

Gugushev & Partners

L A W O F F I C E

LEGAL REVIEW

OF THE REGULATORY DEVELOPMENTS
IN RELATION TO THE COVID-19 PANDEMIC
AND THE STATE OF EMERGENCY

AMENDMENTS RELATED TO PUBLIC PROCUREMENT PROCEDURES



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I. INTRODUCTION

The present document represents a general analysis of the main regulations and amendments, introduced by the Emergency Act Regarding the Measures and Safeguards During the State of Emergency declared by the National Assembly of Bulgaria with its Resolution from March 13th, 2020 („the Emergency Act“ or “the Act”) as published in State Gazette, issue 28 of March 24th, 2020 (special issue).

The present review, updated as of March 24th, 2020, presents an analysis of all legal changes introduced by the final version of the bill that became law. This report has been prepared by the legal specialists of Gugushev & Partners Law Office and is to be used for information purposes only. This report does not represent a legal advice/statement, cannot be relied upon in any way as such and shall not in any way be considered legally binding with regards to Gugushev & Partners Law Office.

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II. AMENDMENTS RELATED TO PUBLIC PROCUREMENT PROCEDURES

The Act provides for changes in the sphere of public tenders. The contracting entity of the public contracts will not be obliged to conduct procedure under the Public Procurement Act in case of:

- purchase of hygiene materials, disinfection products, medical products, and personal protection products guaranteeing the anti-epidemic measures;
- purchase of medical products, medical and laboratory equipment, necessary for diagnostic and treatment of infected patients, consumables for them as well as activities for their introduction;
- assigning activities for disposal of pesticides and medical waste.

By request of the contractors of the public contract, the terms of implementation could be renegotiated, but not for period which is longer than the state of emergency.

The contractors for whom has arisen the obligation to apply centralized electronic platform for entrusting public contracts, apply for public tenders opened up to one month after the end of the state of emergency, the arrangement for service contracts in force until November 1st, 2019 with some exceptions.

We are looking forward to assisting you further, including for statements with the described topics.

Faithfully Yours,
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