**CHECKLIST FOR PROCUREMENT. CONTRACTS FROM EUR 2.500 TO EUR 20.000 (single tender)[[1]](#footnote-1)**

The questions include, when relevant, a cross-reference with the potential type of irregularity indicated in the Commission Decision of 14/5/2019 laying down the guidelines for determining financial corrections to be made to expenditure financed by the Union for non-compliance with the applicable rules on public procurement.

|  |  |
| --- | --- |
| **Name of the controller** |  |
| **Institution / Audit firm** |  |

|  |  |
| --- | --- |
| **Project number and title:** |  |
| **Name of beneficiary:** |  |
| **Is it a joint procurement with other project beneficiaries?[[2]](#footnote-2)** | Yes  No |
| **In case of joint procurement, which beneficiary is leading the procedure?** |  |
| **Description or name of the purchase and code of budget line** |  |
| **Type of procurement** | Service  Supply  Works  Mixed (indicate the types and the dominant one) |
| **Is the procedure using any of the following options? [[3]](#footnote-3)** | Electronic auctions  Electronic catalogues |
| **Currency of the procedure** | [EUR] [national currency] |
| **Estimated value in national currency, if it is the currency of the procedure** |  |
| **Estimated value in EUR at the time of launch of the procedure[[4]](#footnote-4) if procedure in national currency** |  |
| **Date of launch of the procedure** |  |
| **Date of signature of contract** |  |
| **Contract number** |  |
| **Name of the contractor** |  |
| **Actual contractual value (in the currency of the procedure)** |  |

|  |  |
| --- | --- |
| **Date of request for examination:** |  |
| **General remarks (if any)** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **#** | **Checks** | **Yes/No/N.A.** | **Comments** |
| **1** | **Choice of procedure** | | |
| A | Is the nature of the contract correct? (service, supply, works or mixed) |  |  |
| B | In case of mixed contract, is the contract awarded in accordance with the provisions applicable to the type of procurement that characterises the main subject matter and higher value of the contract in question? |  |  |
| C | Is the choice of type of procedure (single tender) correct? (value in EUR more than EUR 2.500 and less than or equal to EUR 20 000 on the day of the invitation to tender)[[5]](#footnote-5) Is there any evidence of artificial splitting? *(type of irregularity #2)* |  |  |
| D | Are the services, supplies or works contracted under a framework contract not linked to the Interreg project? |  |  |
| **2** | **Preparation and procurement documents** | | |
| A | Did the procurement documents specify the subject matter of the procurement by providing a description of its needs and the characteristics required for the works, supplies or services to be bought? *(type of irregularity #12)* |  |  |
| B | In case of joint procurement not leaded by the beneficiary, did the controller of the lead beneficiary identify any irregularity in the procedure? |  |  |
| C | Do the procurement documents include the invitation to tender, the tender specifications and the draft contract? *(type of irregularity #9)* |  |  |
| D | Do the procurement documents *(types of irregularity #9, 10 & 11)* | | |
| the exclusion and selection criteria? |  |  |
| the technical specifications referred to in point 16 of Annex II? |  |  |
| E | Did the technical specifications shall include the characteristics required for works, supplies or services, including minimum requirements, so that they fulfil the use for which they are intended? *(type of irregularity #12)* |  |  |
| F | Did technical specifications refer to a specific make or source, or a particular process which characterises the products or services provided by a specific economic operator, or to trademarks, patents, types or a specific origin or production with the effect of favouring or eliminating certain products or economic operators? *(types of irregularity #10 & 11)* |  |  |
| If yes, is it justified because a sufficiently detailed and intelligible description of the subject matter of the contract is not possible? |  |  |
| If yes, is the refence accompanied by the words ‘or equivalent’? |  |  |
| **4** | **Exclusion, selection and award criteria** | | |
| A | Do the procurement documents request a declaration on honour signed and dates, by which the tenderer declares and evidences the absence of an exclusion situation in accordance with Article 137 of the Financial Regulation? |  |  |
| If no, was the requirement waived because the value of the contract is not exceeding EUR 15 000?[[6]](#footnote-6) |  |  |
| B | Do the procurement documents include the selection criteria, the minimum levels of capacity and the evidence to prove that capacity? *(types of irregularity #10 & 11)* |  |  |
| Are the above-mentioned requirements proportionate to the subject matter of the contract? |  |  |
| C | Do the procurement document set the lowest price method? |  |  |
| If not, do they specify the relative weighting[[7]](#footnote-7) for each criterion chosen to determine the most economically advantageous tender? *(type of irregularity #9)* |  |  |
| Does the weighting applied to price or cost in relation to the other criteria result in the neutralisation of price or cost? *(type of irregularity #9)* |  |  |
| If weighting is not possible for objective reasons, do the procurement documents indicate the criteria in decreasing order of importance? *(type of irregularity #9)* |  |  |
| **5** | **Submission, evaluation and award criteria** | | |
| A | Did the beneficiary communicate additional information about the procurement documents before the time limit of submission of tenders? |  |  |
| If yes, was information provided disclosed and available to all tenderers? |  |  |
| Did the beneficiary keep record in the procurement file of any contact with tenderers after the time limit for submission of tenders? |  |  |
| B | Did the beneficiary waive the appointment of an evaluation committee?[[8]](#footnote-8) |  |  |
| C | Did the beneficiary reject any tender for the reasons in point 24.3 of Annex II? |  |  |
| Did the beneficiary consider any tender as irregular for the reasons in point 24.4 of Annex II? *(type of irregularity #18)* |  |  |
| Did the beneficiary consider any tender as unacceptable for the reasons in point 24.5 of Annex II? *(type of irregularity #18)* |  |  |
| D | Did the evaluation committee or by the person or persons who carried out the evaluation identify abnormally low tenders? |  |  |
| If rejected, did the beneficiary request in writing details of the constituent elements of the price or costs and give the tenderer to present its observations[[9]](#footnote-9)? Is the rejection justified? *(type of irregularity #20)* |  |  |
| E | Is there an evaluation report dated and signed by the person or persons who carried out the evaluation or by the members of the evaluation committee? Is there any evidence of conflict of interest? *(type of irregularity #21)* |  |  |
| Does the evaluation report contain the minimum information required by point 26.2 of Annex II? *(type of irregularity #21)* |  |  |
| Did the beneficiary take its award decision following the provisions in point 26.3 of Annex II? *(type of irregularity #16)* |  |  |
| Was the contract awarded on the basis of the selection and award criteria previously communicated to the tenderers?[[10]](#footnote-10) *(type of irregularity #16)* |  |  |
| F | Did the beneficiary cancel the procurement procedure? |  |  |
| If yes, was the decision duly justified and brought to the attention of the tenderers? *(type of irregularity #16)* |  |  |
| **6** | **Contract performance** | | |
| A | Did the beneficiary modify the contract without a procurement procedure? *(type of irregularity #23)* |  |  |
| If yes, is the contract modified according to one of the cases indicated in point 30.3 of Annex II? *(type of irregularity #23)* |  |  |
| If yes, does the modification alter the subject matter of the contract? *(type of irregularity #23)* |  |  |

1. According to point 5.2(e), payments of amounts less than or equal to EUR 2.500 […] may be carried out simply as payment against invoices, without prior acceptance of a tender. **This checklist is not applicable in such cases**. [↑](#footnote-ref-1)
2. According to point 13 of Annex II [↑](#footnote-ref-2)
3. According to point 10 o 11 of Annex II [↑](#footnote-ref-3)
4. Use the Exchange rate in [Inforeuro](https://commission.europa.eu/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_en) of the month of the launch of the procedure [↑](#footnote-ref-4)
5. According to point 5.2 of Annex II [↑](#footnote-ref-5)
6. According to point 18.4 of Annex II [↑](#footnote-ref-6)
7. The weightings may be expressed as a range with an appropriate maximum spread [↑](#footnote-ref-7)
8. Point 24.9 of Annex II. [↑](#footnote-ref-8)
9. See point 25.1 of Annex II. [↑](#footnote-ref-9)
10. See point 17.1 of Annex II. [↑](#footnote-ref-10)