**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)*** |

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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? |  |  |
| 24a | Has any bodies involved in or supporting directly or indirectly the aggression on Ukraine been excluded from the procurement?[[2]](#footnote-2)  *Based on art. 5l.1 COUNCIL REGULATION (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine*  *Auditor shall use also publicly available national data bases to verify if bodies are associated with entities supporting aggression against Ukraine* |  |  |
| 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)* |  |  |
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| 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 | Was the 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. |  |  |
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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)
2. Applies after 24.02.2022 [↑](#footnote-ref-2)