The provisions of the PPL2019 define the cases when contracting authorities are enabled to amend concluded public procurement contracts, as well as the requirements for introducing amendments (Articles 156 to 161 of the PPL/2019).

Article 157 of the PPL/2019 inter alia prescribes the proceeding of contracting authority in case there is a need for additional works emerging during the execution of public procurement contract, which was not included in the original project, and which has become necessary. Namely, the said provision stipulates that public procurement contracts can be amended in order to procure additional works, which were not part of the original public procurement contract, and in case the change of the economic operator with whom the contract was concluded is not possible due to economic or technical reasons, such as compatibility requirements for the existing works procured within the original procurement and when the said change of economic operator may cause serious difficulties or significant raise of contracting authority’s expenses.

Paragraph 2 of the same Article prescribes that the increase on the original contract value in case of procuring additional works may not exceed 50% value of the original contract and may not aim at avoiding the law implementation. The said limitation refers to the total value of all amendments, if the contract is amended several times.

In accordance with the provisions of the PPL/2019, in case of a need to procure additional works, contracting authorities shall not conduct a certain type of public procurement procedure, but apply the rules on contract amendments, defined under Article 157 of the PPL/2019.

When amending the contract in the above-mentioned case, contracting authorities shall especially bear in mind that, unlike surplus works, additional works *do not constitute larger amounts of the already contracted works (items*), but completely new works (items) vis-à-vis the works from the original public procurement contract.

In case the contracting authority has amended the public procurement contract for the needs to provide additional works, they are obliged to send a notice on the said contract amendment for publication on the Public Procurement Portal no later than ten days upon making the amendment, in accordance with the obligation under Article 155 Para. 2 of the PPL/2019.

On this Public Procurement Portal, it is also envisaged to publish advertisements for contracting authorities amending their contracts, concluded upon completion of public procurement procedures conducted under the provisions of the PPL /2015.