	Scope:	above national publication thresholds [✓]	below national publication thresholds [✓]
[e-notification platforms]		✓	✓
<del>[e-submission platforms]</del>			
<del>[invoices]</del>			
<del>[budgets]</del>			
<del>[other]</del>			

### 2. Methodology description

- The data used for the quantitative evaluation of the monitoring report were exclusively information used from standard forms used in the procurement process (for above-threshold contracts and below-threshold contracts without the use of the Electronic Marketplace – EKS); depending on the type of required (requested) information, the data from Contract Notices, respectively from Contract Award Notices were used. The methodology of the evaluated data is described separately in the individual chapters of this report.
- Contracts procured using the Electronic Marketplace (EKS) are not included in the detailed evaluation, since the EKS system does not use standard forms for the below-threshold contracts. These contracts are only evaluated and described in chapter I of the Monitoring Report separately based on the EKS data provided by the system administrator (MI). These data do not have the structure necessary for detailed evaluation according to the requirements of the monitoring report and also are not comparable with the data source of below-threshold contracts collected through standard forms.
- For the preparation of the monitoring report, the entire source of available data was used for evaluation of data, tables, graphs and histograms for the period between 1<sup>st</sup> January 2017 and 31<sup>st</sup> December 2017, no sampling was used in the monitoring report.