

## Procurement Rules and Procedures

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Chaar-Ferreira	Abado	Griffin Dass	01/12/2018

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## **1. General Provisions**

### **1.1. Purpose and scope**

The following rules and guidelines for procurement and contracting are based on Art. 8 of the Financial Regulations. They are compulsory for all ICMPD staff involved in procurement actions at Headquarters and in other locations. They are also applicable for partners in project implementation. Exceptions may be made for governments/government agencies operating under their national laws or organisations following internationally accepted procurement standards, incorporating the following principles

- choice of the tender offering the best value for money (the best price-quality ratio),
- transparency
- fair competition
- avoiding corruption and conflicts of interest.

The provisions cover the policies, rules and procedures to be applied for the procurement of services, supplies and works under projects or activities carried out by ICMPD and partners. They incorporate past circulars and instructions issued over the years, and adjustments reflecting the workflows in SAP. The principles and policies are largely aligned with EU procurement standards which will apply to most of ICMPD's operations.

In addition, the provisions cover procedures for calls for proposals and awarding grant contracts as well as general rules for contracts with suppliers, beneficiaries and partners. It should be noted that ICMPD is not a funding institution and will as such not programme and award funds from its budget in the form of grants to beneficiaries. However, within contributions or grants received, the award of grants to other beneficiaries may be a dedicated activity in the project.

The present rules will be continuously supplemented with specific instructions, forms and templates as may become necessary in different locations or for donors having different requirements.

### **1.2. Nature of procurement**

Procurement is the overall process of acquiring goods, services and works which includes all steps from the identification of needs, selection of supplier or service provider, preparation and award of contract through all phases of contract administration to the end of a service contract or disposal of an asset. Procurement covered by this guide means procurement of services, supplies or works from commercial service providers and/or private and public organisations. The recruitment of individual external experts (in particular government experts in substance areas of ICMPD's mandate) is covered by the expert recruitment procedure and is not part of the procurement procedures described in this guide.

Most of ICMPD's procurement actions take place in the framework of externally funded projects.

### **1.3. Applicable rules and internal control**

The relevant provisions of the Financial Regulations including those of internal control, as well as the rules and procedures laid down in this document shall apply for all procurement actions of the organisation regardless of the source of funds. In the event of a conflict between the provisions of this document and the procurement rules laid down in project contracts with donors, the terms as agreed in the relevant contract shall take precedence. It is therefore mandatory to check each donor contract for specific requirements before the procurement process is started. For all procurement actions performed by ICMPD, regardless of the procedure applied, the required inspection, verification, certification and approval steps as laid down in the detailed process descriptions in the Annex must be performed.

### **1.4. Procurement responsibilities**

According to Art. 8.3 of the Financial Regulations, the Director for Management is accountable to the Director General for the integrity of the procurement process. He/she delegates, as appropriate, the responsibility for the various elements of this task to members of staff according to their function but maintains authority over and responsibility for all issues regarding the procurement process. The procurement process as such is managed by project managers/project officers or other designated staff in line with the procedures laid down in this document. Internal control and compliance checks with established procedures are exercised by Resources Management Officers assigned to the various projects/funds.

In the absence of a dedicated Procurement Officer, external procurement experts should be hired to support project managers with large and complex procurement actions (recommended threshold >€ 60.000), on a case by case basis, and for periods and intervals required by the process. Such expertise should be included in project budgets as applicable.

### **1.5. Documentation**

For purposes of transparency and equal treatment the forms attached to this document and sample contracts (as applicable) shall be used. For additional document samples the Annexes of the EC PRAG in its valid version may be consulted.

All documents produced and obtained in the procurement process (e.g. procurement notices, invitation to tender, requests for quotation, tender dossiers, technical specifications, terms of reference, notices, offers received, selection and award decisions are to be saved electronically by the requesting unit in a dedicated folder for the specific procurement action on ICMPDnet. All documentation must in addition be saved physically in

a dedicated (project) folder and handed over to Finance and Controlling as part of the audit documentation for storage as required by the financial regulations.

**1.6. Ethical standards and anti-corruption policy**

ICMPD staff members must observe the highest standard of ethics throughout the procurement activities to protect the integrity, fairness and transparency of the procurement process. Vendors shall be chosen and contracts awarded based on ICMPD’s procurement policies and defined selection criteria.

Staff members becoming involved in any way in corruption and/or knowingly let corruption take place shall face disciplinary action. Forms of corruption are for example bribery, favouritism, unnecessary waste and fraud. Failure to comply with ethical and anti-corruption standards may lead to summary dismissal for serious misconduct and may involve reimbursement of financial losses. The relevant articles of the Staff Regulations are recalled in this regard:

- Art. 2.01: Conduct of ICMPD staff*
- Art. 2.02: Use and Release of information*
- Art. 2.04 Reimbursement for financial losses*
- Art. 5.04: Dismissal for serious misconduct*

Vendors shall declare if they have any affiliation with staff members of ICMPD, family or relatives employed by ICMPD. A vendor found to have an undisclosed conflict of interest with ICMPD, or with a competing bidder, shall be disqualified from participating in a tender. Likewise, vendors participating in tenders must declare to adhere to ethical behavior and anti-corruption principles and practices.

**1.7. Definition of terms**

Proposal	also referred to as tender, bid, quotation submitted by a potential supplier or grant beneficiary
Vendor	potential supplier, also referred to as tenderer
Bidder	vendor who submits a bid
Applicant	person/entity applying for a grant
Services	Consulting, professional and logistical services (not covered under supplies and works)
Supplies	office supplies, materials, equipment, appliances, furniture, hard- and software
Works	building of infrastructure, construction, refurbishment
Grants	a financial donation to a beneficiary
Requesting Officer	staff who request services, supplies or works, usually a project

officer or project manager or a designated administrative staff  
Requesting unit a unit or project team requesting the procurement of a specific project



## **2. Procurement of Services, Supplies and Works**

### **2.1. Procurement principles**

The following principles, which are further explained in the sections below, must be observed while implementing procurement activities on behalf of the organisation:

- Best value for money
- Economy and effectiveness
- Transparency
- Fair competition
- Avoidance of conflict of interest
- Interest of ICMPD

#### **2.1.1. Best Value for Money**

Obtaining the best value for money means selection of the offer, which presents the optimum combination of costs and benefits or represents the lowest compliant offer. It requires an integrated assessment of technical, organisational and pricing factors in light of their relative importance.

For example, the following criteria may be taken into account:

- services: period for completion, delivery, reliability, experience, quality, technical merit, after sale technical assistance, aesthetic and functional characteristics, price.
- supplies: delivery date, running costs, cost effectiveness, quality, aesthetic and functional characteristics, technical merit, after sales service, technical assistance, price.
- works: period for completion, experience, reputation, running costs, technical merits, price.

The criteria applied must be linked to the subject matter of the contract. They might also be of non-purely economic nature (e.g. ecological criteria).

Criteria must be supported by documents which permit the information provided to be verified.

The principle of best value for money is applied at the award stage to select the offer that effectively meets the stated requirements in terms of quality and price.

#### **2.1.2. Economy and effectiveness**

The principle of economy and effectiveness means that procurement actions must be carried out in such a manner as to guarantee economic and efficient use of funds and successfully achieve the goals of the action in line with applicable regulations.

- Economy: The principle of economy requires that services, goods and works procured are available at the right time, in appropriate quantities and quality and at best prices.
- Effectiveness: The principle of effectiveness is measured by the attainment of specific determined goals and foreseen results.

### **2.1.3. Transparency**

Procurement activities must be fair and open. Equal criteria and conditions known in advance, timely and proper notices of tendering and opening procedures and on procurement awards, contribute to the implementation of this principle. Transparency is an important tool for preventing and monitoring discriminating behavior. It involves 4 aspects:

- publicity for contracts
- publicity for the rules of each procedure
- rule-based decision making
- opportunities for verification and enforcement.

### **2.1.4. Fair competition**

This principle means that all eligible potential tenderers are provided with timely and adequate notification of ICMPD requirements and an equal opportunity to tender for the required goods, works and services. It applies to all stages of the tendering process: it does not involve only tenderers submitting a bid but requires equal treatment of all potential participants.

- Example: obligation to provide same access to information to all participants; obligation to submit participants to the same rules.

Fair competition means having a process of equity and equivalence between potential tenderers. Equity means all the potential tenderers are informed at the same time with the same quality and quantity of information. Equivalence means the tenderers are potentially able to offer a similar type of services or goods.

Important disclaimer: For procurement carried out with EU funding, the rule of origin (supplies) and the rule of nationality (services) must be observed!

### **2.1.5. Avoidance of conflict of interest**

A conflict of interest occurs when personal interests (which may include financial interests) interfere or appear to interfere with the proper performance of professional functions or obligations, compromising professional judgment and integrity and, in doing so, the best interests of ICMPD. A conflict of interest occurs when observance of the principles of competition, non-discrimination against or equality of treatment of candidates or tenderers,

is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with a tenderer/ competitor.

- Examples: a firm/expert involved in drafting the specifications for a tender is prohibited from participating in the tender itself (e.g. IT contracts – if you hire a firm to draft the specifications of an IT project, you have to exclude this firm from bidding for the contract). A firm or expert involved in preparing a project (e.g. drafting the Terms of Reference) must, as a rule, be excluded from tendering for services that are based on those preparations, unless they can prove that their initial involvement does not constitute unfair competition.

In the context of procurement, staff members must declare any affiliation to vendors, shall provide the same information at the same time to vendors, shall not deprive any vendors of such information, shall not disclose any information on price, terms and conditions of a bid to other bidders and shall refrain from any action which would favour a bidder or put at disadvantage another bidder/bidders. Failure to make such a declaration shall be construed as conflict of interest.

Grounds for exclusion must be considered case by case. Any automatic exclusion deprives the candidate/tenderer/applicant of the right to present supporting evidence which might remove all suspicion of a conflict of interest.

Where a potential conflict of interest occurs with regard to on-going contracts, measures must be adopted to prevent such a conflict, including cancelling the contract if necessary or excluding proposed experts and/or ensuring that no staff working on the contract has a conflict of interest.

#### **2.1.6. Interest of ICMPD**

Staff members are obliged to serve the interest of ICMPD in performing their procurement activities, in particular keeping in mind:

- The need for economy and efficiency in procurement actions;
- Providing equal opportunities and fair competition to potential tenderers
- Safeguarding ICMPD's reputation.

#### **2.2. Procurement methods/procedures**

The overall objective of the procurement process is to procure high quality goods, works or services as economically as possible. This objective is best achieved through the transparent use of funds and effective competition, which affects the choice of procurement method and the documentation and procedures that are used. The method selected depends upon a number of factors including the type of good or service being procured as well as its value.

The table below gives an overview of different procurement methods and related thresholds:



<b>Services</b>	<b>≥ €300.000</b> International restricted tender procedure	<b>€ 60.000 - € 300.000</b> Competitive negotiated procedure	<b>€ 10.000 - € 60.000,-</b> Simplified competitive negotiated procedure	<b>≤ €10.000</b> Single offer  For services and supplies of value <b>≤2.500</b> a payment may be made against invoice
<b>Supplies</b>	<b>≥ €300.000</b> International open tender procedure	<b>€ 100.000- € 300.000</b> Local open tender procedure	<b>€ 10.000 - € 100.000</b> Competitive negotiated procedure	
<b>Works</b>	<b>≥ €5.000.000</b> International open or restricted tender procedure	<b>€ 300.000 - € 5.000.000</b> Local open tender procedure	<b>€ 10.000 - € 300.000</b> Competitive negotiated procedure	

Below is a description of the general characteristics of each of the methods mentioned above. Detailed process descriptions for each of the procurement methods are given in the Annex to this document.

### **2.2.1. Open procedure**

In 'open' calls for tender (international or local) all economic operators may submit a tender. The contract is given maximum publicity by publishing a notice on the ICMPD website under the Work for Us section, and in any other appropriate media (e.g. local newspapers, EC journal).

Any natural or legal person wishing to tender may ask to receive the tender dossier, in accordance with the procedures specified in the contract notice. The tenders are examined, the eligibility and the financial, economic, technical and professional capacity of the tenderers are checked to arrive at a selection, the tenders are compared and the contract is awarded

No negotiation is allowed.

### **2.2.2. Restricted procedure**

In 'restricted' calls for tender, all economic operators may express their interest to submit a tender but only those who satisfy the selection criteria may be invited to do so.

The selection criteria and the tasks to be undertaken are described in the published procurement notice. It must state the number of candidates which will be invited to submit tenders within a range of four to eight candidates, and must be sufficient to ensure genuine competition. A 'long list' of all the candidates replying to the notice is cut down to a shortlist of the best qualified, on the basis of their replies. At the shortlisting stage, before the list is approved by the procurement committee, the Procurement Officer checks that none of the candidates or their partners are in an exclusion situation as per tender dossier.

The contract is given maximum publicity by publishing a notice on the ICMPD website, and in any other appropriate media.

The Requesting Officer and/or Procurement Officer prepares the shortlist notice using the template (see Annex) and submits it in electronic form for publication on ICMPD's website at the time of tender launch and sends the tender dossier to the shortlisted candidates. To ensure fair competition, tenders must be submitted by the same service provider or consortium which requested to tender, which was shortlisted and to which the invitation to tender was addressed. No changes to the identity or composition of the tenderer are permitted, unless good reasons have been given and the procurement committee has given its approval in writing. Examples of situations where such approval could be given, based on the details of the case and provided that they do not change the conditions of competition, are:

- where a shortlisted candidate/member of a consortium has merged with another company and where the new company is found to meet the eligibility criteria and does not give rise to any conflict of interest;
- where positions are swapped within the consortium, if it does not lower the score received by the consortium during the technical evaluation;
- where a partner leaves but the consortium still meets the conditions under which it was shortlisted, i.e. the rest of the consortium meets the selection criteria and would have been shortlisted without that partner.

Once the tenders have been analysed, they are compared and the successful tenderer is chosen.

No negotiation is allowed.

### **2.2.3. Competitive negotiated procedure**

The Requesting Officer draws up a list of at least three potential tenderers and justifies its choice. The candidates are sent a letter of invitation to tender (request for quotation) accompanied by a tender dossier specifying content and modalities of the tender. Tenders must reach ICMPD at the address and by no later than the date and time shown in the invitation to tender. The chosen candidates must be allowed at least 30 days from the dispatch of the letter of invitation to tender to submit their tenders. In exceptional cases, a

shorter deadline may be allowed. Tenders must be opened and evaluated by the procurement committee established for the tender.

In the event of a failure of the competitive negotiated procedure, i.e. ICMPD receives only one tender that is administratively and technically valid, the contract may be concluded by negotiated procedure, provided that the award criteria are met.

The award goes to the best value for money offer in the case of tenders for services, and lowest priced acceptable offer in the case of tenders for supplies or works.

#### **2.2.4. Simplified competitive negotiated procedure**

This procedure applies where standardised services are procured which do not require detailed terms of reference or technical specifications and procedures for the preparation of a proposal. Typical examples are the procurement of standardised services in the framework of ICMPD's capacity building projects and activities such as seminar/conference facilities, hotel rooms and meals for seminar/conference participants, translation and interpretation services as well as transportation services for participants. Under the simplified competitive negotiated procedure, the Requesting Officer invites a minimum of three suitable vendors to submit offers and/ or quotations for the services specified on the Request for Quotation form (RFQ). The RFQ has to specify the essential terms and conditions of the procurement. In terms of selecting suitable vendors, the vendors should potentially be able to provide the same type and quality of services.

- Example: a two stars hotel cannot be in competition with five stars knowing that it will be excluded due to the potentially inferior quality versus the other competitors).

There is no requirement for publication and normally no requirement for a complete tender dossier. The procurement committee is typically composed of the requesting (project) officer, the responsible programme or project manager and the Resources Management Officer and evaluate the quotations received against the specified requirements in the RFQ. The offers are ranked in terms of technical compliance and price.

The Requesting Officer must draft a Quotation Protocol explaining the negotiation process and the grounds for the selection. The members of the Procurement Committee sign the Protocol thereby certifying the integrity of the process and selection decision.

#### **Listing of eligible vendors (services up to a maximum of Euro 60.000)**

For recurring services such as translations or interpretation services in a specific project or location, a list of eligible vendors may be set up using the competitive negotiated procedure.

An invitation to tender (request for quotation) will be launched between a minimum of 6 potential suppliers. The selection criteria, modalities of the tender and contracting modalities are to be included in the tender invitation as well as the indicative total amount of the services to be provided over a certain period. The offers received from qualified vendors are ranked by the evaluation committee from cheapest to most expensive.

Once the list is set-up the tenderers will be informed about their place in the ranking list. The vendors' list is saved in a dedicated folder on ICMPDNet. For the provision of services, the first name on the list will be contacted. Should the first ranked supplier not be able to carry out the requested services within the specific time frame, the next on the list will be contacted until a contract can be concluded with a supplier. The list of vendors is valid for a maximum of 36 months and available to all ICMPD staff needing to procure the specified type of services. Its validity may however be limited to a specific project for its duration.

#### **2.2.5. Single offer procedure**

A contract (purchase order) may be awarded on the basis of a single offer when the contract amount does not exceed EUR 10.000. This method is based on the comparison of informal price quotes obtained from potential suppliers to assure best value for money. The Requesting Officer must specify the grounds for the selection on the procurement request (comments box of the SAP window), the name(s) of persons involved in the selection (if any) and price negotiation. The selection must be approved by the Resources Management Officer when approving the procurement request.

Procurements for amounts less than or equal to EUR 2.500 may be done against invoice following the standard procedure for the certification of funds through a procurement request.

#### **2.2.6. Direct contracting**

In exceptional situations *direct contracting* may be authorised by the Director for Management. Those situations are described below:

- (a) There is a genuine and documented exigency of the activity concerned that does not permit the time required for the issuance of a full procurement procedure as described above. Actions carried out in crisis situations are considered to satisfy the test of extreme urgency.
- (b) where the services are entrusted to public-sector bodies or to non-profit institutions or associations and relate to activities of an institutional nature or designed to provide assistance to peoples in the social field;
- (c) where contracts extend activities already under way which are not included in the main contract but which, because of unforeseen circumstances, have become necessary to perform the contract, or which consist of the repetition of similar services entrusted to the contractor providing services under the initial contract;
- (d) for additional deliveries by the original supplier intended either as a partial replacement of normal supplies or installations or as the extension of existing supplies or installations, where a change of supplier would entail the acquisition of equipment having



different technical characteristics which would result in either incompatibility or disproportionate technical difficulties in operation and maintenance (e.g. IT equipment, standardized office furniture);

(e) for additional works not included in the initial contract concluded which have, through unforeseen circumstances, become necessary for carrying out the works;

(f) where the tender procedure has been unsuccessful, that is where no qualitatively and/or financially worthwhile tender has been received. In such cases, after cancelling the tender procedure, ICMPD may negotiate with one or more tenderers of its choice, from among those that took part in the tender procedure, provided that the initial terms of the tender procedure are not substantially altered;

(g) where, for technical reasons, or for reasons connected with the protection of exclusive rights or proprietary source information, the contract can be awarded only to a particular service provider;

(h) where a mandatory condition is attached to funds made available by a government or international development organisation.

(i) for the issue of the expenditure verification report and the financial guarantee where they are required under the Contract;

(j) for contracts declared to be secret, or for contracts whose performance must be accompanied by special security measures (e.g. security standard of hotel or transportation) or when the protection of the essential interests of ICMPD or the beneficiary country so requires;

(k) for contracts in respect of supplies quoted and purchased on a commodity market;

(l) for contracts in respect of purchases on particularly advantageous terms, either from a supplier which is definitively winding up its business activities, or from the receivers or liquidators of a bankruptcy, an arrangement with creditors, or a similar procedure under national law.

In the above situations, the Director for Management, having carefully weighed the interests of the organisation and the advice of the procurement committee, where appropriate, may decide to waive formal solicitation procedures and approve direct contracting.

Should situations arise which are not covered by the above provisions but may require a waiver of the solicitation procedures in order to prevent serious damage to the organisation, its member states or donors, the Director for Management shall refer the case to the Director General who shall take a final decision.

### **2.3. Tender dossier**

The content and composition of the tender dossier depends on the nature and volume of services/supplies/works to be procured. It must be composed in a way and contain a level of

information which enables potential vendors to prepare comparable proposals at equal opportunities. By way of example, an invitation to tender should include the following:

- Instructions for the preparation and submission of the proposal: contracting party, subject of the tender, services (goods, works) requested, place of performance, start and end date of performance, name and address where the tender should be sent, instructions regarding questions of the tenderer, details for submission, language of the proposal, selection and award criteria, exclusion criteria, deadline for the submission of the tender
- List of documents to be included in the proposal: cover letter, acknowledgement form, application form, self-disclosure form, technical proposal form, financial proposal form or price quote form, proofs of financial and professional competences as applicable)
- Information about ICMPD, mandate, subject of the tender
- Background information necessary for the preparation of the tender, terms of reference for the services requested or technical specifications for supplies or works, contract terms
- Terms with regard to confidentiality, multiple participation, subcontracting and other essential contract terms.
- Annexes: All document templates which have to be filled in by the tenderer as well as the model contract (if applicable) have to be included in the tender dossier.

#### **2.4. Clarifications before the deadline for submission of tenders**

Depending on the nature of services/supplies/works to be procured it may be advisable to foresee an opportunity for tenderers to ask questions/obtain additional information which will enable them to prepare a valid bid. This possibility is to be mentioned in the tender dossier together with the deadline until when clarification questions can be put forward and answers are to be provided. In order to ensure equal treatment of all tenderers the Requesting Officer/unit must publish the questions and answers to all tenderers participating in the procurement. This may be done through the ICMPD website or by written communication to the participating tenderers.

#### **2.5. Selection criteria**

##### **2.5.1. General principles**

Tenderers must be selected based on clear and non-discriminatory selection criteria for the purpose of assessing that the tenderer has sufficient financial, economic, technical and professional capacity to implement the tasks of the contract. The chosen criteria shall be relevant, proportionate, non-discriminatory and may not go beyond the scope of the contract and must take account of the legitimate interests of the tenderer, in particular the firm's right to protection of its technical and business secrets. It must be possible to verify

compliance with the chosen criteria through documentary evidence. When in doubt about the authenticity of the documents provided, the procuring staff should carry out additional checks and request additional documents.

The selection criteria must be specified in the contract notice (respectively in the tender dossier) and applied by the procuring office as specified, unless a corrigendum has been published.

### **2.5.2. Recent information**

It is of interest to have as recent information as possible to verify the capacity of the tenderer. For the economic and financial capacity this period may be no more than the last three financial years. For the professional and technical capacity the timeline depends on the type of contract. For service and supply contracts it shall be what has been implemented or completed in the past three years and for works contracts it shall be what has been carried out in the last five years.

### **2.5.3. Capacities of the tenderer**

The tenderer is asked to indicate in the tender submission form their economic, financial, professional and technical capacity in accordance with the selection criteria laid down in the tender documents/call for proposals. The documents to support the information in response to the selection criteria shall be submitted by all the tenderers together with the tender/proposal or as otherwise specified in the tender dossier/call for proposals.

#### **Financial and economic capacity of tenderers**

Proof of economic and financial capacity may be furnished by one or more of the following documents, by way of example:

- appropriate statements from banks;
- evidence of professional risk indemnity insurance;
- presentation of balance sheets or extracts from balance sheets for at most the last three years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established;
- a statement of overall turnover and turnover for works, supplies or services covered by a contract during a period of no more than the last three financial years.

#### **Technical and professional capacity of candidates or tenderers**

Proof of the technical and professional capacity of the candidate/tenderer may be furnished by one or more of the following documents, by way of example:

- the educational and professional qualifications of the service provider, respectively its key personnel;

- a list of references (companies/entities to which similar services, have been provided). In case of public recipients to be evidenced by certificates or confirmations from the contracting authority;
- a description of the technical equipment, tools and plant to be employed by the firm for performing a service or works contract;
- a description of the technical equipment and measures employed to ensure the quality of supplies and services, and a description of the firm's study and research facilities;
- an indication of the technicians or technical bodies involved, whether or not belonging directly to the firm, especially those responsible for quality control;
- for supplies: samples, descriptions and/or authentic photographs and/or certificates drawn up by official quality control institutes or agencies of recognised competence attesting the conformity of the products with the specifications or standards in force;
- a statement of the average annual manpower and the number of managerial staff of the service provider or contractor in the last three years;
- a copy of, or extract from, the payroll or employment contracts;
- an indication of the proportion of the contract which the tenderer may intend to subcontract. ICMPD may also require the candidate or tenderer to submit any information on the financial, economic, technical and professional capacities of the envisaged subcontractor, in particular when subcontracting represents a significant part of the contract.

If a tenderer has implemented a contract in a consortium, the percentage that the tenderer has completed must be clear from the documentary evidence, together with a description of the nature of the services, supplies or works provided. This requirement is relevant if the selection criteria include a rating concerning the experience of the tenderer.

Where the services or products to be supplied are complex or, exceptionally, are required for a special purpose, evidence of technical and professional capacity may be secured by means of a check carried out by ICMPD staff or a competent expert. Such checks will concern the supplier's technical capacity and production capacity and, if necessary, its study and research facilities and quality control measures.

If the tenderer is unable to provide the evidence requested for some exceptional reason which ICMPD finds justified, it may prove its capacity by any other means which ICMPD considers appropriate.

If the tenderer submits a self-declaration/statement as documentary proof, ICMPD reserves the right to ask for further documentary evidence.

## **2.6. Award criteria**

Contracts are awarded on the basis of award criteria established in the call for tender in one of the following two ways:

- the contract is awarded to the tender which, while being in order and satisfying the conditions laid down, quotes the lowest price;
- under the best-value-for-money principle (i.e. the most economically advantageous tender). The criteria must be precise, non-discriminatory and not prejudicial to fair competition.

## **2.7. Cancellation of procurement procedures**

Cancellation may occur, for example, if:

- the tender procedure has been unsuccessful, i.e. no qualitatively or financially worthwhile tender has been received or there is no valid response at all;
- the economic or technical data of the project have fundamentally changed;
- exceptional circumstances or a force majeure render normal performance of the contract impossible;
- all technically compliant tenders exceed the financial resources available;
- there have been irregularities in the procedure, in particular where these have prevented fair competition;
- the award is not in compliance with sound financial management i.e. does not obey the principles of economy, efficiency and effectiveness (e.g. the price proposed by the tenderer to whom the contract is to be awarded bears no relation to the market price).

If, after prior approval, a procurement procedure is cancelled, all tenderers must be notified in writing and as soon as possible of the reasons for the cancellation. A cancellation notice must be published. After cancelling a tender procedure, the procurement committee has to decide whether

- to launch a new tender procedure;
- to open negotiations with one or more tenderers who participated in the tender procedure and who meet the selection criteria, provided that the original terms of the contract have not been substantially altered (this option is not available if the procedure was cancelled because of irregularities which might have prevented fair competition);
- not to award the contract.

Whatever the case, the final decision is taken by ICMPD. In no event will ICMPD be liable for any damages whatsoever including, without limitation, damages for loss of profits in any way connected with the cancellation of a tender even if ICMPD has been advised of the possibility of damages. The publication of a contract notice does not commit ICMPD to

implement the programme or project announced. A disclaimer to this effect must be included in the publication notice.

### 3. Distribution of Grants

A grant is a financial donation/non-commercial payment by ICMPD given to a specific grant beneficiary to finance a specific action or operational costs (i.e. the running costs) as may be laid down in the primary contract between ICMPD and the donor. A grant contract differs from a procurement contract in a number of ways:

	Procurement "Buying things"	Grants "Giving money"
Object	Purchase of services, supplies or works	Proposal from an applicant to contribute to the achievement of a policy objective through: - a project (i.e an action grant); or - the functioning costs of the applicant (i.e. an operating grant)
Owner of Results	Contracting Authority	Grant beneficiary
Financial contribution	100% of the cost	ICMPD finances part or all of the eligible costs - the stipulations of this document or as agreed with the donor shall apply.
Profit	Allowed	Not allowed

#### 3.1. Principles for grant distribution

There are strict rules governing the way in which grants are awarded. They require programming, transparency and equal treatment. Grants may not be cumulative or awarded retrospectively and they may involve co-financing. The amount specified in the grant contract as eligible for financing may not be exceeded.

- **Management modes:** Grants are awarded by ICMPD within a specific framework. ICMPD is responsible for issuing calls for proposals, receiving proposals, conducting Evaluation Committees, deciding on the results of calls for proposals and signing the

contracts. Rules laid down in the primary contract between ICMPD and the donor shall normally direct the management of grants.

- **Programming:** Grants must be programmed by the responsible programme/project team with clearly defined objectives and published in a suitable way to reach potential beneficiaries (ICMPD website, local media etc.) in an easily accessible way. Where the characteristics of the beneficiary make it the sole choice for a given action publication is not required (see 3.5. below for direct award of grants).
- **Equal treatment:** The grant award process must be completely impartial. This means that the proposals must be evaluated by an Evaluation Committee composed of staff and /or experts having the required degree of knowledge and competence in the programme area.
- **Non-cumulation:** No single beneficiary may receive more than one grant for the same action
- **Non-retroactivity:** Grants only cover costs incurred after the date on which the grant contract is signed. No grant may be awarded retroactively for actions already completed.
- **Co-financing:** Grants may normally not finance the entire cost of the action or the entire operating expenditure of a beneficiary body, however, financing in full may be authorised if so foreseen in the primary contract between ICMPD and the donor. When co-financing is required, ICMPD shall follow the rules of the donor regarding acceptable forms of co-financing.
- **Non-profit rule:** Grants may not have the purpose or effect of producing a profit within the framework of the action. In case a profit is made, ICMPD has the right to reduce the final amount of the grant by the percentage of the profit corresponding to the final contribution to the eligible costs approved.
- **Contingency reserve:** A reserve for contingencies not exceeding 5 % of the direct eligible costs may be included in the budget.

## **3.2. Call for proposals**

### **3.2.1. Publicity**

In order to ensure the widest possible participation and the requisite transparency, every call for proposals must be accompanied by Guidelines for Applicants.

The Guidelines are published on the ICMPD website and in any other appropriate media (other websites, specialised press, local publications, etc.). They should be available in the language(s) appropriate to the call for proposals.

### **3.2.2. Guidelines for Applicants**



The Guidelines for Applicants (which include the Application Form and other annexes) have to contain:

- the purpose of the call for proposals;
- the rules on eligibility of applicants;
- the types of action and costs which are eligible for financing;
- the evaluation (selection and award) criteria;
- information to be provided on the legal and administrative status
- Rules of nationality/origin to be observed (if applicable)
- instructions on how to fill in the application form and what procedures to follow for applying, posing questions and requesting information
- supporting documents to be provided;
- information on the evaluation process that will follow (including an indicative timetable) and the contractual conditions applying to successful applicants.

The Guidelines should set out very clearly and in detail the objectives and priorities of the call for proposals, and give particular attention to the eligibility criteria. They must be published and any change to them must be published as well. The published information becomes binding on the Evaluation Committee after the deadline for submissions.

### **3.2.3. Eligibility criteria**

The eligibility criteria determine the conditions for participating in a call for proposals. They must be drafted with due regard for the objectives of the action and be transparent and non-discriminatory. The eligibility criteria apply to two different points:

- Eligibility of the applicants: this refers to the applicants' legal and administrative status.
- Eligibility of the action: this refers to the types of activities, sectors or themes and geographical areas covered by the call for proposals.

### **3.2.4. Additional information before the deadline for submission of proposals**

During the time between publication and the deadline for the submission of proposals, in addition to any information session held applicants should be able to ask questions to help them fill in the form and put together their applications. The responsible project manager should therefore provide a contact point to which questions may be addressed. In the interests of equal treatment of applicants, ICMPD cannot give a prior opinion on the eligibility of an applicant(s), an affiliated entity(ies), an action or specific activities.

In the interests of transparency and equal opportunities, the answer provided to applicants on points which may be of interest to other applicants should be made available to all applicants. The way to achieve this is to publish on the website a table containing all the questions and answers provided.

### **3.2.5. Deadline for submission of proposals**

Proposals must be submitted to ICMPD at the address and, at the very latest, by the date (and time, for hand-delivery) indicated in the call for proposals, as evidenced by the date of dispatch, the postmark or the date of the deposit slip (for hand-delivery, the deadline for receipt is on the date and hour fixed in the Guidelines for Applicants). The deadline for submission must be long enough to allow for high-quality proposals.

### **3.2.6. Submission of proposals**

Proposals must be submitted in accordance with the instructions given in the Guidelines for Applicants. ICMPD has the discretion to decide whether to request supporting documents with the application form from all the applicants or only from applicants which have been provisionally selected after the evaluation. For the administrative and eligibility checks, the Evaluation Committee should check each proposal against the Checklist and the Declaration by the applicant (see the Application Form).

### **3.3. Evaluation criteria: selection and award**

The evaluation criteria consist of selection and award criteria, all of which are defined in the evaluation grid.

The selection criteria are used to assess the applicant's financial capacity as well as the applicant and the co-applicant(s)'s (if any) operational capacity to complete the proposed action: the applicants must have stable and sufficient sources of funding to keep operating throughout the action period and to participate, where appropriate, in its funding. Applicants and their affiliated entity(ies) must also have the necessary professional competencies and qualifications to complete the proposed action.

Assessments are made on the basis of the supporting documents submitted in the context of the call for proposal. These may vary depending on the size of the grant to be awarded and the type of recipient. They may include bank statements or an external audit report of the applicant, the profit and loss account and the balance sheet for the last financial year for which the accounts have been closed. For small grants (**up to Euro 10.000,-**) to civil society organisations or NGOs these requirements may be waived and in case of award financial controls be imposed in the contract. In case of doubt about the capacity of the applicants, the Evaluation Committee may ask for additional proofs.

The award criteria are used to assess proposals against the set objectives and priorities, so that grants are awarded to actions that maximise the overall effectiveness of the call for proposals. They should enable ICMPD to select proposals which it can be confident will comply with its objectives and priorities and guarantee the visibility of ICMPD and donors.

The award criteria relate, in particular, to the relevance of the action and its compatibility with the objectives of the framework under which the call for proposals is being financed; the quality, expected impact and sustainability of the action, and its cost-effectiveness.

All eligibility and evaluation criteria specified in the call for proposals must be applied as specified and cannot be changed in the course of the procedure. The criteria should be precise and non-discriminatory.

### **3.4. Cancelling the call for proposals procedure**

The Evaluation Committee may decide to cancel the call for proposals procedure at any stage, but particularly in the light of the Evaluation Report, if:

- the call for proposals has been unsuccessful, i.e. no worthwhile proposal has been received or there were no replies;
  - the economic or technical data of the programme have been fundamentally altered;
  - exceptional circumstances or force majeure render the normal conduct of the planned actions impossible;
- there have been irregularities in the procedure, in particular where these have prevented equal treatment.

### **3.5. Direct award of grants**

A call for proposals is not required in the following circumstances

- In the case of humanitarian emergency or protection actions which need to be carried out without delay.
- If the beneficiary has a de-facto monopoly standing in terms of operational or substantive competence in the area covered by the grant.

In all cases the evaluation committee must document how the beneficiary was identified or selected and document the justification for its direct award decision.

## **4. Procurement/Evaluation Committee**

### **4.1. General provisions**

For all procurement cases envisaged to commit funds above EUR 60,000.00 requiring the evaluation of bids or the evaluation of proposals under grant financing, a procurement committee (also referred to as evaluation committee in case of proposals for grants) needs to be established. The committee can be composed ad hoc whereby its composition should cut across both substantive and administrative services and should always be an odd number of members. The minimum number of the committee is three (particularly for typical ICMPD procurements in the service sector - seminar and related services and facilities) and usually comprise the Requesting Officer, his/her line manager and the CRM Officer (Procurement Officer or RMO).

For local or international open/restricted procedures, the Procurement Committee is to be comprised of at least five persons:

- Director for Management (or a delegated official) as non-voting chairperson ensuring the integrity of the evaluation process;
- Requesting Officer;
- his/her Line Manager;
- Head of CRM;
- Procurement Officer (or as designated by the Head of CRM); and
- Project Assistant (non-voting Secretary).

A representative of ICT unit should be included in the Evaluation Committee where procurement of ICT equipment/services is evaluated. A representative of a Partner organisation or an independent expert may also participate in the Procurement Committee (as voting member or observer).

For procurements under regular budget funds, the Head of Corporate Financial Management shall replace the Requesting Officer and his/her line manager in the procurement committee.

The appointed evaluators should possess all the technical and administrative capacities necessary to give an informed opinion on the tenders respectively proposals. All members of the Procurement/Evaluation Committee are to be available at all stages of selection of the supplier/grant beneficiaries and attend all the respective meetings (incl. opening and evaluation of tenders and proposals). Any absence/replacement of the evaluator is to be recorded and explained in the Evaluation Report.

### **4.2. Impartiality and confidentiality**

The procurement committee should decide on an evaluation methodology and evaluation criteria clearly defined and specified in the evaluation grids/documents. The methodology and criteria shall be consistently applied in order to ensure fair treatment of all bidders/applicants. Changes of criteria which were communicated to the bidders/applicants cannot be done after bids/proposals have been received.

The principles of impartiality and confidentiality are to be preserved by all members of the Evaluation committee and observers at all stages of the procurement process. Any evaluator or observer who has or might have an actual or potential conflict of interest with any tenderer/applicant must declare it and immediately withdraw from the Procurement/Evaluation Committee.

#### **4.3. Clarifications**

If clarifications are required from the potential suppliers/tenderer/applicant at any stage of the evaluation process, the request for clarification and further related communication on this matter is to be made in writing. Copies of such communication are to be annexed to the Evaluation report.

#### **4.4. Responsibilities of the Procurement /Evaluation Committee members**

The Chairperson is responsible for overall coordination of the evaluation process in accordance with ICMPD procurement procedures and principles of equal treatment and transparency. The voting members of the Procurement committee have collective responsibility for decisions taken by the Committee. The Secretary of the Committee is responsible for administrative support related to the evaluation procedure and minutes taking.

#### **4.5. Responsibilities of the Procurement/Evaluation Committee**

##### **4.5.1. Receipt and registration of bids/proposals**

On receiving bids/proposals, a member of the Procurement Committee must register them and provide a receipt for those delivered by hand. The envelopes must remain sealed and be kept in a safe place until they are opened. Under the simplified negotiated procedure quotations may be received by e-mail and are entered by the Procurement Officer in the quotation protocol. The register of proposals should contain the following information:

- the registration number of the proposal;
- the date of receipt
- the applicant's name and address.

##### **4.5.2. Opening session and administrative checks**

Bids/proposals received after the deadline shall not be processed further.

All bids/proposals are opened in an opening session at which the registration details are checked and the proposals numbered.

Each member of the procurement committee shall receive one copy of the tender/proposal.

The proposals that met the deadline are then subject to an administrative check to assess whether they fulfill all the criteria mentioned in the tender dossier, respectively the call for proposals.

If any of the requested information is missing or is incorrect, the bid/application may be rejected on that sole basis and the bid/application will not be evaluated further. However, if due to an obvious clerical error on the part of the tenderer/applicant, they fail to submit evidence, the procurement committee may ask the tenderer/applicant to provide, within a set deadline, the missing information or clarify supporting documents.

Following the opening session and the administrative checks, the Procurement Committee decides on any contentious case and proceeds with the evaluation of the bids/proposals.

#### **4.5.3. Evaluation of the bids/proposals**

Bids and proposals which passed the administrative checks are evaluated against the methodology and criteria decided upon by the Procurement Committee, respectively reflected in the tender dossier or call for proposals. The evaluation is done by using an evaluation grid. The overall assessment is based on the scores obtained under each subheading, added up by heading- The Secretary then draws up a list of all the bids/proposals, ranked by score.

#### **4.5.4. Eligibility checks (grants)**

This assessment is carried out using the Declaration by the Applicant, the required supporting documents and the criteria set out in the Guidelines for Applicants. Under no circumstances may members of the Evaluation Committee change the Declaration.

Any missing supporting document or any inconsistency between the Declaration and the supporting documents is sufficient to reject the proposal. However, the Evaluation Committee may use its discretion in deciding whether the proposal should still be evaluated, in the interests of equal treatment and proportionality. Whatever the Evaluation Committee decides, this must be fully recorded and reasons given in the Evaluation Report.

#### **4.5.5. Evaluation (quotation) protocol**

The Procurement Committee drafts its recommendations after having examined all the bids/proposals and completed the evaluation grid. All such decisions must be recorded and fully substantiated in the Evaluation (quotation) Protocol. The evaluation grids completed by the members of the Evaluation Committee must be kept. The Evaluation Committee's decisions are taken independently and in an advisory capacity. The Evaluation Committee must ultimately draw up a list of the bids/proposals selected, indicating the score obtained

by each bid/proposal. In the case of grants, the requested amount of the proposed grant and the proportion of the eligible costs proposed to be financed are to be recorded. Subject to the following considerations, this list is made up of the proposals obtaining the best scores, ranked by order, within the limits of the funds available under the call for proposals.

The Committee may decide not to allocate all the available funds if it finds that there are too few proposals of the quality required to receive a grant. In other words, the mere availability of funds should not lead to the award of proposals that do not reach the necessary level of quality.

The final Evaluation Report, covering the eligibility checks, is drawn up following the final meeting of the Evaluation Committee. It must be signed by all members of the Evaluation Committee. The Evaluation Report and successful bidder/applicants are approved by the Director for Management.

#### **4.5.6. Notification of tenderer/applicant**

Once the final selection has been approved, the successful tenderer respectively the successful applicant(s) are to be notified that their bid/proposal has been selected and a contract will be prepared. Letters to successful candidates should be sent within two weeks of the award decision. Likewise, unsuccessful tenderers or applicants should be informed that their bids/proposals have not been selected giving a proper explanation for this decision.

## **5. CONTRACTING**

### **5.1. Services, Supplies, Works contracts**

#### **5.1.1. Purchase order and award of the contract**

Once the Procurement Committee identifies a Supplier that meets the prescribed requirements and whose tender has been determined (1) to be substantially responsive to the technical specifications, and (2) to offer the best value for money; the Requesting Officer may proceed with contract preparation. A contract is an agreement between ICMPD and a Supplier providing goods, civil works and/or services, which demonstrates:

- The parties' intent to contract;
- A clear offer and a clear acceptance of the offer;
- The parties are legally capable of contracting;
- A price has been set that ICMPD agrees to pay the supplier;
- A clear agreement between contracting parties about the terms and conditions of the contract.

**Procurement below € 2.500,-** is done via a written purchase order

**Contracts under competitive negotiated procedure and single offer procurement:** The standard contract of the supplier (confirmation of offer as applicable) may be used following approval by the Director for Management or as delegated.

**Contracts under other procedures:** The standard contract templates are to be used, respectively the contracts must be concluded on the basis of the terms and conditions as specified in the tender documents.

#### **5.1.2. General Contract Provisions**

Contracts shall be awarded within the designated period of the offer's validity and clearly define

- The nature or characteristics of the services/supplies/works being procured;
- The quantity being procured;
- Contract or unit price;
- Duration of the contract;
- Conditions to be fulfilled, including applicable general terms and conditions;
- Terms of delivery and payment;
- The rights and obligations of ICMPD and of the supplier
- Termination, arbitration clauses



- Name and address of the supplier

#### **5.1.3. Special Provisions (as applicable)**

- Performance guarantee: Where a performance security is required to ensure performance during the warranty period, a contract should be signed only upon receipt of the performance security in the form of a bank guarantee.
- Financial guarantees, prefinancing payments: Pre-financing payments shall only be made against financial guarantees supplied by the contractor. Where the contractor is a public body, the prefinancing guarantee requirement may be waived, depending on the Resources Management Officer's assessment of the risk and via a prior approval. Exceptions to this rule are possible where commercial practices require otherwise (example: The procurement of seminar facilities, hotel rooms for conferences etc. do not require financial guarantees in order to release advance payments since these are a standard requirement of the industry).
- Liquidated damages: Where time is of the essence, provisions for liquidated damages or similar provisions, generally established at one percent of the total contract amount per week, shall be included in the conditions of contract when delays result in extra cost, or loss of revenue or loss of other benefits to the project. Such a provision provides a claim of right to remedies, deducting a fixed percentage for each day or week of delay as compensation for losses sustained in the case of non- or late performance. Once a deduction of 10 percent has been obtained, the Project Manager may consider termination of the contract
- Penalties in the event of breach of contract
- Any other provision appropriate or warranted under specific circumstances.

#### **5.1.4. Negotiations**

Negotiations may be carried out with the selected supplier regarding payment terms, supplementary terms and conditions, delivery, etc. Negotiations, nonetheless, should result in a clear understanding of responsibilities under the contract..

#### **5.1.5. Publicising the award of the contract**

Publishing award notices is important so as to respect the principle of transparency.

Once the contract has been signed, the Procurement Officer must draft a contract award notice (template), and publish the results of the tender procedure on the ICMPD website. If the award notice is also published locally, the responsible officer must arrange local publication directly. An award notice is published if the contract notice was published or if the value of the contract is above international thresholds (supplies > € 300 000, works > € 5 000 000).

In addition, regardless of the type of procedure, the Procurement Officer must:

- send the other tenderers a standard letter (template) within not more than 15 days from receipt of the countersigned contract;
- record all statistical information concerning the procurement procedure including the contract value, the names of the other tenderers and the successful tenderer.

If unsuccessful tenderers request further information, they may be given any information which is not confidential, e.g. comments regarding their strengths and weaknesses, as this may assist them to be successful in future tenders.

## **5.2. Grant contracts**

In preparing grant contracts for each of the successful applicants on the final list, the responsible officer needs to verify that

- The budget proposed for the action by the successful applicant is free of arithmetic errors or ineligible costs and the description of the action corrected accordingly if need be.
- Other clarifications or minor corrections may be made to the description of the action or to the budget in so far as they do not call into question the grant award decision, do not conflict with equal treatment of applicants and relate to matters identified by the Evaluation Committee; or aim at taking into consideration changes which have occurred since the date of receipt of the proposal. Amendments cannot lead to an increase in the budget.
- before awarding the grant, the Requesting Officer/Procurement Officer/evaluation committee has verified that the grant beneficiary offers adequate guarantees as regards the recovery of amounts due to ICMPD.

Any other alteration to the successful applicant's proposal, or negotiation of it, is prohibited.

For the sake of transparency and equal treatment, it is important to keep a record of all communications with the applicants when following the above described process.

### **5.2.1. General provisions of the grant contract**

- Name and address of the beneficiary;
- Description of the action;
- Budget of the action;
- Work programme;
- Eligible costs and maximum amount to be financed
- Duration of the contract;
- Conditions to be fulfilled, including applicable general terms and conditions;

- Financial reporting clauses: reporting intervals, reporting template to be used, supporting documents to be provided;
- Modalities and intervals for the release of funds (e.g. subject to the approval of financial reports by ICMPD, retainer payment);
- Termination, arbitration clauses;
- Visibility clauses;
- Bank details

#### **5.2.2. Special provisions (as applicable)**

- Financial guarantees in the case of pre-financing payments;
- Funds to be kept in a separate bank account;
- Where appropriate or warranted in view of ICMPD's risk assessment, the right for on-site or external expenditure verification or for external auditing according to international standards;
- Procurement rules to be used (e.g. rules agreed with the donor, ICMPD's rules)
- Any other provision appropriate or warranted under specific circumstances.

#### **5.2.3. Publicising the award of grants**

Once the contracts have been signed, the project manager drafts a notice of award for the call for proposals and this list is published on the ICMPD Website

In addition, statistical records concerning the grant procedure need to be kept: number of applicants, the number and percentage of successful applications; the grant amounts; the names of the applicants; and details of the beneficiaries.

### **5.3. Contracts with implementing partners (sub-delegation)**

When contracts with donors allow or foresee the sub-delegation of certain parts of the action to external partners, ICMPD may enter into contracts with implementing partners. Such contracts must contain the general and specific clauses as mentioned under 5.2. above in as far as they apply to the specific action. They must in addition clearly indicate the part of the action to be implemented by the partner and the budget lines referring to the activities of the partner, respectively managed by the partner.

Before entering into a contract with a partner ICMPD must assess the reliability of the partner's accounting, auditing and internal control system and - depending on the nature of the tasks carried out by the partner - its procurement and grants systems.

Contracts with implementing partners need to include the required checks and balances as necessitated by the partner's internal systems. There are two ways of working with implementing partners:

- The partner works according to international standards (e.g. as verified by an EC pillar assessment) and qualifies for budget implementation tasks. The partner can apply its own rules and regulations and provides reports and audit certificates in proportion to the nature and volume of the delegated tasks and as specified in the contract.
- The partner has not undergone an assessment and/or does not qualify for budget implementation tasks according to international standards. The contract must specify the modes and conditions for receiving funds from ICMPD, the obligation to apply ICMPD's procurement and grant award procedures (if applicable) and related control and verification procedures for the recording and disbursement of funds. The relevant rules and guidelines must be annexed to the contract (see Implementing Partner Agreement under contract templates below).

In the event of an external audit, the partner's expenditures shall be audited together with ICMPD's expenditures based on the partner's financial reports and supporting documents submitted to ICMPD. ICMPD may accept expenditure verification or audit reports by the auditor of the partner if the audit complies with international standards.

#### 5.4. Contract signature

The contract and all relevant annexes are prepared and submitted for signature in line with the *Signature Rules and Procedure*. 2 copies of the signed contract are sent to the successful tenderer/grant beneficiary/implementing partner requesting contract signature and return of one signed contract within a given deadline. The cover letter has to state that changes in the signed contract will make it invalid.

##### 5.4.1. Contract templates

The following contract templates are available and should be used whenever possible and when so specified in the tendering procedure.

- **Service Contract** for the procurement of services under the international restricted procedure
- **Service Contract** for the procurement of professional services under the simplified negotiated procedure
- **Model contract** for procurement of IT services (as part of *Instructions for the Procurement of ICT Services*)
- **Supply contract** for the procurement of supplies under the local open and international open procedure
- **[Implementing Partner Agreement](#)**: Contract with implementing partners for grants or contributions awarded to ICMPD as lead partner
- **[Consortium Agreement](#)**: Contract with consortium members for service contracts awarded to ICMPD as consortium leader.

- **Grant contract:** contract with beneficiaries of grants awarded by ICMPD.

**Suppliers' contract templates** may be accepted for the procurement of services, supplies and works under the single tender and competitive negotiated procedure if they contain all relevant provisions as specified above (paras 5.1.2., 5.1.3) and approved by the Resources Management Officer and Director for Management (or - within the threshold established - under the Delegation of Procurement Authority - see 5.1.1).

### **5.5. Contract management**

Contract management includes monitoring performance (i.e., quality of deliverables/outputs, timely delivery of services, works, supplies), inspection, verification and payment, initiating amendments and orderly resolution of any disputes that may arise in the overall process. Further, contract management ensures that all residual obligations, such as warranties, guarantees and after sales services and support are clearly defined in terms of responsibility, liability, procedures and timeframes. The responsible project manager is in charge of monitoring the performance of the contract and initiating any contract/budget amendments as may become necessary.

Contracts may need to be modified if the circumstances of project implementation have changed since the contract was signed. Any changes to the contract must be made in writing and can only be done during the contract's execution period. Substantial changes to the contract (including the value of the contract) must be made by means of an addendum. Such an addendum must be signed by the contracting parties. Minor changes, such as change of address, change of contact person, changes of bank account can simply be done by notification.

Grant contracts may be amended only by written additional agreements. Such additional agreements, including those aiming at adding or removing a beneficiary, shall not have the purpose or the effect of making such changes to the contract that would call into question the grant award decision or be contrary to the equal treatment of applicants. Any amendments may not increase the amount of the grant or the maximum percentage of co-financing.

### **5.6. Complaints procedure**

In order to ensure administrative transparency a fair, equitable and non-discriminatory complaints handling procedure for procurement and grants is established.

The below provisions shall be published in the procurement section of ICMPD's website and included in procurement notices or grant processes as applicable.

A tenderer/applicant having a dispute or complaint about a procurement or grant/funding process, should address him/herself in writing to the Director, Human and Financial

Resources. The written note should provide details of the basis upon which the dispute or complaint is being lodged, including:

- a clear statement regarding what he/she considers was defective in the procurement or grant process;
- copies of, or references to, information to support the complaint; and
- a statement regarding what he/she wishes to achieve as an outcome from the complaint process.

The Director for Management shall investigate the complaint involving relevant ICMPD staff (project manager, CRM officer, legal officer, concerned hierarchies) and reply to the complainant within 15 working days. If the tenderer/applicant is not satisfied with the answer received he/she may address himself to the Director General. The Director General shall establish a complaints committee and relevant procedures, taking on board, if so warranted, external experts (e.g. Heads of procurement/senior Procurement Officers of other international organisations, arbitrators and/or other personalities having the required competencies and personal integrity for serving on a complaints committee). The decision of the complaints committee shall be binding for all parties.

## **6. Transfer of ownership**

Equipment, vehicles and supplies procured in the framework of a project shall be transferred to local project partners or final recipients of the action if the primary contract between ICMPD and the donor foresees the transfer of ownership. The transfer of ownership must be done at latest by the end of the implementation of the Action. Transfer of ownership must be documented by using the template in the Annex. The signed transfer records are to be submitted with the final report to the donor and be kept in the project file as part of the audit documentation of the project.

## **7. Supplier evaluation**

In order to ensure the highest possible standards of services, supplies and works procured by ICMPD, the performance of suppliers shall be evaluated at the end of their contract, or, in the event of recurrent delivery of services or supplies, once a year. The standard template for supplier evaluation is to be completed by the responsible project manager or Requesting Officer and uploaded into the SAP supplier database. Staff involved in the procurement of services must check the supplier database before inviting a bid from a supplier or entering into a contract.

## Annex 1. Single offer procedure – services, supplies, works

Single offer procedure: Procurement of goods, services or works of value less than €10,000			
Step	Responsible party	Actions to be taken	Forms
1. Identifying procurement needs, potential suppliers, selection of the Supplier	Requesting Officer	<ul style="list-style-type: none"> <li>Initiates procurement according to project work plan/contract, budget or institutional need. <ul style="list-style-type: none"> <li>✓ In case of ad hoc procurement which is not envisaged by project work plan/contract prior discussion and agreement with donor and/or approval of regular budget funds is required<sup>1</sup>.</li> </ul> </li> <li>Develops technical specifications (for supplies and works) or terms of reference (for services to be procured<sup>2</sup>).</li> <li>Identifies potential supplier(s) from Supplier Database (SAP Business partner module), list of eligible vendors and/or other sources.</li> <li>Obtains informal price quotes from the potential supplier(s).</li> <li>Selects the supplier based on the procurement principles as described in Chapter 2.</li> </ul>	Request for quotation templates (optional)
2. Registering respective Business partner in SAP	Requesting Officer	<p style="text-align: center;"><b>Applicable only in case of new suppliers!</b></p> <ul style="list-style-type: none"> <li>Sends a request for registration of a new business partner to Finance (<a href="mailto:businesspartner@icmpd.org">businesspartner@icmpd.org</a>) as per Business Partner Registration Procedure (NOR073).</li> </ul>	<a href="#">Bank details form – Juridical Person</a>
	Finance Officer	<ul style="list-style-type: none"> <li>Registers business partner in SAP system and notifies Requesting Officer accordingly.</li> </ul>	

<sup>1</sup> Contact Resources Management Officer.

<sup>2</sup> At this stage involvement of in-house expertise may be required (e.g. for ICT-related procurement the ICT Support Unit must be involved)



Single offer procedure: Procurement of goods, services or works of value less than €10,000			
Step	Responsible party	Actions to be taken	Forms
3. Preparation and approval of Procurement Request (PR)	Requesting Officer	<ul style="list-style-type: none"> <li>Creates <i>Procurement Request (PR)</i> in SAP (see <u>SAP Manual</u>): <ul style="list-style-type: none"> <li>Enters/chooses from the Menu the following details: <ul style="list-style-type: none"> <li>✓ name of supplier</li> <li>✓ goods/service description<sup>3</sup></li> <li>✓ amount in EUR</li> <li>✓ project budget codes/budget lines</li> <li>✓ grounds for selection in the Comments box</li> </ul> </li> <li>Encloses the following documents: <ul style="list-style-type: none"> <li>✓ offer from the selected supplier</li> <li>✓ draft Contract with Supplier, if applicable</li> <li>✓ Correspondence concerning the negotiation (e.g., letters, e-mail), if applicable</li> </ul> </li> </ul> </li> <li>Upon completion of this step, an automatic notification to Resources Management Officer is generated by the system.</li> </ul>	ICMPD Contract template

<sup>3</sup> 'Description' field in SAP PR should contain information on: 1) good/service procured; 2) relevant proj. activity (if any); 3) number of units; 4) price per unit

Single offer procedure: Procurement of goods, services or works of value less than €10,000			
Step	Responsible party	Actions to be taken	Forms
	Resources Management Officer	<ul style="list-style-type: none"> <li>• Checks eligibility, adherence to the established rules/procedures, funds availability in the project budget and verifies budget codes. Verifies payment and delivery terms/conditions, contractual obligations (as applicable).</li> <li>• If no clarification required, approves the selected supplier, PR and contract in SAP and an automatic notification is sent to the Requesting Officer that the procurement has been certified.</li> </ul>	
4. Concluding Purchase Order &/or Contract with supplier	Requesting Officer	<ul style="list-style-type: none"> <li>• Converts PR into a SAP Purchase Order (see <u>SAP Manual</u>).</li> <li>• Sends SAP Purchase Order or signed contract to the respective supplier. Contracts should be signed by the Head of Operations Unit.</li> <li>• Gets the confirmation of purchase order or contract signed by the supplier and keeps one original of the contract signed by both parties. Later on this contract is to be submitted to the Resources Management Officer as a supporting document for the supplier's invoice.</li> </ul>	

Single offer procedure: Procurement of goods, services or works of value less than €10,000			
Step	Responsible party	Actions to be taken	Forms
5. Goods/ services receipt confirmation and supplier evaluation	Requesting Officer	<ul style="list-style-type: none"> <li>Receives ordered supplies or services and invoice from the supplier.</li> <li>Confirms delivery of services/supplies by signing the invoice and putting the date of delivery. Records any discrepancies between invoiced services/supplies and delivered services/supplies (quantity and quality). Supplier might also request to sign a services acceptance statement or delivery receipt.</li> <li>Retrieves the purchase order<sup>4</sup> in SAP and performs the steps related to acceptance of invoice, including evaluation of suppliers if applicable (see <u>SAP Manual</u>, Invoice Processing – NOR081).</li> </ul>	<a href="#">Supplier evaluation form</a>
6. Submitting Invoice with supporting documents for approval and payment	Requesting Officer	<ul style="list-style-type: none"> <li>Records the PO number on the original invoice and submits the original invoice and supporting documentation to the Resources Management Officer for approval.</li> </ul>	
	Resources Management Officer	<ul style="list-style-type: none"> <li>Reviews Invoice and supporting documentation. If no clarifications/changes required, certifies it and generates goods receipt in SAP.</li> <li>Indicates goods receipt number on the invoice and submits it with supporting documents to Finance Unit for payment.</li> </ul>	
	Finance Officer	<ul style="list-style-type: none"> <li>Processes the payment.</li> </ul>	

<sup>4</sup> PO is to be created immediately upon approval of PR and not upon receipt of the invoice; final invoice has to quote the PO number



## Annex 2. Service Contracts: Simplified competitive negotiated procedure

Simplified competitive negotiated procedure for service contracts of value €10,000 - €60,000			
Step	Responsible party	Actions to be taken	Forms
1. Identifying procurement needs	Requesting Officer	<ul style="list-style-type: none"> <li>Initiates procurement according to project work plan/contract, budget or institutional need.                             <ul style="list-style-type: none"> <li>✓ In case of ad hoc procurement which is not envisaged by project work plan/contract prior discussion and agreement with donor and/or approval of regular budget funds is required<sup>5</sup>.</li> </ul> </li> <li>Develops terms of reference for services to be procured.</li> <li>Prepares a Request for Quotation (RFQ), specifying the terms and conditions of the procurement.</li> <li>For procurement outside the standard ICMPD capacity building activities (conferences and seminar services and related translation and technical services and supplies) the preparation of an elaborate tender dossier may be required. The Director for Management has to be consulted.</li> </ul>	Request for quotation templates or Tender dossier
2. Identifying potential suppliers	Requesting Officer and Procurement Officer	<ul style="list-style-type: none"> <li>Identifies potential suppliers from Supplier Database (SAP Business partner module), list of eligible vendors and/or other sources.</li> <li>Sends the RFQ out to three to six suitable suppliers in order to obtain comparable offers.</li> </ul>	

<sup>5</sup> Contact Resources Management Officer.

**Simplified competitive negotiated procedure  
for service contracts of value €10,000 - €60,000**

Step	Responsible party	Actions to be taken	Forms
3. Selection of the supplier and preparation of the Quotation Protocol	<p>Requesting Officer</p> <p>Procurement committee</p> <p>Procurement Officer</p>	<ul style="list-style-type: none"> <li>Receives quotations and ensures their evaluation by the procurement committee.</li> <li>Evaluates the quotations received against the specified requirements and selects the supplier:               <ul style="list-style-type: none"> <li>✓ The supplier is selected applying procurement principles and selection criteria described in Chapter 2.</li> <li>✓ The offers are ranked in terms of technical compliance and price.</li> </ul> </li> <li>Prepares a Quotation Protocol describing three to six offers received and explaining the grounds for the selection and award decision (e.g., certificates of quality for hotels or tests for translators).</li> <li>Gets the Quotation Protocol signed by the members of the procurement committee.</li> </ul>	<p>Quotation Protocol templates</p>
4. Registering respective business partner in SAP	<p>Requesting Officer</p> <hr/> <p>Finance Officer</p>	<p align="center"><b>Applicable only in case of new suppliers!</b></p> <ul style="list-style-type: none"> <li>Sends a request for registration of a new business partner to Finance (<a href="mailto:businesspartner@icmpd.org">businesspartner@icmpd.org</a>) as per <i>Business Partner Registration Procedure</i> (NOR073).</li> <li>Registers business partner in SAP system and notifies Requesting Officer accordingly.</li> </ul>	<p><a href="#">Bank details form – Juridical Person</a></p>

**Simplified competitive negotiated procedure  
for service contracts of value €10,000 - €60,000**

Step	Responsible party	Actions to be taken	Forms
<b>5. Preparation and approval of Procurement Request (PR)</b>	<b>Requesting Officer</b>	<ul style="list-style-type: none"> <li>• Creates <i>Procurement Request (PR)</i> in SAP (see <u>SAP Manual</u>):               <ul style="list-style-type: none"> <li>• Enters/chooses from the Menu the following details:                   <ul style="list-style-type: none"> <li>✓ name of supplier</li> <li>✓ service description<sup>6</sup></li> <li>✓ amount in EUR</li> <li>✓ project budget codes/budget lines</li> </ul> </li> </ul> </li> </ul> <p style="margin-left: 40px;"><i>Encloses the following documents:</i></p> <ul style="list-style-type: none"> <li>✓ Quotation protocol and the offers from all tenderers (incl. the one from the selected supplier)</li> <li>✓ draft contract with supplier (supplier or ICMPD contract template)</li> </ul> <ul style="list-style-type: none"> <li>• Upon completion of this step, an automatic notification to Resources Management Officer is generated by the system.</li> </ul>	<b>ICMPD Contract template</b>
	<b>Resources Management Officer and/or Procurement Officer</b>	<ul style="list-style-type: none"> <li>• Checks eligibility, adherence to the established rules/procedures, funds availability in the project budget and verifies budget codes. Verifies contract terms. If no clarification required, approves PR and contract in SAP.</li> <li>• Upon completion of this step, an automatic notification to Director for Management is generated by the system.</li> <li>• If no clarification required, approves selection and award decision by the procurement committee by approving the PR. An automatic notification is sent to the Requesting Officer that the procurement has been approved.</li> </ul>	
	<b>Director for Management</b>		

<sup>6</sup> 'Description' field in SAP PR should contain information on: 1) good/service procured; 2) relevant proj. activity (if any); 3) number of units; 4) price per unit

**Simplified competitive negotiated procedure**  
**for service contracts of value €10,000 - €60,000**

Step	Responsible party	Actions to be taken	Forms
6. Concluding Purchase Order &/or Contract with supplier	Requesting Officer	<ul style="list-style-type: none"> <li>Converts PR into a SAP Purchase Order (see <i>SAP Manual</i>).</li> <li>Gets the contract signed (up to 20,000 with Head of Operations, over that with Director for Management).</li> <li>Sends SAP Purchase Order and/ or the signed contract (as applicable) to the respective supplier.</li> <li>Gets the contract signed by the supplier and keeps one original of the contract signed by both parties. Later on this contract together with the original signed Quotation protocol and the offers from all tenderers are to be submitted to the Resources Management Officer as supporting documents for the respective invoice.</li> </ul>	
7. Goods/ services receipt confirmation and supplier evaluation	Requesting Officer	<ul style="list-style-type: none"> <li>Receives ordered services and invoice from the supplier.</li> <li>Confirms delivery of services by signing the invoice and putting the date of delivery. Records any discrepancies between invoiced services and delivered services (quantity and quality). Supplier might also request to sign a services acceptance statement or delivery receipt.</li> <li>Retrieves the Purchase Order<sup>7</sup> in SAP and performs the steps related to acceptance of invoice, including evaluation of suppliers if applicable (see <i>SAP Manual</i>, <a href="#">Invoice Processing</a>)</li> </ul>	<a href="#">Supplier evaluation form</a>
8. Submitting Invoice with supporting documents for approval and payment	Requesting Officer	<ul style="list-style-type: none"> <li>Records the PO number on the original invoice and submits the original invoice and supporting documentation to the Resources Management Officer for approval.</li> </ul>	
	Resources Management Officer and/or Procurement Officer	<ul style="list-style-type: none"> <li>Reviews invoice and supporting documentation. If no clarifications/changes required, certifies it and generates respective Goods receipt in SAP.</li> <li>Indicates Goods receipt number on the invoice and submits it with supporting documents to Finance Unit for payment.</li> </ul>	

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▪ 7 PO is to be created immediately upon approval of PR and not upon receipt of the invoice; final invoice has to quote the PO number



**Simplified competitive negotiated procedure  
for service contracts of value €10,000 - €60,000**

<b>Step</b>	<b>Responsible party</b>	<b>Actions to be taken</b>	<b>Forms</b>
	<b>Finance Officer</b>	<ul style="list-style-type: none"><li>Processes the payment.</li></ul>	

### Annex 3. Service Contracts: Competitive negotiated procedure

Competitive negotiated procedure for service contracts of value €60,000 - €300,000			
Step	Responsible party	Actions to be taken	Forms
1. Identifying procurement needs	Requesting Officer	<ul style="list-style-type: none"> <li>• Initiates procurement according to project work plan/contract and budget or institutional need</li> <li>• Develops terms of reference for services to be procured.</li> <li>• Prepares an invitation to tender and a tender dossier.</li> <li>• Submits tender dossier to CRM Officer for verification.</li> </ul>	Tender dossier forms
2. Identifying potential suppliers	Requesting Officer and Procurement Officer	<ul style="list-style-type: none"> <li>• Identifies potential suppliers from Supplier Database (SAP Business partner module), list of eligible vendors and/or other sources.</li> <li>• Sends the invitation to tender and tender dossier to at least three suitable suppliers in order to obtain comparable offers. <ul style="list-style-type: none"> <li>✓ 30 days from the dispatch of the invitation to tender must be given to candidates to submit their tender dossier.</li> </ul> </li> </ul>	
3. Selection of the supplier and preparation of Tender evaluation report	Requesting Officer Procurement committee Procurement Officer	<ul style="list-style-type: none"> <li>• Receives tenders and calls for a procurement committee meeting.</li> <li>• Opens the tenders and evaluates the offers received against the specified requirements and selects the supplier. <ul style="list-style-type: none"> <li>▪ <ul style="list-style-type: none"> <li>✓ The supplier is selected applying procurement principles and selection criteria described in Chapter 2.</li> <li>✓ Completes evaluation grid and prepares a tender evaluation report, describing the offers received and explaining the grounds for the selection and award decision.</li> </ul> </li> <li>▪</li> </ul> </li> <li>• Gets the tender evaluation report signed by the members of the procurement committee.</li> <li>• Establishes an electronic and physical file with all documents related to the tendering procedure</li> </ul>	Tender evaluation report Evaluation grid

**Competitive negotiated procedure**  
for service contracts of value €60,000 - €300,000

Step	Responsible party	Actions to be taken	Forms
4. Registering respective business partner in SAP	Requesting Officer	<p style="text-align: center; color: red;">Applicable only in case of new suppliers!</p> <ul style="list-style-type: none"> <li>Sends a request for registration of a new business partner to Finance (<a href="mailto:businesspartner@icmpd.org">businesspartner@icmpd.org</a>) as per <a href="#">Business Partner Registration Procedure</a>.</li> </ul>	<a href="#">Bank details form – Juridical Person</a>
	Finance Officer	<ul style="list-style-type: none"> <li>Registers business partner in SAP system and notifies Requesting Officer accordingly</li> </ul>	
5. Preparation and approval of Procurement Request (PR)	Requesting Officer	<ul style="list-style-type: none"> <li>Creates <i>Procurement Request (PR)</i> in SAP (see <a href="#">SAP Manual</a>) <ul style="list-style-type: none"> <li>Enters/chooses from the Menu the following details: <ul style="list-style-type: none"> <li>✓ name of supplier</li> <li>✓ service description<sup>8</sup></li> <li>✓ amount in EUR</li> <li>✓ project budget codes/budget lines</li> </ul> </li> </ul> </li> </ul> <p style="text-align: right;"><i>Encloses the following documents:</i></p> <ul style="list-style-type: none"> <li>✓ Evaluation report, evaluation grid and the selected offer, draft contract with supplier (supplier or ICMPD contract template)</li> </ul> <ul style="list-style-type: none"> <li>Upon completion of this step, an automatic notification to Resources Management Officer is generated by the system.</li> </ul>	ICMPD Contract template

<sup>8</sup> 'Description' field in SAP PR should contain information on: 1) good/service procured; 2) relevant proj. activity (if any); 3) number of units; 4) price per unit

**Competitive negotiated procedure  
for service contracts of value €60,000 - €300,000**

Step	Responsible party	Actions to be taken	Forms
	<p><b>Resources Management Officer and/or Procurement Officer</b></p> <p><b>Director for Management</b></p>	<ul style="list-style-type: none"> <li>• Checks eligibility, adherence to the established rules/procedures, funds availability in the budget and verifies budget codes. Verifies contract terms and obligations. If no clarification required, approves PR and contract in SAP.</li> <li>• Upon completion of this step, an automatic notification to Director for Management is generated by the system.</li> <li>• If no clarification required, approves selection and award decision of the procurement committee by approving the PR. An automatic notification is sent to the Requesting Officer that the procurement has been approved.</li> </ul>	
<p><b>6. Concluding Purchase Order &amp;/or Contract with supplier</b></p>	<p><b>Requesting Officer and Procurement Officer</b></p>	<ul style="list-style-type: none"> <li>• Converts PR into a SAP Purchase Order (see <u>SAP manual</u>).</li> <li>• Gets the contract signed by the Director for Management.</li> <li>• Sends the SAP purchase order and signed contract to the respective supplier.</li> <li>• Gets the contract signed by the supplier and keeps one original of the contract signed by both parties in the physical procurement folder. Later on this folder with the complete documentation of the procurement is to be submitted to the Resources Management Officer as supporting documentation of the respective invoice.</li> </ul>	

**Competitive negotiated procedure  
for service contracts of value €60,000 - €300,000**

Step	Responsible party	Actions to be taken	Forms
7. Goods/ services receipt confirmation and supplier evaluation	Requesting Officer	<ul style="list-style-type: none"> <li>Receives ordered services and invoice(s) from the supplier.</li> <li>Confirms delivery of services by signing the invoice(s) and putting the date of delivery. Records any discrepancies between invoiced services and delivered services (quantity and quality). Supplier might also request to sign a services acceptance statement or delivery receipt.</li> <li>Retrieves the Purchase Order<sup>9</sup> in SAP and performs the steps related to acceptance of invoice (see <i>SAP Manual</i>).</li> <li>Evaluates the supplier, if applicable (see supplier evaluation procedure)</li> <li>Attaches a scan of the Invoice and other relevant documentation (such as scan of a signed contract, records established at delivery, supplier evaluation form, etc.)</li> </ul>	<a href="#">Supplier evaluation form</a>
8. Submitting Invoice with supporting documents for approval and payment	Requesting Officer	<ul style="list-style-type: none"> <li>Records the PO number on the original invoice and submits the original invoice and procurement folder to the Resources Management Officer for approval.</li> </ul>	
	Resources Management Officer and/or Procurement Officer	<ul style="list-style-type: none"> <li>Reviews invoice and supporting documentation. If no clarifications/changes required, certifies it and generates respective Goods receipt in SAP.</li> <li>Indicates Goods receipt number on the invoice and submits it with the procurement folder to Finance Unit for payment.</li> </ul>	
	Finance Officer	<ul style="list-style-type: none"> <li>Processes the payment.</li> </ul>	

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▪ 9 PO is to be created immediately upon approval of PR and not upon receipt of the invoice; final invoice has to quote the PO number

#### Annex 4. Service Contracts: International restricted tender procedure

International restricted tender procedure for service contracts of value above €300,000		
Step	Responsible party	Forms/ Actions
1. Initiating procurement and recruitment of a short-term Procurement expert	Requesting Officer	Follow <i>the recruitment procedure (NOR026)</i> <b>Declaration of Objectivity and Confidentiality</b> must be signed by the procurement expert
2. Preparation of Procurement notice and developing selection and award criteria	Procurement Officer	<b>Procurement Notice</b>
3. Publication of Procurement notice on the ICMPD website and in other media	Procurement Officer	
4. Receipt of expression of interest, drawing up a 'long list', checking that none of the candidates is subject to exclusion	Procurement Officer	<b>Long list form</b>
5. Establishing Procurement Committee and short-listing of candidates	Procurement officer Director for Management	Procurement Committee composed of: non-voting chairperson, non-voting secretary and an odd number of voting members Each member must sign the <b>Declaration of Impartiality and Confidentiality</b> At least four to eight candidates must be short-listed and entered in a <b>Shortlist report</b> <b>Shortlist report:</b> to be signed by all members of Procurement Committee
6.a. Preparation of a shortlist notice and Tender Dossier and a letter to non-shortlisted candidates 6.b. Publication of shortlist notice on the ICMPD	Procurement Officer	<b>Shortlist Notice</b> <b><u>Tender Dossier</u></b> <b>Letter of Invitation</b> <b>Instruction to tenderers</b>

**International restricted tender procedure**  
for service contracts of value above €300,000

Step	Responsible party	Forms/ Actions
<p>website</p> <p>6.c. Sending Tender Dossier to successful candidates</p> <p>6.d. Sending letter to unsuccessful candidates</p>		<p><b>Terms of reference</b></p> <p>Forms/templates to be filled in by the tenderer describing the services offered</p> <p><b>Tender submission form</b></p> <p><b>Draft contract</b></p> <p>Budget breakdown or price quote form</p> <p>Other forms and docs as applicable: <b>Bank account form; Financial Guarantee form; Legal Entity file</b></p> <p><b>Administrative Compliance Grid</b></p> <p><b>Evaluation Grid</b></p> <p>The tender documents must clearly state whether a firm, non-revisable price must be quoted. The prices should normally be fixed and not subject to revision, but in specific cases a price revision clause might be justified.</p>
7. Receipt of tenders	<b>Procurement Officer ICMPD Secretariat</b>	<p><b>Receipt for hand delivered tenders</b></p> <p>On receiving tenders, the designated staff must register them, mentioning the date and time of receipt and provide a receipt for those delivered by hand. The envelopes containing the tenders must remain sealed and be kept in a safe place until they are opened. The outer envelopes of tenders must be numbered in order of receipt (whether or not they are received before the deadline for submission of tenders).</p>
8. Opening and evaluation of tenders and selection of the supplier	<b>Procurement Committee</b>	<p><b>Tender Opening Checklist</b></p> <p><b>Tender Opening Report</b></p> <p><b>Administrative Compliance Grid</b></p> <p><b>Evaluation Grid</b></p> <p><b>Evaluation Report</b></p> <p>A physical and electronic file must be established</p>

**International restricted tender procedure**  
for service contracts of value above €300,000

Step	Responsible party	Forms/ Actions
		containing all documents of the tendering and selection process including all tenders received.
9. Registering respective Business partner in SAP (only for new suppliers)	Requesting Officer Finance Unit	See <u>SAP Manual</u> and similar procedure in Annex 3
10. Preparation and approval of Procurement Request (PR)	Requesting Officer Resources Management Officer and/or Procurement Officer Director for Management	See <u>SAP Manual</u> and similar procedure in Annex 3
11. Notifying successful tenderers	Procurement Officer	Notification letter to successful tenderers
12. Concluding contract with supplier	Procurement Officer Resources Management Officer Director for Management	See <u>SAP Manual</u> and similar procedure in Annex 3 The contract respectively contract conditions as included in the tender dossier must be used. Contract Award Notice
13. Publicizing the award of the contract, notifying unsuccessful tenderers	Procurement Officer	Contract award notice Notification to unsuccessful tenderers The unsuccessful tenderers should be informed without delay, no later than 30 days after the award decision has been taken.



**International restricted tender procedure  
for service contracts of value above €300,000**

Step	Responsible party	Forms/ Actions
14. Contract implementation	Requesting Officer and Procurement Officer  Selected Supplier	Monitoring, quality control
15. Receiving and confirming satisfactory provision of services	Requesting Officer and Procurement Officer	See <u>SAP Manual</u> and similar procedure in Annex 3  Note for the file
16. Evaluating Supplier	Requesting Officer and Procurement Officer	<a href="#">Supplier evaluation form</a>
17. Submitting Invoice with supporting documents for approval and payment	Requesting Officer  Resources Management Officer and/or Procurement Officer  Director for Management Finance Unit	See <u>SAP Manual</u> and similar procedure in Annex 3

## Annex 5. Supply Contract: Competitive negotiated procedure

Competitive negotiated procedure for supply contracts of value €10,000 - €100,000			
Step	Responsible party	Actions to be taken	Forms
1. Identifying procurement needs	Requesting Officer	<ul style="list-style-type: none"> <li>• Initiates procurement according to project work plan/contract and budget or institutional need.</li> <li>• Develops technical specifications for supplies to be procured<sup>10</sup>.</li> <li>• Prepares a specific RFQ and/or tender dossier.</li> <li>• Submits tender dossier to CRM Officer for verification</li> </ul>	Tender dossier forms
2. Identifying potential suppliers	Requesting Officer and Procurement Officer	<ul style="list-style-type: none"> <li>• Identifies potential suppliers from Supplier Database (SAP Business partner module), list of eligible vendors and/or other sources.</li> <li>• Sends the RFQ and tender dossier to at least three suitable suppliers in order to obtain comparable offers. <ul style="list-style-type: none"> <li>✓ 30 days from the dispatch of the invitation to tender must be given to candidates to submit their tender.</li> </ul> </li> </ul>	
3. Selection of the supplier and preparation of the Quotation Protocol	Requesting Officer Procurement committee Procurement Officer	<ul style="list-style-type: none"> <li>• Receives tenders and calls for a procurement committee meeting. <ul style="list-style-type: none"> <li>▪</li> </ul> </li> <li>• Opens the tenders and evaluates the offers received against the specified requirements and selects the supplier: <ul style="list-style-type: none"> <li>✓ The Supplier is selected applying procurement principles and selection criteria described in Chapter 2.</li> <li>✓ Fills evaluation grid and prepares a Quotation Protocol, describing the offers received and explaining the grounds for the selection and award decision.</li> </ul> </li> <li>• Gets the Quotation Protocol signed by the members of the procurement committee.</li> <li>• Establishes an electronic and physical file with all documents related to the tendering procedure</li> </ul>	Quotation Protocol template Evaluation grid

<sup>10</sup> Involvement of in-house expertise may be required (e.g. for ICT-related procurement the ICT Support Unit must be involved)

**Competitive negotiated procedure  
for supply contracts of value €10,000 - €100,000**

Step	Responsible party	Actions to be taken	Forms
4. Registering respective business partner in SAP	Requesting Officer	<p align="center"><b>Applicable only in case of new suppliers!</b></p> <ul style="list-style-type: none"> <li>Sends a request for registration of a new business partner to Finance (<a href="mailto:businesspartner@icmpd.org">businesspartner@icmpd.org</a>) as per <a href="#">Business Partner Registration Procedure</a>.</li> </ul>	<a href="#">Bank details form – Juridical Persons</a>
	Finance Officer	<ul style="list-style-type: none"> <li>Registers business partner in SAP system and notifies Requesting Officer accordingly</li> </ul>	
5. Preparation and approval of Procurement Request (PR)	Requesting Officer	<ul style="list-style-type: none"> <li>Creates <i>Procurement Request (PR)</i> in SAP (see <a href="#">SAP Manual</a>): <ul style="list-style-type: none"> <li>Enters/chooses from the Menu the following details: <ul style="list-style-type: none"> <li>✓ name of supplier</li> <li>✓ service description<sup>11</sup></li> <li>✓ amount in EUR</li> <li>✓ project budget codes/budget lines</li> </ul> </li> <li>Encloses the following documents: <ul style="list-style-type: none"> <li>✓ Quotation protocol, evaluation grid, offer of the selected supplier</li> <li>✓ draft contract with supplier (supplier or ICMPD contract template)</li> </ul> </li> </ul> </li> <li>Upon completion of this step, an automatic notification to Resources Management Officer is generated by the system.</li> </ul>	ICMPD Contract template

<sup>11</sup> 'Description' field in SAP PR should contain information on: 1) good/service procured; 2) relevant proj. activity (if any); 3) number of units; 4) price per unit

**Competitive negotiated procedure**  
for supply contracts of value €10,000 - €100,000

Step	Responsible party	Actions to be taken	Forms
	<b>Resources Management Officer and/or Procurement Officer</b>  <b>Director for Management</b>	<ul style="list-style-type: none"> <li>• Checks eligibility, adherence to the established rules/procedures, funds availability in the budget and verifies budget codes. Verifies contract terms and obligations</li> <li>• If no clarification required, approves PR and contract in SAP.</li> <li>• Upon completion of this step, an automatic notification to Director for Management is generated by the system.</li> <li>• If no clarification required, approves selection and award decision of the procurement committee by approving the PR. An automatic notification is sent to the Requesting Officer that the procurement has been approved.</li> </ul>	
<b>6. Concluding Purchase Order &amp;/or Contract with supplier</b>	<b>Requesting Officer and Procurement Officer</b>	<ul style="list-style-type: none"> <li>• Converts PR into a SAP Purchase Order (see <a href="#">SAP Manual</a>).</li> <li>• Gets the contract signed (up to 20,000 with Head of Operations, over that with Director for Management).</li> <li>• Sends SAP Purchase Order and the signed contract to the respective supplier.</li> <li>• Gets the contract signed by the supplier and keeps one original of the contract signed by both parties. Later on this contract together with the procurement folder is to be submitted to the Resources Management Officer as a supporting document to the respective invoice.</li> </ul>	
<b>7. Goods/ services receipt confirmation and supplier evaluation</b>	<b>Requesting Officer and Procurement Officer</b>	<ul style="list-style-type: none"> <li>• Receives ordered supplies and invoice from the supplier.</li> <li>• Confirms delivery of supplies by signing the invoice(s) and putting the date of delivery. Records any discrepancies between invoiced supplies and delivered supplies (quantity and quality). Supplier might also request to sign a delivery receipt.</li> <li>• Retrieves the Purchase Order<sup>12</sup> in SAP and performs the steps related to acceptance of invoice, including evaluation of suppliers if applicable (see <a href="#">SAP Manual</a>, <a href="#">Invoice Processing</a>)</li> </ul>	<a href="#">Supplier evaluation form</a>

<sup>12</sup> PO is to be created immediately upon approval of PR and not upon receipt of the invoice; final invoice has to quote the PO number

**Competitive negotiated procedure  
for supply contracts of value €10,000 - €100,000**

Step	Responsible party	Actions to be taken	Forms
8. Submitting Invoice with supporting documents for approval and payment	<b>Requesting Officer</b>	<ul style="list-style-type: none"> <li>Records the PO number on the original invoice and submits the original invoice and supporting documentation to the Resources Management Officer for approval.</li> </ul>	
	<b>Resources Management Officer and/or Procurement Officer</b>	<ul style="list-style-type: none"> <li>Reviews Invoice and supporting documentation. If no clarifications/changes required, certifies it and generates respective Goods receipt in SAP.</li> <li>Indicates Goods receipt number on the invoice and submits it with the procurement folder to Finance Unit for payment.</li> </ul>	
	<b>Finance Officer</b>	<ul style="list-style-type: none"> <li>Processes the payment.</li> </ul>	

## Annex 6. Supply Contracts: Local open tender procedure

Local open tender procedure for supply contracts of value €100,000 - €300,000		
Step	Responsible party	Forms/ Actions
1. Identifying procurement needs and recruitment of a short-term procurement expert	Requesting Officer	Follow the <i>recruitment procedure (NOR026)</i> <b>Declaration of Objectivity and Confidentiality</b> must be signed by the procurement expert
2. Preparation and publication of Procurement notice on the ICMPD website and in other appropriate media	Procurement Officer	<b>Procurement Notice</b>
3.a. Preparation of a Tender Dossier, including selection and award criteria 3.b. Publication of the Tender Dossier on the ICMPD website and in other appropriate media	Procurement Officer	<b><u>Tender Dossier</u></b> , containing: <b>Letter of Invitation</b> <b>Instruction to Tenderers</b> <b>Draft Contract</b> <b>Technical Specifications</b> <b>Technical Offer form</b> <b>Financial Offer form</b> <b>Tender Guarantee</b> <b>Performance Guarantee form</b> <b>Pre-financing Guarantee form</b> <b>Tender submission form</b> <b>Tax and Custom Arrangements</b> <b>Administrative Compliance Grid</b> <b>Evaluation Grid</b> <b>Bank account notification form</b> <b>Legal entity file</b>  The tender documents must clearly state whether a firm, non-revisable price must be quoted. The prices

**Local open tender procedure**  
for supply contracts of value €100,000 - €300,000

Step	Responsible party	Forms/ Actions
		should normally be fixed and not subject to revision, but in specific cases a price revision clause might be justified.
<b>4. Receipt of tenders</b>	<b>Procurement Officer ICMPD Secretariat</b>	<b>Receipt for hand delivered tenders</b> On receiving tenders, the designated staff must register them mentioning the date and time of receipt and provide a receipt for those delivered by hand. The envelopes containing the tenders must remain sealed and be kept in a safe place until they are opened. The outer envelopes of tenders must be numbered in order of receipt (whether or not they are received before the deadline for submission of tenders).
<b>5. Establishing Procurement Committee</b>	<b>Procurement Officer Director for Management</b>	Procurement Committee composed of: non-voting chairperson, non-voting secretary and an odd number of voting members (minimum of three) <b>Each member must sign the Declaration of Impartiality and Confidentiality</b>
<b>6. Opening of tenders, evaluation of technical and financial offers, selection of contractor</b>	<b>Procurement Committee</b>	<b>Tender opening checklist</b> <b>Tender Opening Report</b> <b>Evaluation Report</b> A physical and electronic file must be established containing all documents of the tendering and selection process including all tenders received.
<b>7. Registering respective Business partner in SAP (only for new suppliers)</b>	<b>Requesting Officer</b> <b>Finance Unit</b>	<b>See <u>SAP Manual</u> and similar procedure in Annex 3</b>
<b>8. Preparation and approval of Procurement Request (PR)</b>	<b>Requesting Officer</b> <b>Resources Management Officer and/or</b>	<b>See <u>SAP Manual</u> and similar procedure in Annex 3</b>

**Local open tender procedure**  
for supply contracts of value €100,000 - €300,000

Step	Responsible party	Forms/ Actions
	<p style="text-align: center;">Procurement Officer</p> <p style="text-align: center;">Director for Management</p>	
9. Notifying of tenderers	Procurement Officer	Notification letter to successful tenderer
10. Concluding Purchase Order &/or Contract with supplier	<p style="text-align: center;">Requesting Officer</p> <p style="text-align: center;">Resources Management Officer and/or Procurement Officer</p> <p style="text-align: center;">Director for Management</p>	<p>See <b>SAP Manual</b> and similar procedure in Annex 3</p> <p>The contract respectively contract conditions as included in the tender dossier must be used.</p>
11. Publicizing the award of the contract	Procurement Officer	<p style="color: red;">Contract award Notice</p> <p style="color: red;">Letter to unsuccessful tenderers</p> <p>The unsuccessful tenderers should be informed without delay, no later than 30 days after the award decision has been taken.</p>
12. Contract implementation	<p style="text-align: center;">Requesting Officer and Procurement Officer</p> <p style="text-align: center;">Selected Supplier</p>	
13. Receiving and confirming satisfactory provision of goods	Requesting Officer	<p style="color: red;">Provisional and Final Acceptance</p> <p>See <b>SAP Manual</b> and similar procedure in Annex 3</p>



**Local open tender procedure  
for supply contracts of value €100,000 - €300,000**

Step	Responsible party	Forms/ Actions
14. Evaluating Supplier	Requesting Officer and Procurement Officer	<a href="#">Supplier evaluation form</a>
15. Submitting invoice with supporting documents for approval and payment	Requesting Officer Resources Management Officer and/ Procurement Officer  Director for Management Finance Unit	See <a href="#">SAP Manual</a> and similar procedure in Annex 3

## Annex 7. Supply Contracts: International open tender procedure

International open tender procedure for supply contracts of value above €300,000		
Step	Responsible party	Forms/ Actions
1. Initiate procurement and recruitment of a short-term procurement expert	Requesting Officer	Follow the <i>recruitment procedure (NOR026)</i> <b>Declaration of Objectivity and Confidentiality</b> must be signed by the procurement expert
2. Preparation and publication of Procurement notice on the ICMPD website and in other appropriate media	Procurement Officer	<b>Procurement Notice</b>
3.a. Preparation of a Tender Dossier, including selection and award criteria 3.b. Publication of the Tender Dossier on the ICMPD website and in other appropriate media	Procurement Officer	<p><b><u>Tender Dossier</u></b>: containing:</p> <ul style="list-style-type: none"> <li><b>Letter of Invitation</b></li> <li><b>Instruction to Tenderers</b></li> <li><b>Draft Contract:</b></li> <li><b>Technical Specifications and Technical Offer form</b></li> <li><b>Financial Offer form</b></li> <li><b>Tender Guarantee</b></li> <li><b>Performance Guarantee form</b></li> <li><b>Pre-financing Guarantee form</b></li> <li><b>Tender submission Form</b></li> <li><b>Administrative Compliance Grid</b></li> <li><b>Tax and Custom Arrangements</b></li> <li><b>Evaluation Grid</b></li> <li><b>Bank account notification form</b></li> <li><b>Legal entity file</b></li> </ul> <p>The tender documents must clearly state whether a firm, non-revisable price must be quoted. The prices should normally be fixed and not subject to revision, but</p>

**International open tender procedure  
for supply contracts of value above €300,000**

Step	Responsible party	Forms/ Actions
		in specific cases a price revision clause might be justified.
<b>4. Receipt of tenders</b>	<b>Procurement Officer ICMPD Secretariat</b>	<p><b>Receipt for hand delivered tenders</b></p> <p>On receiving tenders, the designated staff must register them mentioning the date and time of receipt and provide a receipt for those delivered by hand. The envelopes containing the tenders must remain sealed and be kept in a safe place until they are opened. The outer envelopes of tenders must be numbered in order of receipt (whether or not they are received before the deadline for submission of tenders).</p>
<b>5. Establishing Procurement Committee</b>	<b>Procurement Officer / Director for Management</b>	<p>Procurement Committee composed of: non-voting chairperson, non-voting secretary and an odd number of voting members (minimum of three)</p> <p>Each member must sign the <b>Declaration of Impartiality and Confidentiality</b></p>
<b>6. Opening of tenders, evaluation of technical and financial offers, selection of supplier</b>	<b>Procurement Committee</b>	<p><b>Tender Opening Checklist</b></p> <p><b>Tender Opening Report</b></p> <p><b>Evaluation Report</b></p> <p>A physical and electronic file must be established containing all documents of the tendering and selection process including all tenders received.</p>
<b>7. Registering respective Business partner in SAP (only for new suppliers)</b>	<b>Requesting Officer Finance Unit</b>	<b>See <u>SAP Manual</u> and similar procedure in Annex 3</b>
<b>8. Preparation and approval of Procurement Request (PR)</b>	<b>Requesting Officer Resources Management Officer and/or Procurement</b>	<b>See <u>SAP Manual</u> and similar procedure in Annex 3</b>

**International open tender procedure  
for supply contracts of value above €300,000**

Step	Responsible party	Forms/ Actions
	<b>Officer Director for Management</b>	
9. Notifying of successful tenderer	<b>Procurement Officer</b>	<b>Notification letter</b>
10. Concluding contract with Supplier	<b>Requesting Officer  Procurement Officer and/or Resources Management Officer  Director for Management</b>	<b>See <u>SAP Manual</u> and similar procedure in Annex 3</b> The contract respectively contract conditions as included in the tender dossier must be used
11.a. Publicizing the award of the contract 11.b. Notifying unsuccessful tenderers	<b>Procurement Officer</b>	<b>Contract award Notice Notification to unsuccessful tenderers</b> The unsuccessful tenderers should be informed without delay, no later than 30 days after the award decision has been taken.
12. Contract implementation	<b>Requesting Officer and Procurement Officer  Selected Supplier</b>	<b>Monitoring, quality control</b>
13. Receiving and confirming satisfactory provision of goods	<b>Requesting Officer</b>	<b>Provisional and Final Acceptance</b> See <u>SAP manual</u> and similar procedure in Annex 3

**International open tender procedure  
for supply contracts of value above €300,000**

Step	Responsible party	Forms/ Actions
14. Evaluating supplier	Requesting Officer and Procurement Officer	<a href="#">Supplier evaluation form</a>
15. Submitting invoice with supporting documents for approval and payment	Requesting Officer Procurement Officer Resources Management Officer Director for Management Finance Unit	See <u>SAP Manual</u> and similar procedure in Annex 3



## Annex 8. Works Contract: Competitive negotiated procedure

Competitive negotiated procedure for works contracts of value €10,000 - €300,000			
Step	Responsible party	Actions to be taken	Forms
1. Identifying procurement needs	Requesting Officer	<ul style="list-style-type: none"> <li>• Initiates procurement according to project work plan/contract and budget or institutional needs.</li> <li>• Develops technical specifications for works to be procured.</li> <li>• Prepares a specific Request for Quotation (RFQ) and/or a tender dossier.</li> <li>• Submits tender dossier to CRM Officer for verification</li> </ul>	Tender dossier forms
2. Identifying potential suppliers	Procurement Officer	<ul style="list-style-type: none"> <li>• Identifies potential suppliers from Supplier Database (SAP Business partner module), list of eligible vendors and/or other sources.</li> <li>• Sends the RFQ and tender dossier to at least three suitable suppliers in order to obtain comparable offers. <ul style="list-style-type: none"> <li>✓ 30 days from the dispatch of the invitation to tender must be given to candidates to submit their tender dossier.</li> </ul> </li> </ul>	
3. Selection of the Supplier and preparation of the Quotation Protocol	Requesting Officer Procurement committee Procurement Officer	<ul style="list-style-type: none"> <li>• Receives tenders and calls for a procurement committee meeting.</li> <li>• Opens the tenders and evaluates the offers received against the specified requirements and selects the supplier: <ul style="list-style-type: none"> <li>✓ The supplier is selected applying procurement principles and selection criteria described in Chapter 2.</li> <li>✓ Prepares a Quotation Protocol (and/or evaluation grid, evaluation report), describing the offers received and explaining the grounds for the selection and award decision.</li> <li>✓ Gets the Quotation Protocol (evaluation report) signed by the members of the procurement committee.</li> <li>✓ Establishes an electronic and physical file with all documents related to the tendering procedure, as appropriate.</li> </ul> </li> </ul>	
4. Registering prospective	Requesting Officer	<p style="text-align: center;"><b>Applicable only in case of new suppliers!</b></p> <ul style="list-style-type: none"> <li>• Sends a request for registration of a new business partner to Finance (<a href="mailto:businesspartner@icmpd.org">businesspartner@icmpd.org</a>) as per <a href="#">Business Partner Registration Procedure</a>.</li> </ul>	<a href="#">Bank details form – Juridical Persons</a>

**Competitive negotiated procedure  
for works contracts of value €10,000 - €300,000**

Step	Responsible party	Actions to be taken	Forms
	<b>Finance Officer</b>	<ul style="list-style-type: none"> <li>Registers business partner in SAP system and notifies Requesting Officer accordingly</li> </ul>	
<b>5. Preparation and approval of Procurement Request (PR)</b>	<b>Requesting Officer</b>	<ul style="list-style-type: none"> <li>Creates <i>Procurement Request (PR)</i> in SAP Creates <i>Procurement Request (PR)</i> in SAP (see <u>SAP Manual</u>):               <ul style="list-style-type: none"> <li>Enters/chooses from the Menu the following details: Encloses the following documents:                   <ul style="list-style-type: none"> <li>✓ name of supplier</li> <li>✓ service description<sup>13</sup></li> <li>✓ amount in EUR</li> <li>✓ project budget codes/budget lines</li> </ul> </li> <li>✓ Quotation protocol, evaluation grid, evaluation report, selected offer, draft contract with supplier (supplier or ICMPD contract template)</li> </ul> </li> <li>Upon completion of this step, an automatic notification to Resources Management Officer is generated by the system.</li> </ul>	<b>ICMPD Contract template</b>
	<b>Resources Management Officer and/or Procurement Officer</b>	<ul style="list-style-type: none"> <li>Checks eligibility, adherence to the established rules/procedures, funds availability in the project budget and verifies budget codes. Verifies contract terms and obligations. If no clarification required, approves PR and contract in SAP.</li> <li>Upon completion of this step, an automatic notification to Director for Management is generated by the system.</li> <li>If no clarification required, approves selection and award decision of the procurement committee by approving the PR. An automatic notification is sent to the Requesting Officer that the procurement has been approved.</li> </ul>	
	<b>Director for Management</b>		

<sup>13</sup> 'Description' field in SAP PR should contain information on: 1) good/service procured; 2) relevant proj. activity (if any); 3) number of units; 4) price per unit



**Competitive negotiated procedure  
for works contracts of value €10,000 - €300,000**

Step	Responsible party	Actions to be taken	Forms
6. Concluding Purchase Order &/or Contract with supplier	<b>Requesting Officer and Procurement Officer</b>	<ul style="list-style-type: none"> <li>Converts PR into SAP Purchase Order (see <u>SAP Manual</u>).</li> <li>Gets the contract signed (up to 20,000 with Head of Operations, over that with Director for Management).</li> <li>Sends SAP Purchase Order and the signed contract (as applicable) to the respective supplier.</li> <li>Gets the contract signed by the supplier and keeps one original of the contract signed by both parties in the physical procurement folder. Later on this folder with the complete documentation of the procurement is to be submitted to the Resources Management Officer as supporting documentation of the respective invoice.</li> </ul>	
7. Goods/ services receipt confirmation and supplier evaluation	<b>Requesting Officer</b>	<ul style="list-style-type: none"> <li>Receives invoice from the supplier.</li> <li>Confirms completion of works according to contract specifications by signing the invoice and putting the date of acceptance. Records any discrepancies between invoiced works and completed works (quantity and quality). Supplier might also request to sign an Act of Acceptance.</li> <li>Retrieves the Purchase Order<sup>14</sup> in SAP and performs the steps related to acceptance of invoice (see <u>SAP Manual</u>).</li> <li>Evaluates the supplier, if applicable (see supplier evaluation procedure)</li> <li>Attaches a scan of the invoice and other relevant documentation (such as scan of a signed contract, records established at delivery, supplier evaluation form, etc.)</li> </ul>	<a href="#">Supplier evaluation form</a>
Recording documents for	<b>Requesting Officer</b>	<ul style="list-style-type: none"> <li>Records the PO number on the original invoice and submits the original invoice and supporting documentation to the Resources Management Officer for approval.</li> </ul>	

14 PO is to be raised immediately upon approval of PR and not upon receipt of the invoice; final invoice has to quote the PO number

**Competitive negotiated procedure  
for works contracts of value €10,000 - €300,000**

Step	Responsible party	Actions to be taken	Forms
	<b>Resources Management Officer and/or Procurement Officer</b>	<ul style="list-style-type: none"> <li>• Reviews invoice and supporting documentation. If no clarifications/changes required, certifies it and generates respective Goods receipt in SAP.</li> <li>• Indicates Goods receipt number on the invoice and submits it with supporting documents/procurement folder to Finance Unit for payment.</li> </ul>	
	<b>Finance Officer</b>	<ul style="list-style-type: none"> <li>• Processes the payment.</li> </ul>	

## Annex 9. Works Contracts: Local open tender procedure

Local open tender procedure for works contracts of value €300,000 - €5,000,000		
Step	Responsible party	Forms/ Actions
1. Identifying procurement needs and recruitment of the short-term procurement expert	Requesting Officer	Follow the <i>recruitment procedure (NOR026)</i> <b>Declaration of Objectivity and Confidentiality</b> must be signed by the procurement expert
2. Preparation and publication of Procurement notice on the ICMPD website and in other appropriate media	Procurement Officer	<b>Procurement Notice</b>
3.a. Preparation of a Tender Dossier, including selection and award criteria 3.b. Publication of the Tender Dossier on the ICMPD website and in other appropriate media	Procurement Officer	<u>Tender Dossier containing:</u> <b>Letter of Invitation</b> <b>Instruction to Tenderers</b> <b>Tender Form</b> <b>Tender Guarantee</b> <b>Technical Offer Questionnaire</b> <b>Technical Offer Form</b> <b>Bank account notification form</b> <b>Legal entity file</b> <b>Administrative Compliance Grid</b> <b>Evaluation Grid</b> <b>Draft Contract</b> <b>Pre-financing Guarantee Form</b> <b>Performance Guarantee Form</b> <b>Retention Guarantee Form</b> <b>Tax and Custom Arrangements</b> <b>Financial Offer</b>

### Local open tender procedure

for works contracts of value €300,000 - €5,000,000

Step	Responsible party	Forms/ Actions
		<p><b>Technical Specifications</b></p> <p>The tender documents must clearly state whether a firm, non-revisable price must be quoted. The prices should normally be fixed and not subject to revision, but in specific cases a price revision clause might be justified.</p>
<b>4. Receipt of tenders</b>	<b>Procurement Officer ICMPD Secretariat</b>	<p><b>Receipt for hand delivered tenders</b></p> <p>On receiving tenders, the designated officer must register them mentioning the date and time of receipt and provide a receipt for those delivered by hand. The envelopes containing the tenders must remain sealed and be kept in a safe place until they are opened. The outer envelopes of tenders must be numbered in order of receipt (whether or not they are received before the deadline for submission of tenders).</p>
<b>5. Establishing Procurement Committee</b>	<b>Procurement Officer / Director for Management</b>	<p>Procurement Committee composed of: non-voting chairperson, non-voting secretary and an odd number of voting members (minimum of three)</p> <p>Each member must sign <b>the Declaration of Impartiality and Confidentiality</b></p>
<b>6. Opening of tenders, evaluation of technical and financial offers, selection of supplier</b>	<b>Procurement Committee</b>	<p><b>Tender Opening Checklist</b></p> <p><b>Tender Opening Report</b></p> <p><b>Evaluation Report</b></p> <p>A physical and electronic file must be established containing all documents of the tendering and selection process including all tenders received</p>
<b>7. Registering respective Business partner in SAP (only for new suppliers)</b>	<b>Requesting Officer Finance Unit</b>	<b>See <u>SAP Manual</u> and similar procedure in Annex 3</b>
<b>8. Preparation and approval of Procurement Request</b>	<b>Requesting Officer</b>	<b>See <u>SAP Manual</u> and similar procedure in Annex 3</b>

**Local open tender procedure**

for works contracts of value €300,000 - €5,000,000

Step	Responsible party	Forms/ Actions
(PR)	Resources Management Officer and/or Procurement Officer  Director for Management	
9. Notifying of successful tenderer	Procurement Officer	Notification letter to successful tenderer
10. Concluding contract with supplier	Requesting Officer  Procurement Officer Resources Management Officer  Director for Management	See <u>SAP Manual</u> and similar procedure in Annex 3
11. Publicising the award of the contract ▪ Notifying of unsuccessful tenderers	Procurement Officer	Contract award Notice  Notification to unsuccessful tenderers  The unsuccessful tenderers should be informed without delay, no later than 30 days after the award decision has been taken.
12. Contract implementation	Requesting Officer and Procurement Officer  Selected Supplier	
13. Receiving and confirming satisfactory provision of goods	Requesting Officer	Provisional and Final Acceptance forms  See <u>SAP manual</u> and similar procedure in Annex 3

**Local open tender procedure**

**for works contracts of value €300,000 - €5,000,000**

<b>Step</b>	<b>Responsible party</b>	<b>Forms/ Actions</b>
<b>14. Evaluating supplier</b>	<b>Requesting Officer and Procurement Officer</b>	<a href="#"><u>Supplier evaluation form</u></a>

## Annex 10. List of related instructions, forms and templates

General	
	<a href="#">Bank details form – Juridical person</a>
	<a href="#">Request for quotation template (Translation/Interpretation services)</a>
	<a href="#">Request for quotation template (Printing)</a>
	<a href="#">Request for quotation template (Hotel services)</a>
	Request for quotation template (Transportation for conference/workshop)
	<a href="#">Quotation Protocol form (Hotel)</a>
	<a href="#">Quotation Protocol (miscellaneous)</a>
	<a href="#">Supplier evaluation form</a>
	Declaration of objectivity and confidentiality
	Declaration of impartiality and confidentiality
	Receipt for hand delivered applications/ tenders/ proposals
	<a href="#">SAP Manual</a>
	<a href="#">Instructions for the procurement of ICT services</a>
Contract templates	
	<a href="#">Service/supply contracts</a>
	<a href="#">Partnership Agreement (implementing partner)</a>
	<a href="#">Consortium Agreement</a>
	Grant contract

For additional forms (if and when required) please contact Operations Support unit and/ or refer to EC PRAG <http://ec.europa.eu/europeaid/prag/document.do?locale=en>