

Checklist for procurement in the Russian Federation

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| Project name: | |
| Name of the Contracting Authority and its type (public/private): | |
| Contractor: | |
| Contractor's address: | |
| Type of order (service/goods/construction work): | |
| Estimated order value in EUR: | |
| Procurement procedure: | |
| Control type (at the location of the Beneficiary/according to documents): | |

I. PROCUREMENT PROCEDURES BY PUBLIC BENEFICIARIES ON THE BASIS OF THE FEDERAL LAWS NO.44-FZ / 223-FZ¹

| Introductory questions | | Yes/ No/ Not applicable | Controller's comments |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------|
| 1 | Was the procurement done in a form of tender, auction, request for quotation, request for proposals or from a single supplier (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-FZ) ² ? | | |
| 2 | Has the tender, auction or quotation commission been established? | | |
| 3 | 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 that three people for quotations)? | | |
| 4 | Has the composition and operation of the commission been determined? | | |
| 5 | Has the committee chairman been appointed? | | |
| 6 | Have the members of the commission appropriate qualification in the field of public procurement? | | |
| Question– official correctness of the procedure | | Yes/ No/ Not applicable | Controller's comments |
| 7 | Has the Beneficiary provided all documents required for the audit? | | |
| 8 | Have the presented documents been certified by the Beneficiary's head or the authorized person? | | |
| Participants of public procurement | | Yes/ No/ Not applicable | Controller's comments |
| 9 | Have the requirements been determined for participants of the procurement? | | |
| 10 | Were there any limitations regarding participation in the procurement? | | |
| Ways to place an order | | Yes/ No/ Not applicable | Controller's comments |
| 11 | by bidding in the form of tender, auction, including auction in electronic form; | | |
| 12 | without tender in the form of negotiations – request for quotations, request for proposals, from a single supplier/performer/contractor (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 | | |

¹ Hereinafter – “the applicable law”, should be considered either the Federal Law No. 44-FZ or No. 223-FZ taking into account the type of the organization of the Contracting Authority and appropriate procurement legislation.
Section to be deleted in case of private beneficiary.

² In case Beneficiary organization is acting on the basis of its own Procurement Provisions according with the Federal Law No.223-FZ the thresholds for purchase from a single supplier established in this document are applied for this point.

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| | <u>Law No.223-FZ</u>) ³ . | | |
| 13 | Has the decision on the method of placing the order been made by the Contracting authority (or authorised person)? | | |
| Conditions for admission to procurement | | Yes/ No/ Not applicable | Controller's comments |
| | Were the legal requirements followed on the review of applications for participation in the tender or action in the following cases: | | |
| 14 | failure to provide the documents specified by the applicable law; | | |
| 15 | failure to meet the requirements established by the applicable law; | | |
| 16 | In case of inconsistencies of application regarding the participation in tender or auction, have the proper actions been taken? | | |
| 17 | Were there the refusals of admission for procurement on other grounds than those specified in the applicable law? | | |
| 18 | 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? | | |
| 19 | Were the requirements of the applicable law met regarding the submission of the benefits in terms of institutions and enterprises of the penitentiary system, organizations of persons with disabilities and small businesses? | | |
| 20 | 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) | | Yes/ No/ Not applicable | Controller's comments |
| 21 | Have the requirements of the applicable law been met regarding the establishment of the initial (maximum) contract price (lot price)? | | |
| 22 | 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? | | |
| 23 | Have the requirements of the applicable law 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 | | Yes/ No/ Not applicable | Controller's comments |
| | Have the requirements of the applicable law met in following parts: | | |
| 24 | in case of open tender; | | |
| 25 | in case of collection from participants payments for participation in the tender; | | |
| 26 | in case of timeliness for publication of notice announcing an open tender and the completeness and adequacy of information; | | |
| 27 | 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); | | |
| 28 | in case of the contents of the tender documentation, completeness and adequacy of information; | | |
| 29 | whether there have been 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; | | |
| 30 | compliance with the procedure for applying for participation in the tender; | | |

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| 31 | 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; | | |
| 32 | compliance with the order of processing of applications for participation in the tender; | | |
| 33 | evaluation and comparison of applications for participation in the tender; | | |
| 34 | signing of a contract based on the results of the tender. | | |
| Electronic auction for the right to sign a contract | | Yes/ No/ Not applicable | Controller's comments |
| 35 | Has the decision to announce an auction been made in accordance with the applicable law? | | |
| 36 | Have the procedures of documents flow submitted during an auction been observed? | | |
| 37 | Have the requirements of the applicable law been met for the notice for announcing an auction? | | |
| 38 | Have the requirements of the applicable law for registration of the participants of the procurement with relevant accreditation on an electronic platform been met? | | |
| 39 | Has the contents of the documentation on an auction in electronic form met the requirements of the applicable law? | | |
| 40 | 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)? | | |
| 41 | Has the auction documentation fulfilled the requirements of the applicable law? | | |
| 42 | 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? | | |
| 43 | Has the procedure for applying for participation in the auction met the requirements of the applicable law? | | |
| 44 | 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? | | |
| 45 | Has the processing on an auction met the requirements of the applicable law? | | |
| 46 | Has the procedure of signing the contract through the auction in electronic form met the requirements of the applicable law? | | |
| 47 | Has the contract signed during the procedure met the requirements of the applicable law? | | |
| Procurement by request for quotations/proposals | | Yes/ No/ Not applicable | Controller's comments |
| 48 | Has the request for quotations/proposals been correct according to the applicable law? | | |
| 49 | Have the requirements for the request for quotations/proposals been met? | | |
| 50 | Has the documentation of quotes/proposals been correct? | | |
| 51 | Has the method for order placing been correct? | | |
| 52 | Have the procedures for submitting the applications been correct? | | |
| 53 | Has the evaluation and review of quotes/proposals been correct? | | |
| Cases of placing an order by a single supplier (performer, contractor) (through negotiations) <u>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.</u> | | Yes/ No/ Not applicable | Controller's comments |

⁴ In case Beneficiary organization is acting on the basis of its own Procurement Provisions according with the Federal Law No.223-FZ the thresholds for purchase from a single supplier established in this document are applied for this point.

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| 54 | Have the requirements of the applicable law been met during placing an order by a single supplier (performer, contractor)? | | |
| Ensuring the protection of rights and legitimate interests of participants of procurement | | Yes/ No/ Not applicable | Controller's comments |
| 55 | 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? | | |
| 56 | 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. | | |
| 57 | 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. | | |
| Summary | | Yes/ No/ Not applicable | Controller's comments |
| 58 | Has the public procurement procedure been positively assessed? | | |
| 59 | In case of negative assessment of the procurement: according to the consequences of violations, should any financial sanctions be proposed? | | |
| 60 | In case of negative assessment of the procurement: based on the effects of detected violations, should all procurement procedure be recognized as unacceptable? | | |

II. Checklist for procurement procedures by private beneficiaries on the basis of Annex II to the Financing Agreement⁵

| | General principles | Yes/No/Not applicable | Controller's comments |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------|
| 1 | The contract is awarded to the most economically advantageous tender (best price/quality ratio method). | | |
| 2 | The contract is awarded to the most economically advantageous tender offering the lowest price. | | |
| | The selection committee has been set for all contracts with a value of more than 60.000,00 Euro ensuring that: | | |
| 3 | it has an odd number of members; | | |
| 4 | it's members are independent from each other, are independent from the candidates and have no conflict of interest; | | |
| 5 | it's members have sufficient technical and administrative capacity to give an informed opinion on the tenders. | | |
| 6 | The persons participating in the selection committees have signed a written declaration of impartiality and confidentiality. | | |
| 7 | In case invitations / tender documents were sent to candidates, they have been dispatched simultaneously to all candidates. | | |
| 8 | In case of international tender, at least the tender announcement is published in English. | | |
| 9 | The time-limits for receipt of tenders and requests to participate are long enough according with best international practice. | | |
| 10 | When clarifications are issued to candidates during the tender process, identical information is published or sent to all candidates simultaneously. When clarifications are published in the media, they are published in the same media where the tender notice was initially published. | | |

⁵ Hereinafter referred as “the Annex II”.

Section to be deleted in case of public beneficiary.

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| | Provisions to avoid conflict of interests and ensure equal treatment are satisfied: | | |
| 11 | Changes in tender documentation were not made. | | |
| 12 | The tenderers were informed that no changes in the submitted tender proposals after submission are allowed. | | |
| 13 | All persons preparing the tender and participating in evaluation have confirmed their objectivity and confidentiality in writing. | | |
| 14 | Clarifications are provided to all tenderers only in written and are never provided by phone in | | |
| 15 | The time limits for negotiations and clarifications are stipulated in the procurement documentation. | | |
| 16 | The tender documentation is free from restrictive conditions such as reference to brand, mark, company; narrow and specific technical conditions are forbidden. | | |
| 17 | There is a clear and detailed explanation of the selection and award criteria in the tender dossier. | | |
| 18 | The criteria are objective, precise and non-discriminatory. | | |
| 19 | The same eligibility, selection and award criteria as published in the tender documentation are applied during evaluation of proposals and award of the contract. | | |
| 20 | The tenders of successful and unsuccessful candidates as well as all other relevant documentation are kept on file so as to allow subsequent verification. | | |
| | Rules of nationality and origin | Yes/No/Not applicable | Controller's comments |
| 21 | The procurement documentation specifies who is eligible to tender ensuring the satisfaction of the Rule of Nationality as it is stipulated by Annex II. | | |
| 22 | The procurement documentation specifies the eligible Origins of the goods ensuring the satisfaction of the Rule of Origin as is stipulated in the Annex II. | | |
| 23 | The procurement documentation ensures that all eligible candidates are treated on equal ground. | | |
| | Grounds for exclusion from participation in procurement and contracting | Yes/No/Not applicable | Controller's comments |
| 24 | Have all the persons involved in the procurement procedure made the appropriate declaration of non-existence of grounds for exclusion? | | |
| 25 | Have all the persons involved in the procurement procedure made the appropriate declaration to prove their technical and financial capacity? | | |
| 26 | The documentation specifies the time limit (time and date) and the place for submission of offers. | | Please indicate the deadline. |
| | Chosen procurement procedure | Yes/No/Not applicable | Controller's comments |
| 27 | Has the type of public procurement been specified correctly? (service, supply, construction work) | | |
| 28 | There is no artificial split of tenders in order to circumvent the procurement thresholds. | | |
| 29 | The procedure selected for the contract amount corresponds to the thresholds and procedures in Annex II. If offers have to be denominated in currencies other than EURO, the exchange rate of | | |

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| | InforEuro for the month of launch of the tender is used in order to select the corresponding procedure and comply with thresholds. | | |
| 30 | For Negotiated procedure without publication with the contract value more than 60.000,00 Euro, minimum 3 tenderers were invited to participate; a report explaining the grounds for selection was prepared. | | |
| | Procurement notice | Yes/No/Not applicable | Controller's comments |
| 31 | A procurement notice has been published in the sources which are required by the procurement procedure stipulated by Annex II. | | Please specify the source, the date of publication, the reference number. |
| 32 | Does the procurement notice contain the information required by Annex II and is the information consistent with the Terms of Reference? | | |
| 33 | Has the announcement of awarding the public contract been published in accordance with Annex II? | | |
| 34 | Has the Contracting Authority described the tender evaluation criteria in a way that does not impede fair competition and in accordance with the provisions of Annex II? | | |
| | Selecting procedure | Yes/No/Not applicable | Controller's comments |
| 35 | Has the Contracting Authority fulfilled the statutory obligations related to the opening of tenders? | | |
| 36 | Have all the tenders / requests to participate been submitted within the deadline stipulated in the procurement documentation? | | |
| 37 | Has the Contracting Authority excluded from participation in the procurement procedure contractors who were subjected to exclusion under Annex II and in case of the existence of optional grounds for exclusion provided by the Contracting Authority? | | |
| 38 | Has the Contracting Authority assessed the contractors in terms of meeting the conditions for participation in the public procurement procedure? | | |
| 39 | Has the Contracting Authority assessed the tenders in accordance with Annex II? | | |
| 40 | Is there a protocol from the procurement procedure and does it contain all the required data and is it signed by authorized persons? | | |
| | Contracting | Yes/No/Not applicable | Controller's comments |
| 41 | Is the scope of the contract consistent with the tender? | | |
| 42 | Has the contract/contract amendment been concluded in written form? | | |
| | Conclusion | Yes/No/Not applicable | Controller's comments |
| 43 | Has the procurement been evaluated positively? | | |
| 44 | In case of a negative evaluation of the public procurement, as a consequence of the irregularities detected, it is required to consider whole or part of the expenditures as incorrect. | | |

Signature of auditors

Place, date