

External contracts Checklist

Purpose and logic:

- External Contract checklist should be filled for each contract individually.
- The applicability of the procurement rules and principles depends, among others, on the legal status of the awarding institution but in any case, some basic principles concerning the awarding of contracts must be respected and verified by controllers:
 - For partners falling under public procurement rules, **section A** is used.
 - For partners not falling under public procurement rules¹ and awarding a contract below the EU threshold **section B** is used.
 - For partners not falling under public procurement rules and awarding a contract above the EU threshold **section A** is used.
- In cases where public procurement procedures were already checked during previous reporting periods, the national controller has to include a comment accordingly. In the case of a change in the contract, the relevant section must be filled in again.
- Any deductions necessary following infringement of procurement rules are to be reported under the respective cost categories in the checklist.

SECTION A

For institutions falling under the scope of application of the public procurement laws or for institutions not falling under the scope of application of the public procurement laws but awarding a contract above EU thresholds – to be duplicated and filled in for each contract or public procurement for which a formal contract is signed:

CONTRACT NAME (title of the external contract)

Name of contractor

Total amount as per contract (excl. VAT)

The value of the procured works, goods or services is above the EU threshold.

Yes

no

Type of tender

services

works

supply

Procurement procedure chosen (open, restricted, negotiated, direct contracting, etc.).

Channels/means chosen for publication

¹ For example, private partners unless explicitly governed by public procurement rules based on national rules,



| | | | |
|--|--|----|------|
| VAT number (or other identifier) | <i>To be filled if contract above EU-threshold</i> | | |
| Contract reference number | <i>To be filled if contract above EU-threshold</i> | | |
| Date of contract | <i>To be filled if contract above EU-threshold</i> | | |
| VERIFICATIONS | Confirmed | | |
| A 1) EU, national and any other applicable public procurement rules were observed (Reminder: the amount of the contract determines the level of rule to be applied.); e.g., <i>Complies with the applicable rules;</i> <i>Publicity requirement were respected;</i> <i>The principles of transparency, non-discrimination, equal treatment, effective competition have been complied with;</i> <i>There was a clear distinction between selection and award criteria in the evaluation of the bids;</i> <i>Selection and award criteria and required technical specifications and national permits are transparent, non discriminatory and ensure equal treatment;</i> <i>Decisions are properly documented and justified.</i> <i>No cases of actual or potential conflict of interest came to the attention of the controller, or the conflict of interest policy was followed where applicable</i> | Yes | No | n.a. |
| A.2 The procurement procedure is documented and available (If documentation is not required, please tick <i>n.a.</i> and provide an explanation in the comments section), e.g., <i>Initial cost estimate made by the project partner to identify the applicable public procurement procedure;</i> <i>Request for offers or procurement publication/notice;</i> <i>Terms of reference (TOR);</i> <i>Offers/quotes received;</i> <i>Report on assessment of bids (evaluation/selection report);</i> <i>Information on acceptance and rejection (notification of bidders);</i> <i>Legal remedies / contradictory procedure / complaints;</i> <i>The contract including any amendments are in line with the selected offer, etc.</i> <i>When required, contracts laying down the services/goods/works to be provided are available.</i> | Yes | No | n.a. |
| A.3 There is no evidence of artificial splitting of the contract objective/value. | Yes | No | n.a. |
| A. 4) If applicable, any amendment of the contract is in line with the relevant public procurement rules without any relevant impact on the validity of the initial procurement procedure. (<i>Only if the contract was amended or extended.</i>) | Yes | No | n.a. |
| A.5 If the partner organisation decided to award the contract directly (negotiated procedure without prior publication), the decision is justified and documented. <i>For direct awards because of:</i> <ul style="list-style-type: none"> • <i>Urgency: it is proven that the urgency is due to unforeseeable circumstances.</i> • <i>Technical/exclusivity reasons: it is ruled out (based on objective evidence) that any other supplier is capable of providing the services.), etc.</i> • <i>The amount of the contract allows for a direct award.</i> • <i>The price is adequate.</i> | Yes | No | n.a. |



| | | | |
|---|-----|----|------|
| A.6 The invoices have been issued and payments have been made in respect of the products and services delivered and the tender (in terms of nature, procurement budget and the amounts fixed in the contract/accepted offer). | Yes | No | n.a. |
|---|-----|----|------|

SECTION A: Results, comments, recommendations, points to follow-up (if any).

NOTE: deductions (if any) are allocated to the relevant cost categories.

SECTION B

For institutions not falling under public procurement rules and awarding a contract below the EU threshold for which a formal contract is signed: the national controller ensures that the basic principles on which the procurement standards are based are respected.

CONTRACT NAME (title of the external contract)

Name of contractor

Total amount as per contract (excl. VAT)

VERIFICATIONS

Confirmed

| | | | |
|--|-----|----|------|
| B.1 The value for money of costs was ensured and demonstrated. | Yes | No | n.a. |
| B.2 There is no evidence of artificial splitting of the contract objective/value. | Yes | No | n.a. |
| B.3 The principles of transparency, non-discrimination, equal treatment have been complied with. | Yes | No | n.a. |

SECTION B : Results, comments, recommendations, points to follow-up (if any).

NOTE: deductions (if any) are allocated to the relevant cost categories

