



# **Public procurement**

## **ADRION seminar on project implementation**

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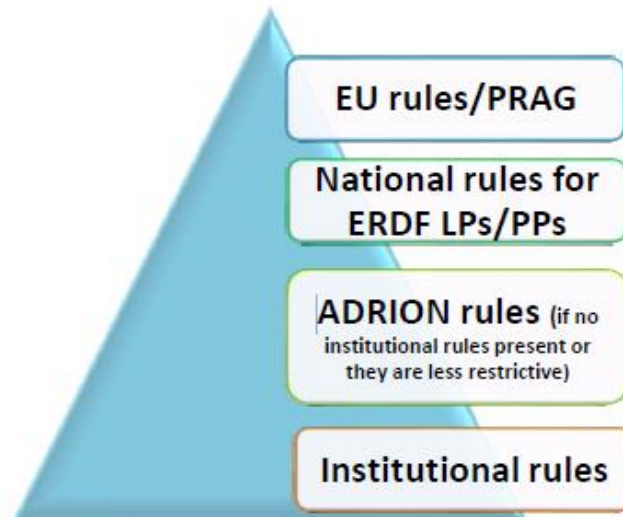
## General principles

Public procurement refers to the process by which project partners purchase goods or services.

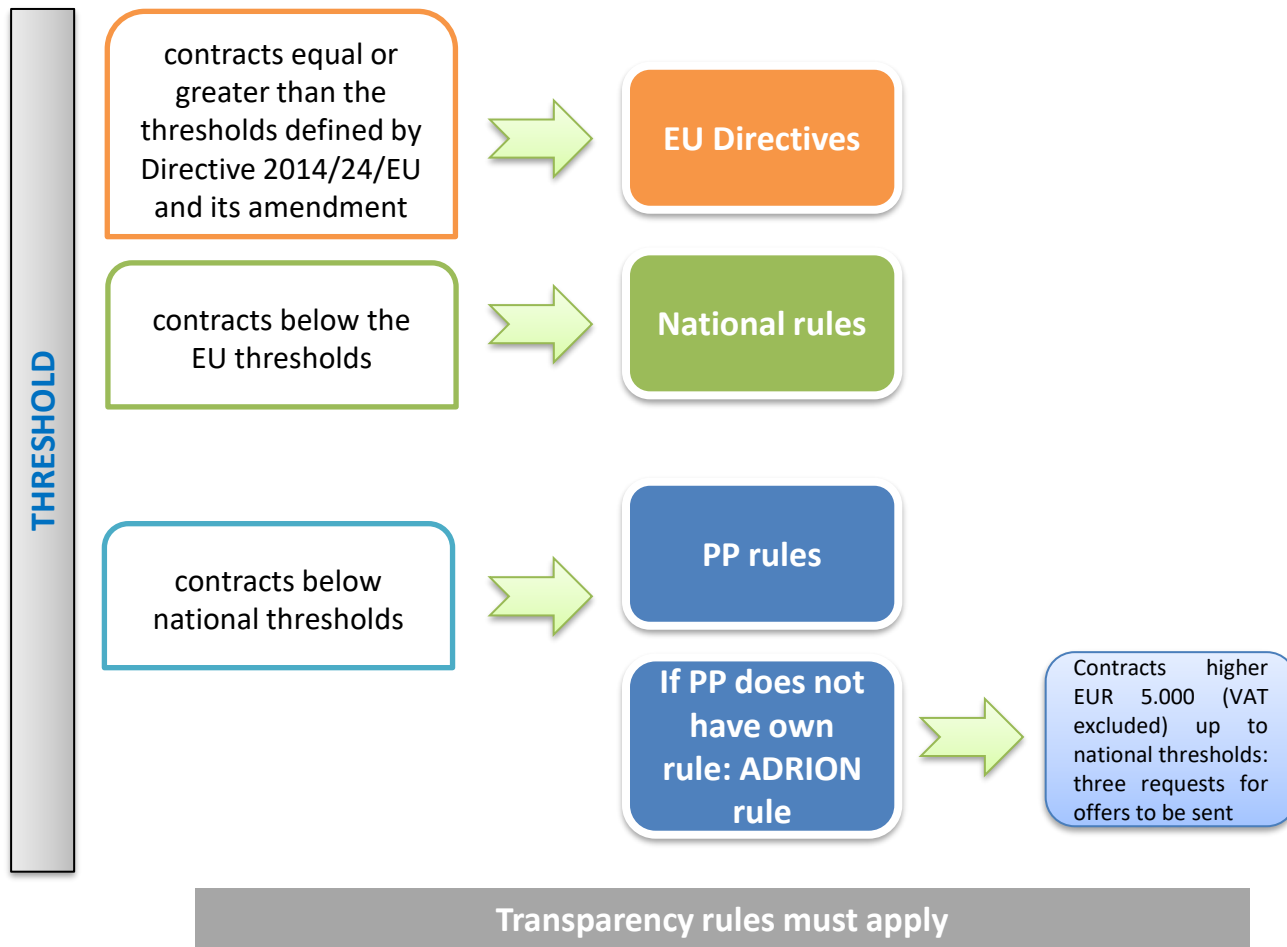
### Main principles

- transparency
- proportionality
- equal treatment
- non-discrimination

# Hierarchy of rules



# Public procurement rules –ERDF partners



# EU rules – Guidance for practitioners



[http://ec.europa.eu/regional\\_policy/sources/docgener/guides/public\\_procurement/2018/guidance\\_public\\_procurement\\_2018\\_en.pdf](http://ec.europa.eu/regional_policy/sources/docgener/guides/public_procurement/2018/guidance_public_procurement_2018_en.pdf)

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## **PUBLIC PROCUREMENT GUIDANCE FOR PRACTITIONERS**

on avoiding the most common errors  
in projects funded by the European  
Structural and Investment Funds

## Public procurement rules – IPA partners

### Practical Guide to Contract Procedures for EU External Actions (PRAG)

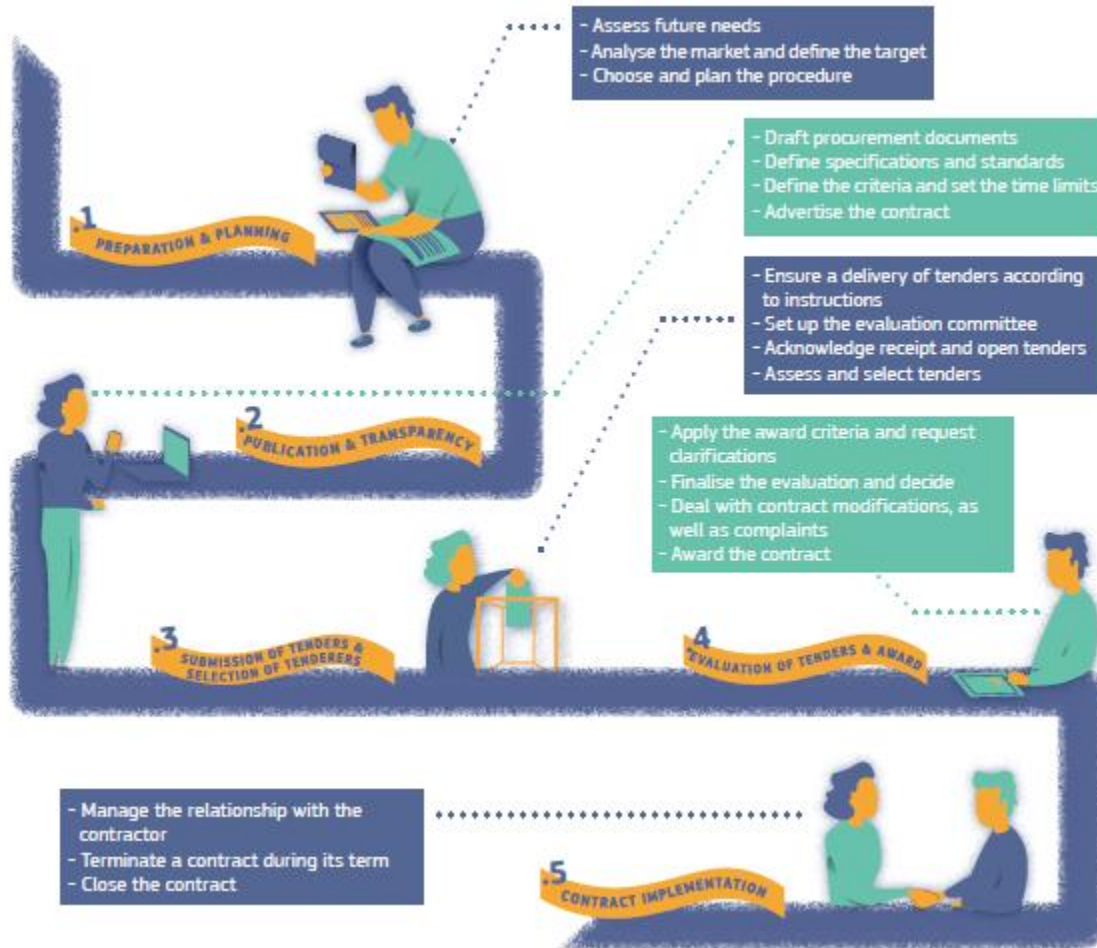
SERVICE CONTRACTS	<p>≥ EUR 300 000</p> <p>International restricted or open tender procedure</p>	<p>&lt; EUR 999 999 Framework contract SIEA 2018</p> <p>Or &lt; EUR 300 000 - Framework contracts (SIEA 2018, Audit, Commission, ...)</p> <p>- Simplified procedure</p>		<p>≤ EUR 20 000 but &gt; EUR 2 500</p> <p>Single tender</p>
SUPPLY CONTRACTS	<p>≥ EUR 300 000</p> <p>International restricted or open tender procedure</p>	<p>&lt; EUR 300 000 but ≥ EUR 100 000</p> <p>Local open tender procedure</p>	<p>&lt; EUR 100 000 but &gt; EUR 20 000</p> <p>Simplified procedure</p>	<p>A payment may be made against invoice without prior acceptance of a tender if the expenditure is</p> <p>≤ EUR 2 500*</p> <p>*budgetary commitment validated before entering into "legal commitment"</p>

<https://ec.europa.eu/europeaid/prag/>

## General rules

- Visibility
- No artificial splitting to circumvent the procurement thresholds
- Avoidance of conflict of interest
- Record keeping

# General rules – summary process



Commission guidelines



## General rules - recommendations

### Commission guidelines



- Divide in lots when possible, or explain why it is not possible.
- The selection and award criteria, must be stated in the procurement documents.
- Be clear about the date and time of delivery.
- Anticipate possible risks, even for small and simple contracts (e.g. contractor being unable to deliver, or not delivering the expected quality).



- Artificially splitting the contract value is illegal.
- Never amend the award criteria during the procurement process.
- Don't treat tenderers inequally.
- Do not modify the contract unless strictly in line with the rules on modifications.