**Checklist for Procurements Control for the Ukrainian non-public Beneficiaries**

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| ***Non-public Beneficiaries based in Ukraine have to comply with the requirements of p. 6.4.3 of the Programme Manual – part 1 and***  ***Annex X to this Manual – General Rules of Procurement by Beneficiaries within the Projects (hereinafter - General Rules) in case of regular projects and LIPs and with requirements of pp. 6.5.1, 6.5.4.1, 6.5.5 and Annex 5b of the Programme Manuals dedicated to 2nd and 3rd Calls for Proposals for micro-projects*** |

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| 1. ***Project number:*** |  |
| 1. ***Contractor:*** |  |
| 1. ***Contractor's address:*** |  |
| 1. ***Name of purchase, budget line in budget of the project*** |  |
| 1. ***Type of order:*** | *service  goods  construction works* |
| 1. ***Estimated order value in EUR:*** |  |
| 1. ***Name of procedure applied:*** | Single tender  Competitive negotiated procedure without publication  Open tender procedure published in the Programme area  International open tender procedure  International restricted tender procedure |
| 1. ***Dates of the procedure start and contract signature, contract number*** |  |
| 1. ***Control type (at the location of the Beneficiary/according to documents):*** | |

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|  | | **Yes/ No/ Not applicable** | **Controller’s comments** |
| 10 | Did the previous control of ex-ante finish with positive evaluation of documents related to the procurement procedure? |  |  |
| 11 | Did the Beneficiary use the documents checked at ex-ante stage during the procurement procedure |  |  |
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| 12 | Did the Beneficiary provide all documents required for the audit? |  |  |
| 13 | Were the presented documents certified by the Beneficiary's authorized person? |  |  |
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| 14 | Was the order type correctly identified? *(rendering of services, supply of goods, construction work)* |  |  |
| 15 | Was the procurement procedure correctly identified? |  |  |
| 16 | Was not procurement split into separate procurement procedures artificially in order to avoid the binding thresholds? |  |  |
| 17 | Have the Evaluation Committee an odd number of members (at least three) with all the technical and administrative capacities necessary to give an informed opinion on the tenders/applications?  *(N/A in case of single tender)* |  |  |
| 18 | Have all Evaluation Committee members[[1]](#footnote-1) signed separate Declaration of impartiality and confidentiality in accordance with Annex II to General Rules. |  |  |
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| 19 | Was the procurement documentation prepared according to the Programme requirements?  *(§ 6 of the General Rules)* |  |  |
| 20 | Were the conditions of procurement approved by the person(s) with respective powers? |  |  |
| 21 | Were the terms of participation in the procedure put online?  *(applicable for open / restricted tender)* |  | *if applicable, please name the platform(s) and date of publication* |
| 22 | Were the deadlines for submission of applications or tenders in line with the General Rules? |  |  |
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| 23 | Did the bid opening take place on fixed dates? |  |  |
| 24 | Did the Beneficiary exclude/reject all bids that are subject to exclusion/rejection? |  |  |
| 25 | Was there no potential conflict of interest? |  |  |
| 26 | Does the most favourable bid meet criteria established by the Beneficiary? |  |  |
| 27 | Is the most favourable bid the best from the point of view of criteria established by the Beneficiary? |  |  |
| 28 | Has not *preferential discount* been applied? |  |  |
| 29 | Was the most favourable bid selected? |  |  |
| 30 | Was the decision of the Committee recorded in the minutes, specifying reasons and providing explanations of the Committee’s decision? |  |  |
| 31 | Were the minutes signed by all the members present at the Committee’s meeting? |  |  |
| 32 | Was the information ab out the selection of the most favourable bid published?  *(applicable for open / restricted tender)* |  |  |
| 33 | Was the Procurement Note (Annex I to General Rules) properly filled in?  *(applicable for single tender)* |  |  |
|  | |  |  |
| 34 | Do terms of the signed contract conform to terms of the bid? |  |  |
| 35 | Are there terms of invalidity of the signed contract? |  |  |
| 36 | Was the contract concluded by the persons with respective powers? |  |  |
| 37 | Was the contract presented in writing? |  |  |
| 38 | If the contract was modified, were not the provisions of § 6 and § 8 of the General Rules violated? |  |  |
| **Summary** | | **Yes/ No/ Not applicable** | **Controller’s comments** |
| 39 | Public procurement procedure was evaluated positively. |  |  |
| 40 | In the event of negative evaluation of procurement: according to consequences of detected violations, it is proposed to impose financial penalties (*Annex 1 to the Programme Guidelines on expenditure verification*). |  |  |
| 41 | In the event of negative evaluation of procurement: based on consequences of detected violations it is proposed to recognize all expenses for procurement as ineligible. |  |  |

Signature and stamp of the auditor

Place, date

1. In case of single tender– the employee assigned to carry the procurement of the Beneficiary’s organisation. [↑](#footnote-ref-1)