**Checklist for audit of procurements –
- public beneficiaries from Russian Federation who apply rules from Russian Federal Laws on public procurement**

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| ***Public beneficiaries from the Russian Federation are obliged to apply the procurement and competition rules set out in the Federal Laws 44-FZ and 223-FZ*** |

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| 1. ***Project number::***
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| 1. ***Beneficiary:***
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| 1. ***Beneficiary's address:***
 |  |
| 1. ***Name of purchase:***
 |  |
| 1. ***Type of order:***
 | [ ]  *services [ ]  supplies [ ]  construction works* |
| 1. ***Estimated order value in EUR (without VAT):***
 |  |
| 1. ***Name of procedure applied:***
 | [ ]  Electronic Auction[ ]  Open Tender[ ]  Tender with limited participation[ ]  Two-stage tender [ ]  Request for quotations[ ]  Request for proposals[ ]  Purchase at single supplier [ ]  Other:………………………………….. *(please name the procedure)* |
| 1. ***Dates of the procurement procedure start and contract signature, contract number***
 |  |
| 1. ***Audit type (at the location of the Beneficiary/desk-based):***
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| **Questions** | **Yes** | **No** | **Comments** |
| **Initial questions** |  |  |  |
| 10 | Did the Beneficiary provide all documents required for the audit of the particular procurement? |  |  |  |
| 11 | Were the presented documents certified by the Beneficiary's authorized person? |  |  |  |
| **General questions** |  |  |  |
| 12 | Was the order type correctly identified? (rendering of services, supply of goods, construction works) |  |  |  |
| 13 | Was the procurement procedure correctly identified? |  |  |  |
| 14 | Has the decision on the method of placing the order been made by the Contracting authority (or authorised person)? |  |  |  |
| 15 | Was the value of order correctly estimated? (for example a document stating the basis for estimation of the order value is available) |  |  |  |
| 16 | Was there no unjustified split of procurement into separate procurement procedures artificially in order to avoid the binding thresholds?  |  |  |  |
| 17 | Has the tender, auction or quotation commission been established? (if applicable) |  |  |  |
| 18 | Has the number of members of the commission suited the law (must be no less than five people for tender and auction and no less than three people for quotations)? |  |  |  |
| 19 | Has the composition and operation of the commission been determined? |  |  |  |
| 20 | Has the commission chairman been appointed? |  |  |  |
| 21 | Have the members of the commission appropriate qualification in the field of public procurement? |  |  |  |
| 22 | Were there selection and award criteria published by the beneficiary in advance in the tender documents?*(if applicable)* |  |  |  |
| 23 | Were there the criteria of award of contracts sufficiently detailed including their weighting in the procurement documentation in the manner guaranteeing fair competition and equal treatment of participants? |  |  |  |
| 24 | Were there any limitations regarding participation in the procurement?  |  |  |  |
| **Conditions for admission to procurement:** |
| 25 | Were the legal requirements followed on the review of applications for participation in the tender or auction in the following cases: |  |  |  |
| 26 | * failure to provide the documents specified by the applicable law
 |  |  |  |
| 27 | * failure to meet the requirements established by the applicable law
 |  |  |  |
| 28 | In case of inconsistencies of application regarding the participation in tender or auction, have the proper actions been taken? |  |  |  |
| 29 | Were there the refusals of admission for procurement on other grounds than those specified in the applicable law? |  |  |  |
| 30 | Were the provisions of the applicable law violated when placing orders for goods, originating from a foreign state or group of foreign states, works or services carried out or rendered by foreign persons? |  |  |  |
| 31 | Were the requirements of the applicable law met regarding information about placing an order on the official site? |  |  |  |
| **The initial (maximum) contract price (lot price)** |
| 32 | Have the requirements of the applicable law been met regarding the establishment of the initial (maximum) contract price (lot price)? |  |  |  |
| 33 | Has in the tender documentation, auction documentation (including documentation of an auction in electronic form), or in the notice of the request for quotations the justification of the initial (maximum) contract price (lot price) been specified? |  |  |  |
| 34 | Have the requirements of the applicable law been met regarding the publication of the justification of the initial (maximum) contract price (lot price) and other information on the official website of the tender documentation, auction documentation (including documentation of an auction in electronic form), of a notice of request for quotation? |  |  |  |
| **Tender for the right to sign a contract:** |
| 35 | Have the requirements of the applicable law been met in case of collection from participants payments for participation in the tender? |  |  |  |
| 36 | Have the requirements of the applicable law been met in case of timeliness for publication of notice announcing an open tender and the completeness and adequacy of information? |  |  |  |
| 37 | Have the requirements of the applicable law been met in making a decision to amend the notice of announcing an open tender (not later than five days before the deadline for submitting the applications to participate in the tender); |  |  |  |
| 38 | Have the requirements of the applicable law been met in case of the contents of the tender documentation, completeness and adequacy of information? |  |  |  |
| 39 | Was there a draft contract attached to the tender documentation (in case when tender consists of several lots - a draft contract for each lot), which is an integral part of the tender documentation? |  |  |  |
| 40 | Have the requirements of the applicable law been met in case of compliance with the procedure for applying for participation in the tender? |  |  |  |
| 41 | Have the requirements of the applicable law been met in case of compliance with the procedure of opening the envelopes with applications for participation in the tender and opening up access to the applications filed in electronic form for participation in the tender? |  |  |  |
| 42 | Have the requirements of the applicable law been met in case of compliance with the order of processing of applications for participation in the tender? |  |  |  |
| 43 | Have the requirements of the applicable law been met in case of evaluation and comparison of applications for participation in the tender? |  |  |  |
| 44 | Have the requirements of the applicable law been met in case of signing of a contract based on the results of the tender? |  |  |  |
| **Electronic auction for the right to sign a contract** |
| 45 | Has the decision to announce an auction been made in accordance with the applicable law? |  |  |  |
| 46 | Have the procedures of documents flow submitted during an auction been observed? |  |  |  |
| 47 | Have the requirements of the applicable law been met for the notice for announcing an auction? |  |  |  |
| 48 | Have the requirements of the applicable law for registration of the participants of the procurement with relevant accreditation on an electronic platform been met? |  |  |  |
| 49 | Has the contents of the documentation on an auction in electronic form met the requirements of the applicable law? |  |  |  |
| 50 | Has the decision to amend the notice for announcing an auction been made (no later than five days before the deadline for submitting the applications to participate in the auction)? |  |  |  |
| 51 | Has the auction documentation fulfilled the requirements of the applicable law? |  |  |  |
| 52 | Has the procedure for submitting documentation of an auction in electronic form, explaining the provisions of the documentation, and its amendments been met the provisions of the applicable law? |  |  |  |
| 53 | Has the procedure for applying for participation in the auction met the requirements of the applicable law? |  |  |  |
| 54 | Have the requirements of the applicable law been met regarding the consideration of the first and second parts of applications for participation in an auction in electronic form? |  |  |  |
| 55 | Has the processing on an auction met the requirements of the applicable law? |  |  |  |
| 56 | Has the procedure of signing the contract through the auction in electronic form met the requirements of the applicable law? |  |  |  |
| 57 | Has the contract signed during the procedure met the requirements of the applicable law? |  |  |  |
| **Procurement by request for quotations/proposals** |
| 58 | Has the request for quotations/proposals been correct according to the applicable law? |  |  |  |
| 59 | Have the requirements for the request for quotations/proposals been met? |  |  |  |
| 60 | Has the documentation of quotes/proposals been correct? |  |  |  |
| 61 | Has the method for order placing been correct? |  |  |  |
| 62 | Have the procedures for submitting the applications been correct? |  |  |  |
| 63 | Has the evaluation and review of quotes/proposals been correct? |  |  |  |
| **Cases of placing an order by a single supplier (performer, contractor) (through negotiations) for contracts higher than 600.000,00 rubles according with the Federal Law No.44-FZ, higher than 100.000,00 rubles (500.000,00 rubles for major contracting authorities) according with the Federal Law No.223-FZ4.** |
| 64 | Have the requirements of the applicable law been met during placing an order by a single supplier (performer, contractor)? |  |  |  |
| **Selecting procedure** |  |  |  |
| 65 | Did the procurement documentation specified place and date of submission of offers? |  |  |  |
| 66 | Were the deadlines for submission of applications or tenders in line with the applicable law?  |  |  |  |
| 67 | Have all the tenders / requests to participate been submitted within the deadline stipulated in the procurement documentation? |  |  |  |
| 68 | Did the bid opening take place on fixed dates?  |  |  |  |
| 69 | Did the Beneficiary exclude form participation in procurement all tenderers that are subject to exclusion according to applicable law?  |  |  |  |
| 70 | Did the Beneficiary exclude form award of contracts all tenderers that fall within one of situations of exclusion according to applicable law? |  |  |  |
| 71 | Was there no potential conflict of interest during tender procedures? |  |  |  |
| 72 | Does the most favourable bid meet criteria established by the Beneficiary? |  |  |  |
| 73 | Was the most favourable bid selected?  |  |  |  |
| 74 | Was the chosen bid offering the best price/quality ratio or as appropriate the lowest price? |  |  |  |
| 75 | Was the decision of the Committee recorded in protocol, specifying reasons and providing explanations of the Committee’s decision? *(if applicable)* |  |  |  |
| 76 | Was the protocol signed by all the members present at the Committee’s meeting? *(if applicable)* |  |  |  |
| **Ensuring the protection of rights and legitimate interests of participants of procurement:** |
| 77 | Have the actions (inactions) of the contractor, authorised body, specialized organization, operator of electronic platform, tender, auction or quotation commission been a subject to appeal/complaint? |  |  |  |
| 78 | The content of the complaint about the actions (inaction) of the customer, authorized body, specialized organization, operator of the electronic platform, tender, auction or quotation commission is available? |  |  |  |
| 79 | Are the results of handling of the complaint about the actions (inaction) of the customer, authorized body, specialized organization, operator of the electronic platform, tender, auction or quotation commission available? |  |  |  |
| **Contract:** |  |  |  |
| 80 | Do terms of the signed contract conform to terms of the bid? |  |  |  |
| 81 | Does the signed contract specify: rights and obligations of the parties; the purchased supplies, services or works and their exact quantities (where applicable); the price or pricing rules; settlement and payment procedures; deadlines for discharging obligations; security for discharging obligations; the procedure for settling disputes; the procedure for terminating the contract; the contract period; possibility of changes of the contract and its procedure. |  |  |  |
| 82 | Are there terms of invalidity of the signed contract? |  |  |  |
| 83 | Was the contract concluded by the persons with respective powers?  |  |  |  |
| 84 | Was the contract concluded in writing?  |  |  |  |
| 85 | If the contract was modified, were not the provisions of applicable law violated? |  |  |  |
| 86 | Was the scope of services/supplies/works specified in contract completed by the contractor? |  |  |  |
| **Summary** | **Yes** | **No** | **Comments** |
| 87 | Was public procurement procedure evaluated positively? |  |  |  |
| 88 | In the event of negative evaluation of procurement: according to consequences of detected violations, is it *proposed to impose financial correction according to the Commission Decision C(2019) 3452 of 14.05.2019 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*? |  |  |  |
| 89 | In the event of negative evaluation of procurement: based on consequences of detected violations is it proposed to recognize all expenses for procurement as ineligible?  |  |  |  |

Name of the auditor who elaborated the checklist:

Signature and stamp of the auditor:

Place, date

Name of the auditor who verified the checklist:

Signature and stamp of the person:

Place, date