

**ERDF Procurement Checklist**

**The following checklist outlines the minimum documents it is suggested you should retain for ERDF Monitoring and Audit purposes for all ERDF Procurements undertaken.**

**This is a single checklist covering all levels of Procurement (Sub OJEU and OJEU) and is to be used as appropriate, alongside the relevant version of the RDA/ERDF National Procurements Guidance in place at the time of undertaking the Procurement.**

***Please note the following is intended as a guide only and should not be substituted for the Grant Recipients own Independent Legal Advice***

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| **Document Check** | **Y/N** | **To Note** | **GR Comments** |
| **Section 1 – Procurement Structure and Policy** |  |  |  |
| 1. Copy of GRs own Procurement Policy |  | * Contracting Authority Guidance (Regulations and ERDF National Procurement Requirements Document) * Structure Chart/job descriptions of those involved in the Procurement function |  |
| 1. Procurement proposals initiated, processed and approved by authorised officers? |  | * Copy of Financial Delegations in policy/procedures |  |
| **Section 2 – Procurement Route** | | | |
| 1. Record of estimate of contract value for entire duration of contract (including possible extensions, inflation and uplifts) |  | * Should be consistent with the financial profile approved in the ERDF application form. |  |
| 1. Have rules concerning non-splitting of contracts been respected? |  | * Ensure that there is no artificial split in order to avoid compliance with ERDF National Procurement Requirements Guidance and Legislation |  |
| 1. Explanation of Procurement procedure selected with justification |  | * Single Tender Approval (STA) justification * Accelerated/Negotiated -justification |  |
| 1. Does the tendering procedure demonstrate fair and open competition? |  |  |  |
| **Section 3 – Procurement** **Advertising** | | | |
| 1. Copy of OJEU Contract Notice with its reference number   OR Copy of Advert (if below OJEU) |  | * Calls for tender need to be circulated widely enough to ensure real competition for contracts. |  |
| 1. List and evidence of quotes received or tenders issued   < £20k |  | * Demonstrate value for money and evidence where written quotes used * Ensure sufficient level of advertising has been undertaken |  |
| **Section 4-Procurement Selection Stage (Restricted Procedure)** | | | |
| 1. List of EOI’s received and PQQs issued |  | * Note all dates |  |
| 1. PQQ Template |  | * Should include selection criteria * Timetable for return |  |
| 1. List of all completed PQQs received |  | * Date/time received |  |
| 1. Copies of ALL PQQs as received |  |  |  |
| 1. PQQ Scoring Matrix |  | * Assessment Guidelines |  |
| 1. Copy of all PQQ completed score sheets, dated and signed by two people, including records of any moderation process. |  | * Pass/fail Elements * Scoring elements |  |
| 1. Composition of PQQ Evaluation scoring panel |  |  |  |
| 1. Copies of feedback letters with PQQ scores |  |  |  |

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| **Section 5 -Procurement Award Stage (Restricted/Open Procedure)** | | | |
| 1. List of all ITTs issued |  |  |  |
| 1. Copies of all Tender documents issued, including blank ITT form |  | * Timetable for return * Should include award criteria |  |
| 1. Copies of all Tenders as received |  | * Tender receipt and opening record-   indicating number of tenders, the amounts bid and the reasons for any withdrawals (should be signed, dated and timed by those present -at least two people) |  |
| 1. Tender scoring/evaluation matrix |  | * Assessment scoring guidelines (quality) * Formulae for scoring (price) * Checks on Arithmetic correctness should be undertaken |  |
| 1. Copy of Tender completed score-sheets, dated and signed by two people including assessment/moderation process |  | * For restricted (or two-stage) procedures, selection and award criteria should not be duplicated**.** |  |
| 1. Composition of Evaluation Committee |  |  |  |
| 1. Copies of Correspondence (clarification questions) |  |  |  |
| 1. If any interviews took place, records of questions asked and responses. |  | * Did the ITT include the prospect of interviews? * If further evaluation took place-retain copies of score sheets |  |
| 1. Decision Papers i.e. board minutes in relation to award of contract |  |  |  |
| 1. Copy of Evaluation Report |  |  |  |
| 1. Copies of letters to unsuccessful tenderers giving an appropriate standstill period (if appropriate i.e. OJEU) |  |  |  |
| 1. Copy of award letter and the signed contract |  |  |  |
| 1. Copy of OJEU award notice with reference number |  |  |  |
| 1. Copy of notes from inception meeting |  |  |  |

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| **Section 6 Framework Agreements (FA)** | | | |
| 1. Do you as the GR have the right to use the framework? -i.e. named within the OJEU Notice |  | * If not the GR Framework should have ‘FA Guidance Notes’ |  |
| 1. Evidence to confirm that contractors/suppliers were appointed to the project within the Start and End dates of the framework and that the maximum cumulative value under the framework has not been exceeded. |  |  |  |
| 1. List of ALL Contractors on the Framework Agreement |  |  |  |
| 1. Evidence to confirm how contractors/suppliers were appointed and that this was in accordance with the framework |  | * Direct award or mini competition |  |
| 1. If a mini tender competition was undertaken – provide the following:  * Tender brief * record of tenders received/ * copies of all tenders received * describe how tenders were evaluated * What was the make up of the evaluation team? |  | * Award criteria should be as set out in the specification of the FA. |  |

**Key tips and Areas to be aware when considering the above**

* Single Tenders –Justification and evidence of own legal advice/discussion with GDT where used
* Extension of Contracts
* Frameworks (call off contracts as well as main framework will be checked even if the main framework was not set up by the GR; due diligence that the main framework is legally compliant)
* Consider EU Procurement Directive and Public Contract Regulations
* Document the full process followed for all ERDF Procurements and retain all documentation and audit trail until at least 3 years after formal closure of the Programme which is likely to be at least 2025.
* Consider whether you as an organisation are a ‘Contracting Authority’ (Refer to ERDF National Procurement Guidance for a definition of this)
* Seek your own Legal Advice
* All ERDF Procurement Exercises undertaken need to be outlined on the MCIS Procurement Screen
* Ensure that there is no artificial split between contracts -The aggregate value of contracts must be outlined and considered when undertaking procurement to ensure that the correct procurement process has been undertaken and commensurate with the total value of the contract.
* Consider alongside ERDF National Procurement Guidance