**Checklist for public procurements in Ukraine**

***Designated to control public procurements made pursuant to the***

**Legislation of Ukraine about Procurements**

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| --- | --- |
| ***Project name:*** |  |
| ***Vendor:*** |  |
| ***Vendor 's address:*** |  |
| ***Name of the procedure specified by the Vendor****:* | |
| ***Type of order: service / goods / construction work:*** |  |
| ***Estimated order value in EUR:*** | |
| ***Procedure:*** |  |
| ***Control type (at the location of the Beneficiary/according to documents):*** *on-site audit* | |

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| --- | --- | --- | --- |
| **Introductory questions** | | **Yes/ No/ Not applicable** | **Controller’s comments** |
|  |  |  |  |
| 1 | Did the previous control of ex-ante finish with positive evaluation of documents related to the procurement procedure? |  |  |
| 2 | Did the Beneficiary use the documents checked at ex-ante stage during the procurement procedure? |  |  |
| 3 | Was the Rule of Origin/Rule of Nationality principle observed? |  |  |
| **Question– official correctness of the procedure** | | **Yes/ No/ Not applicable** | **Controller’s comments** |
| 4 | Did the Beneficiary provide all documents required for the audit? |  |  |
| 5 | Were the presented documents certified by the Beneficiary's Director or the authorized person? |  |  |
| **Question – type of public procurement order** | |  |  |
| 6 | Was the order type correctly identified? (rendering of services, supply of goods, construction work) |  |  |
| 7 | Does the composition of the Competitive Bidding Committee conform to the requirements of Ukrainian legislation? |  |  |
| **Question– selection of the procurement procedure** | | **Yes/ No/ Not applicable** | **Controller’s comments** |
| In case of selection of another procedure than those listed - unlimited/limited procedure | |  |  |
| 8 | Were the terms of participation in the procedure correctly identified? |  |  |
| 9 | Were the respective documents necessary to confirm the observation of these terms required? |  |  |
| 10 | Was the specification of the order correctly prepared? |  |  |
| 11 | Are the evaluation criteria of the participants correct? |  |  |
| 12 | Were the deadlines of bids established correctly? |  |  |
| 13 | Were the procurement documentation prepared according to the Ukrainian legislation? |  |  |
| 14 | In case of selection of the open bidding procedure - were all requirements prescribed by law met? |  | open tender; two-stage tender; request for price-quotations; pre-qualification of bidders; negotiated procurement procedure; |
| 15 | In the event of selection of the procedure of competitive dialogue - were all requirements prescribed by law met? |  |  |
| 16 | In the event of selection of the negotiated procurement procedure - were all requirements prescribed by law met? |  |  |
| **Question– procurement notice/notice of the procurement result** | | **Yes/ No/ Not applicable** | **Controller’s comments** |
| 17 | Was the procurement notice published by the Beneficiary according to the legislation? |  |  |
| 18 | Does the procurement notice include all information required by legislation? |  |  |
| **Question – procedure of identification of the Contractor** | | Yes/ No/ Not applicable | Controller’s comments |
| 19 | Did the bid opening take place on fixed dates? |  |  |
| 20 | Did the bids at the opening moment include all the information required by Law? |  |  |
| 21 | Were the bids submitted along with the specification of requirements? |  |  |
| 22 | Did the Beneficiary reject all bids that are subject to rejection based on Law ~~and PRAG~~? |  |  |
| **Question – selection of the most favourable bid** | | **Yes/ No/ Not applicable** | **Controller’s comments** |
| 23 | Does the most favourable bid conform to the technical specification? |  |  |
| 24 | Does the most favourable bid meet criteria established by the Beneficiary? |  |  |
| 25 | Is the most favourable bid the best from the point of view of criteria established by the Beneficiary? |  |  |
| 26 | Was the most favourable bid selected as per the legislation? |  |  |
| 27 | Was the information about the selection of the most favourable bid published according to the legislation? |  |  |
| 28 | Was the decision about the final results delivered to the tenderers? |  |  |
| **Question – conclusion of the contract with the Contractor** | | **Yes/ No/ Not applicable** | **Controller’s comments** |
| 29 | Do terms of the agreement conform to terms of the bid? |  |  |
| 30 | Are there terms of invalidity of the agreement? |  |  |
| 31 | Was the agreement/change in the agreement concluded by the persons with respective powers? |  |  |
| 32 | Was the agreement/change in the agreement presented in writing? |  |  |
| **Summary** |  | **Yes/ No/ Not applicable** | **Controller’s comments** |
| 33 | Public procurement procedure was evaluated positively |  |  |
| 34 | In the event of negative evaluation of procurement: according to consequences of detected violations, it is proposed to impose financial penalties (Rater) |  |  |
| 35 | In the event of negative evaluation of procurement: based on consequences of detected violations it is proposed to recognize all expenses for procurement as inappropriate (ineligible). |  |  |

Signatures of auditors

Place, date