

Procurement Policy and Procedures Manual

EDCTP Association



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1 Acronyms

DFA	Director of Finance and Administration
EC	European Commission
ECA	European Court of Auditors
ED	Executive Director
FA	Finance Assistant
FO	Finance Officer
FCB	Full Competitive Bidding
GA	General Assembly
ITT	Invitation to Tender
LCB	Limited Competitive Bidding
PO	Purchase Order
PR	Purchase Requisitions
RFP	Request for Proposal
SAO	Senior Administrative Officer
SMT	Senior Management Team
TAF	Travel Authorisation Form
TEC	Travel and Events Coordinator
TRF	Travel Request Form
TOR	Terms of Reference
VFM	Value for Money

2 Introduction

2.1 EDCTP procurement process

The procurement methods and procedures of EDCTP are influenced by the Commission's requirement as set out in article 38 (Equivalent of systems, rules and procedures in indirect management) of the Rules of Application (RAP) that it may only accept the procurement rules and procedures of an implementing structure as equivalent to that of its own if the following conditions are met:

1. They comply with the principle of broad competition of tenderers to obtain the best value for money, and negotiated procedures are limited to reasonable amounts or are duly justified;
2. They ensure transparency with adequate *ex ante* publication, in particular of calls for tenders, and adequate *ex post* publication of contractors;
3. They ensure equal treatment, proportionality and non-discrimination; and
4. They prevent conflicts of interests throughout the entire procurement procedure.

2.2 Procurement policy

The main purpose of the EDCTP procurement policies is to ensure that there are internal controls over the procurement processes. This involves ensuring that goods and services are procured according to the plan, the most competitive prices are obtained, goods and services received are of good quality, and that proper authorisation procedures have been followed. The objectives of the policy include:

- To ensure that goods and services needed are procured with due attention to economy and efficiency;
- To provide all eligible prospective suppliers with timely and adequate notification of requirements and an equal opportunity to compete; and
- Ensure that the procurement process is transparent.

2.3 Purpose of this manual

EDCTP members of staff involved at every stage of the procurement process are required to have a thorough understanding of EDCTP's procurement policies and procedures. This manual has therefore been prepared to provide guidance on EDCTP procurement policies and procedures that should be followed in procuring goods and services on behalf of EDCTP. It describes EDCTP's procurement policies and procedures, lists the documentations required for making purchases, and describes the process for obtaining approval before and after the purchase. The main objectives of preparing this document are to:

- Define the EDCTP procurement procedures and controls - defining who does what, how and in what sequence;
- Ensure transparent procedures are followed in the selection of the suppliers of goods and services, including subcontractors. Where requests for proposals (RFP)/invitation to tenders (ITT) are required, they are requested under conditions of transparency and equal treatment i.e. in an open and competitive way and without favouritism;
- Help in ensuring purchasing decisions are made in the most efficient and cost effective manner i.e. with due regard to value for money;
- Ensure consistency in processing procurement transactions; and
- Act as reference guide for all EDCTP staff particularly those who make or approve purchases.

2.4 Content and structure of the manual

This manual describes EDCTP policies and procedures for the procurement of goods and services. The manual is divided into sections and subsections: the sections describe the major aspects of the function; and within each section, there are subsections. It is arranged as a series of standard instructions under the following headings:

- Introduction
- Definition
- Business ethics and standards of conduct
- General rules and policies
- Approval of expenditures
- Procurement methods and thresholds
- Procurement procedures
- Contract
- Keeping records and other supporting documentation
- Bank payments to suppliers of goods and services

This arrangement of the manual is intended to highlight the relationships between systems and the importance of integrating related systems as far as possible.

2.5 Application of the manual

This manual shall be applied to all procurement of goods and services. The DFA shall ensure that this is regularly updated to reflect actual procedures and is in line with the broad principles of public procurement as set out in the EC Financial Regulation applicable to the general budget of the EU and its rules of application. Any significant revisions shall require the approval of the General Assembly (GA). It is therefore the responsibility of all EDCTP employees who are involved in the approval or making of purchases to know this policy.

2.6 Approval of this manual

This manual has been approved by EDCTP General Assembly.

2.7 Deviations from this manual

As a general rule EDCTP's management expects this manual to be followed as written. In exceptional cases where a deviation from the manual is required to deal with urgent situations that are not covered in this manual, a deviation can be made and the reasons for the deviation must be documented in writing, and approved by the Director of Finance and Administration (DFA).

2.8 Distribution and monitoring responsibilities

It is the DFA's responsibility to maintain and distribute appropriate sections of the manual to his/her subordinates and other departments; and to provide training and assistance in its interpretation.

Questions with regard to the application or interpretation of any of these sections should be directed to the DFA.

2.9 Revisions to the manual

The DFA is responsible for reviewing all proposed revisions to the EDCTP's Procurement Policies and Procedures Manual. The DFA will then submit a recommendation for manual revision to the EDCTP Executive Director.

If the amendment is approved by the Executive Director, authorised revisions to the manual will be accomplished with a "Notice of changes to the Procurement Procedures Manual" (Annex D) which will be sent by the DFA to all EDCTP staff. If the revisions are significant, GA approval shall be requested.

Each recipient of a "Notice of changes to Procedures Manual" is responsible for inserting the new pages into the Manual.

3 Definitions

1. Best Practice

Best practice procurement, as used in this manual, means:

1. Public procurement ethics are followed to avoid accusations of impropriety and to ensure that an adequate audit trail is always maintained
2. Best financial management practice, the separation of responsibility for committing expenditure, ordering goods and services, certifying performance against invoices and authorising payment.

2. Capital equipment

Capital equipment is defined as any movable equipment having a useful life of more than one year and an acquisition cost of €5,000 or more per unit (EDCTP's capital expenditure limit is €5,000).

3. Competitive bidding

Competitive bidding generally means obtaining quotes/tenders from several suppliers and selecting the best match for price, availability, quality and projected service costs. This of course means that before purchasing an item it is necessary to know how it will be used. EDCTP is expected to obtain goods at the best possible price taking account of quality and lifetime projected costs.

4. Conflict of interest

A conflict of interest arises whenever an individual acting for EDCTP also has an interest in an EDCTP supplier.

5. Limited Competitive Bidding (LCB)

Limited Competitive Bidding (LCB) is essentially direct invitation of selected suppliers without open advertisement. This method of procurement may only be used where:

- The contract values are small, or
- There is only a limited number of suppliers, or
- Other exceptional reasons that justify departure from open advertisement.

6. Procurement

Procurement, in the sense in which it is applied in this manual, covers all the processes involved in acquiring goods or services from suppliers from the initial identification of the need for the goods or services through to the end of the useful life of procured goods or services contract.

7. Purchase Order (PO)

A purchase order is a manual request form that is raised by EDCTP as an offer to a supplier. It specifies the description of the goods or services and the agreed price. Acceptance of the PO by the supplier makes it a contractual document, which binds performance of both parties to the transaction.

8. Purchase Requisitions (PR)

A purchase requisition is a manual request form from the requester to the financial approvers for the purchase of goods needed for business purposes. A purchase requisition should be raised as soon as the need for the items becomes apparent.

The areas of expenditure where formal requisitioning forms will not be required are:

- Travel related expenditure
- Meeting costs (GA, SAC, forum, SRC, stakeholder)

9. Request for proposal (RFP)

RFP is a request sent to providers of a service to submit a proposal or tender for the performance of a service.

10. Requisitioning

Requisitioning is a formal procedure whereby the end user requests permission to make a purchase and provides authority to commit the expenditure against the appropriate budget.

11. Shopping

Shopping is a procurement method based on comparing price quotations obtained from several national suppliers, usually at least three to ensure competitive prices. Shopping is intended to be a simple and rapid procurement method, and it is appropriate for the procurement of small amounts of off-the-shelf goods for which more competitive methods are not justified on the basis of cost or efficiency.

12. Sole sourcing (direct contracting)

In certain exceptional circumstances it may not be possible or practicable to obtain quotation from three suppliers.

Some of the tasks may be sole sourced meaning that a single supplier would be selected to perform the task without obtaining quotes from other suppliers. Sole sourcing of tasks may be appropriate if any of the following conditions is met:

- The actual product or service needed can only be purchased from one source. Examples of these include annual software licence fees, software upgrade costs, purchase of replacement computers, etc.
- The product or service must match or be compatible with current equipment or services
- Extension of existing contracts for goods or services recently awarded and justifiable on value for money terms
- Where the amount is small (no more than €5,000) or for repeat of purchases recently made
- An unusual urgency exists.

13. Tenders

Proposals submitted in response to a request for proposal/invitation to tender in a procurement procedure.

14. Value for Money (VFM)

Best value for money means taking into account the optimum combination of whole life cost and quality necessary to meet the EDCTP's requirement. The objective of VFM is to achieve the right price, quality, quantity and delivery at the right time.

4 Business ethics and standards of conduct

4.1 General principles and standards of conduct

EDCTP members of staff involved in a procurement process are expected to observe the highest standards of honesty and fairness and to conduct their business in a way that ensures full accountability.

EDCTP staff, suppliers and contractors shall commit themselves to these core values:

- Fairness
- Honesty and openness
- Efficiency and effectiveness
- Professionalism

4.2 Policy Statement

EDCTP is committed to adhere to high ethical and professional standards in the management of the financial resources entrusted to it. These include procuring goods and services in an open, fair and transparent manner. Some of the principles that EDCTP employees are required to strictly adhere to are:

Integrity: EDCTP employees shall be straightforward and honest in all professional and business relationships.

Objectivity: EDCTP employees shall not allow bias, conflicts of interest or the undue influence of others to compromise their judgement.

Confidentiality: EDCTP employees shall respect the confidentiality of information acquired as a result of professional and business relationships, and shall not disclose any such information to third parties without proper and specific authority, unless there is a legal or professional right or duty to disclose.

Professional behaviour: EDCTP employees shall comply with relevant laws and regulations and shall avoid any action that may discredit the EDCTP.

4.3 Procurement conflict of interest policy

EDCTP employees have a responsibility when procuring goods and services on behalf of EDCTP, to do so in an ethical and professional manner, and for the benefit of EDCTP. The policies that apply include:

- Employees shall not accept gifts, entertainment, meals, travel, and any other benefits or favours from suppliers with whom EDCTP does or may do business, except as token courtesies or except on behalf of EDCTP and for EDCTP's benefit. To ensure transparency and fairness and to avoid conflict of interest, gifts, benefits or favours received from EDCTP suppliers shall be declared to the DFA;
- Employees shall disclose suppliers they have a conflict with (or they think they may have a conflict with) to the DFA for approval before the purchase;
- EDCTP employee shall not take any steps to influence the acquisition of goods or services from an entity he/she owns or his family has a financial interest in, or may directly benefit from such purchase
- For all procurements of goods and services more than €50,000, employees participating in the procurement evaluation must sign the EDCTP declaration to participate in procurement evaluation form declaring that he/she is not conflicted to the suppliers that have submitted proposals for the tender (Annex B).

4.4 Purchase orders

All purchasing orders must be approved by the appropriate level of authority before placing an order with a supplier. POs shall be raised at the time the goods need to be ordered and not when it is time to pay for the product or service. It is important to note that a binding contract is created when the purchase order is accepted by the supplier. Approval of a PO after placing the order (EDCTP committed to the expenditure) is an indication of weak internal control.

All orders for the purchase of goods must be placed using a numbered purchase order form. Once a purchase order is approved, it is transmitted either by e-mail or by fax to the supplier. Only SAO, DFA and ED are authorised to approve a PO.

4.5 Processing purchasing transactions

The purchase of most goods begins with the initiation of a Purchase Requisition (PR). This shall occur at the time the goods need to be ordered, not when it is time to pay for the product or service.

4.6 Contracting process

Budget holders wishing to enter into a contract for purchase of goods or services, or when they have received a proposed contract from a supplier should first discuss it with the DFA. All contracts shall be reviewed by the DFA and the Legal Officer.

4.7 Conflict of interest

All staff involved with assessing the quotations/proposals/tenders shall follow the highest standards of honesty and fairness. All known or potential conflict of interest shall be disclosed immediately to FO or DFA for recording.

EDCTP staff shall not take any action which may bring their own interests into conflict with those of EDCTP. Where such a risk exists, the person in question shall refrain from taking part and shall refer the matter to the ED who shall confirm in writing whether a conflict of interests exists. The person in question shall also inform his or her superior. Where a conflict of interests is found to exist, the person in question shall cease all activities in the matter.

Similarly should any of the evaluation committee members have a conflict of interest through knowing or having any type of relationship with one of the bidders/tenderers then they shall declare this in writing or email to the ED who will then decide if this is material enough to warrant the member stepping down from the evaluation committee.

4.8 Approved supplier list

The SAO maintains the EDCTP list of approved suppliers for specified goods and services. Suppliers are included in the approved suppliers list after due consideration to the following:

- Experience from previous purchases
- Variety of products/services
- Price of products/services
- Quality of product/service
- Ability to deliver on time.

4.9 Terms of Reference (TOR)

When the services of a person, firm or company are to be acquired, a Terms of Reference (TOR) for consulting Services should be prepared. The TOR should include the following:

- Description of the service and, if necessary, the order in which the service is required
- The purpose/objective of acquiring the particular service
- The proposal evaluation criteria and their relative weighting

- Qualifications required to ensure achievement of the objective
- Scope of work and expected output
- Timing and duration of the assignment.

4.10 Request for proposals (RFP) for services

RFP shall be issued for all items estimated to cost €50,000 or more and where clear specifications are available for comparative services. Each RFP should contain a clearly defined set of criteria to be used to evaluate the proposals. The RFP must be accompanied by the TOR.

4.11 Proposals/tenders

Proposals/tenders in response to RFPs projected to be less than €100,000 may be accepted by mail (hard copy), email or fax. Where the value of the procurement is more than €100,000 proposals/tenders shall be by registered mail only.

After the proposals are received and evaluated, the contract should be awarded to the supplier presenting the best combination of price, delivery, compliance to specifications, capacity to perform, and quality of service.

EDCTP reserves the right to disqualify any or all bids or stop the procurement procedure before it is finalised.

4.12 Revisions to RFPs

In the event that it becomes necessary to revise any part of a RFP before the response deadline, the revision shall be sent to all the pre-selected suppliers. In such circumstances, EDCTP senior management will determine whether the revision substantially amends the RFP. If the conclusion is that compliance with the original deadline will be very difficult, the deadline for submission of proposals will be extended.

4.13 Quotations for goods

Quotations may be requested, at the discretion of the requester by email or by letter. This method is permitted only for the procurement of goods estimated not to cost more than €50,000.

If there is no single supplier uniquely placed to meet the procurement objective for the product needed, quotations must be obtained from at least three suppliers for all purchases of goods over € 50,000.

Purchases of non-recurring small items can be made (total value of purchase order is no more than EUR 5,000) directly from a supplier.

4.14 Consulting services

Procurement of consulting services will be undertaken on the basis of shortlists of qualified consultants. Contract services for annual auditing, impact assessments and specific reviews will also be procured on the basis of shortlists, with the selection procedure combining technical quality with price consideration.

4.15 Delegation of authority and authorisation limits

In line with good governance, the authorisation limit for all EDCTP staff is set out in the delegation of authority document. This document is reviewed annually and is approved by the ED and the DFA.

4.16 Signing for deliveries

The requester/Admin Officer receiving the delivery should inspect the documents and sign the receiving document or invoice provided by the supplier.

4.17 Approved supplier list

For any class of goods or services for which demand is likely to recur, the Financial Officer will maintain lists of pre-qualified suppliers. These are suppliers whose competence has been assessed as likely to enable them to satisfy the EDCTP's requirements for the particular category of goods or services concerned.

4.18 Contacts between contracting authorities and tenderers

Contact between the contracting authority and tenderers during the contract award procedure may take place, by way of exception, under the conditions set out below:

1. Before the closing date of the tender, the evaluation committee may provide additional information and documents to tenderers on the condition that it is communicated to all tenderers who request on the same date in respect of the additional documents and information. If the evaluation committee discovers an error, a lack of precision, an omission or any other type of clerical defect in the text of the contract notice, invitation to tender or specifications, inform the persons concerned on the same date and in a manner identical with that applicable in respect of the original invitation to tender.
2. If, after the tenders have been opened, some clarification is required in connection with a tender, or if obvious clerical errors in the tender must be corrected, the evaluation committee may contact the tenderer, although such contact may not lead to any alteration of the terms of the tender.

4.19 Requests for proposal (RFP)/invitation to tender (ITT) policies

- Before issuing the ITT/RFP, the EDCTP Executive Director, together with the EDCTP senior management team, will determine the basis on which the RFP/tenders are to be evaluated, and who is to be responsible for evaluation;
- RFP/ITT should be issued to all potential bidders at the same time. Any revisions or alterations must similarly be issued to all bidders simultaneously;
- Where bidders request for clarification, care must be taken to ensure that information thus forthcoming is made available to all bidders;
- As bids are received, they should be saved in secure location of DMS by bid receiver. This secure location should be accessible, during the period of the bid, by the bid receiver only. Any modified or supplementary bids must be similarly saved in DMS;
- Proposals/Tenders received after the closing date should not be considered and should be returned unopened;
- Proposals/Tenders should then be evaluated by the evaluation committee in accordance with the evaluation criteria set out in the RFP.

4.20 Relationships with suppliers

In all their dealings with suppliers, EDCTP staff shall display the highest standards of honesty, integrity, impartiality and objectivity. In procurement procedures, which involve the selection of suppliers to be invited to tender or negotiate, the selection should be made on the basis of objective and relevant criteria.

4.21 Prompt payment

Suppliers shall be paid in accordance with the payment terms set out in the contract. Where there is no contract, suppliers must be paid within 30 days of receipt of the goods or services, or the submission of a valid invoice, whichever is later. Invoice queries must be dealt with and resolved promptly and efficiently.

4.22 Changes to contract

All changes or extensions to a contract must be approved by those with the appropriate level of authority.

4.23 Advertisement

All tenders in excess of €100,000 should be advertised on the EDCTP website for at least four weeks, and in at least one newspaper with wide circulation.

Where the Secretariat does not possess sufficient expertise to assess a tender then specialist help shall be sought from outside the organisation.

4.24 Non-purchase order

EDCTP allows the direct procurement of some items without the need to obtain three quotations or to raise a purchase order; some goods and services may be purchased without a purchase order.

4.25 Evaluation committee

For each procurement activity where evaluation of proposal/tender is required, the Executive Director, in consultation with senior management team, shall appoint the evaluation committee to give advisory opinion on contracts and to evaluate and rank tenders/proposal on the basis of the award criteria.

The evaluation committee shall be made up of at least three people.

4.26 Inform tenderers of the outcome of the evaluation

Tenderers, including those rejected, shall as soon as possible (not later than a week) be informed of decisions reached concerning the award of the contract by mail, fax or email.

5 Approval limits

1. Purchase Requisitions

An employee is authorised to approve all purchase requisitions chargeable to his or her budget up to their delegated authority limit.

Purchase requisitions in excess of the purchaser's delegated authority limit shall be approved as follows:

- SAO can approve up to €4,500
- DFA up to €60,000
- ED up to €60,000
- ED and DFA up to €500,000

2. Purchase Orders (PO)

The SAO is authorised to approve POs up to €4,500. POs in excess of this amount must be approved by DFA or ED.

Once the SAO receives the appropriately authorised PR, the SAO raises a numerical sequence Purchase order (PO). If it is below SAO's delegated authority limit, SAO approves it; otherwise the PO is approved by DFA, ED or both.

3. Travel Authorisation Form (TAF)

The TAF shall be approved by the head of department or DFA.

4. Travel Request Form (TRF)

The TRF shall be approved by the DFA or ED.

5. Invoice approval

An official of the user department with the appropriate delegated authority signs the invoice as confirmation that it is accurate and is for goods and services received or are to be received by EDCTP. If it is not within the user department head's delegated authority limit, the SAO approves it; otherwise the invoice is approved by DFA, ED or both.

All approved invoices are sent to the FA with the relevant supporting documents (PO, TAF, contract, etc.) for further checking and payment processing.

6. Approval limitations

- When approving expenditure, approvers must be guided by their delegated authority limits
- Where practical, authorised employees may approve expenditure only for subordinate employees. Their own expenditures must be approved by the next authorised senior employee or DFA.

6 Procurement methods and thresholds

6.1 Procurement methods

The procurement method of EDCTP is influenced by the estimated value of the procurement to be made. All procurement of services greater than €50,000 has to be justified in the work plan of the relevant period.

The procurement methods at EDCTP are:

1. Credit card purchases

At EDCTP, the use of corporate credit card is allowed only if other procurement methods are not practical, will result in significant delays or are not acceptable to the supplier. It may be used for:

- Making online purchases of urgently needed items, including paying for subscriptions and conference registration fees
- Online purchases of train, airline tickets and hotel bookings

Terms and conditions of credit card use

- 1) Only staff who have been authorised by the Director of Finance and Administration (DFA) may use the corporate credit card. Each permitted user must sign the Corporate Credit Cards Acceptance and Undertaking Form (CCCAUF) (annex E)) before using the card.
- 2) Each user is responsible for completing the Corporate Credit Card Expenses Form (annex F) and ensuring that items charged to the card have been solely and necessarily incurred in the conduct of EDCTP business, for providing details of each occasion of use and for submitting receipts or vouchers for all expenditure. Where a receipt is not available, the card user will be asked to provide a verification/explanation in writing for the transaction.
- 3) The limit for credit card expenditure is €5,000 per month. This limit will be subjected to periodic review and where necessary amendments to the limit will be made by DFA and ED, and communicated to card holders.
- 4) Cardholders shall not, under any circumstances, make unauthorised deposits to their corporate card accounts.
- 5) The card shall not be used to withdraw cash or for any type of personal expenditure, even if the intention to repay such expenditure to EDCTP exists.

In the case where a genuine mistake has occurred, the card user must inform the DFA and reimburse EDCTP immediately.

Responsibility of card users (cardholders)

- 1) The authorised card users shall ensure that all items in the credit card statement are recorded in their credit card expense forms.
- 2) For all credit card charges, a credit card expense voucher must be raised showing the following details:
 - Transaction date
 - Description of the transaction
 - Supplier names
 - Transaction amount in Euros
 - For non-Euro transactions, the original currency and amount
 - Date the transaction is shown in the credit card statement
 - Names of attendees if the charges are for entertainment purposes
- 3) Cardholders must submit receipts or back-up documentation for all charges.
- 4) It is the responsibility of the cardholders to pursue any disputed items with the credit card issuer.
- 5) The loss or theft of a credit card must be reported immediately to the card issuer and the DFA.
- 6) Due diligence must be exercised at all times by the cardholder.

2. Non-purchase order/Payment against invoice

Where the value of purchase of goods or services is less than €5,000 or for certain types of expenses where purchase order is not normally required, payment may be made against invoice or without a purchase order.

Description	Procurement method	Supporting documents
Job adverts	Supplier invoice	Advert copy
Taxi, airline tickets, trains	Supplier invoice	TAF, TRF
Office rentals	Supplier invoice	Contract/hosting agreement
Conference registration	Supplier invoice	TRF, conference registration form
Postage including DHL	Supplier invoice	
Utilities	Supplier invoice	Invoice
Staff income tax payments		Monthly payroll summary
Temporal employment agencies	Supplier invoice	Contract

3. Shopping

Shopping is a procurement method based on comparing price quotations obtained from several national suppliers, usually at least three to ensure competitive prices. At EDCTP, shopping procurement method is normally used to procure low value of off-the-shelf goods for which more competitive methods are not justified on the basis of cost or efficiency. Quotations may be submitted by e-mail or fax.

4. Sole sourcing (direct contracting)

In certain exceptional circumstances it may not be possible or practicable to obtain quotation from 3 suppliers. Some of the tasks may be sole sourced meaning that a single supplier would be selected to perform the task without obtaining quotes from other suppliers. At EDCTP sole sourcing without competition is permitted only in the following circumstances:

- The actual product or service needed can only be purchased from one source. Examples of these include annual software licence fees, software upgrade costs, purchase of replacement computers, hotel and meeting room bookings
- The product or service must match or be compatible with current equipment or services
- Extension of existing contracts for goods or services recently awarded and justifiable on value for money terms
- Where the amount is very small (not more than €5,000 for goods or services) or for repeat of purchases recently made
- An unusual urgency exists.

5. Limited Competitive Bidding (LCB)

Limited Competitive Bidding (LCB) is essentially direct invitation of selected suppliers without open advertisement. This method of procurement may only be used where:

- The contract value is expected to be less than or equal to: €50,000 for goods or €200,000 for services
- There are only few suppliers of the good or service required
- Other exceptional reasons that justify departure from FCB.

For Limited Competitive Bidding (LCB) method of procurement, the following requirements must be met:

- At least two weeks should be provided for preparation and submission of proposals after the issuance of the RFP;
- For services, a TOR shall be prepared. Where possible and practical, RFPs and TORs should be sent to at least three suppliers.

6. Full Competitive Bidding (FCB)

FCB means open advertisement or inviting tenders from several suppliers and selecting the best match for price, availability, quality and projected service costs. This of course means that before purchasing an item it is necessary to know how it will be used. EDCTP is expected to obtain goods and services at the best possible price taking account of quality and lifetime projected costs (where this is known).

Adequate response time for preparation and submission of bids shall be provided. The procedures shall provide for adequate competition in order to ensure reasonable prices, and methods used in the evaluation of bids and the award of contracts shall be made known to all bidders/tenderers.

For Full Competitive Bidding method of procurement, the following requirements shall be met:

- At least four weeks should be provided for preparation and submission of bids after the issuance of the RFP
- TOR shall be prepared
- RFPs will be advertised on the EDCTP website and on international or local newspapers with wide circulation
- Proposals evaluation criteria should be clearly specified in both the TOR and the RFP.

6.2 The procurement thresholds

Category	Expected price of the goods or service	Procurement method
Services	Less than or equal to €5,000	Payment against invoice/sole sourcing
	More than €5,000 and less than or equal to €200,000	LCB
	More than €200,000	FCB
Goods	Less than or equal to €1,000	Payment against invoice
	More than €1,000 and less than or equal to €5,000	Sole sourcing from approved supplier list.
	Greater than €5,000 but not more than €50,000	Shopping/LCB
	Greater than €50,000	FCB
Air tickets, taxi and train tickets	Less than or equal to €1,000	Sole sourcing from approved travel agent
	More than €1,000	Shopping – from at least two travel agents
Hotels, conferences, meetings	No limit	Shopping/sole sourcing

7 Procurement procedures

At EDCTP the procurement of goods and services fall into the following categories:

- Procurement of goods projected to cost less than or equal to €5,000
- Procurement of goods projected to cost more than €5,000 but less than or equal to €50,000
- Procurement of goods projected to cost more than €50,000
- Additional procedures for procurement of goods projected to cost more than €200,000
- Procurement of services projected to cost less than or equal to €200,000
- Procurement of services projected to cost more than €200,000
- Procurement of air tickets, taxi and train tickets.

7.1 Procurement of goods projected to cost less than or equal to €5,000

The steps in procuring goods costing less than or equal to €5,000 are:

- When goods are required, the procurement process begins by the requester/budget holder obtaining a written quote from an approved supplier. The budget holder/requester may obtain quotes from other suppliers if there is a good possibility for savings.
- The requester then raises a Purchase Requisition (PR), attaches the quotations received, and forwards it to SAO. The SAO may obtain further quotes from other suppliers if he/she thinks there is a good possibility for further savings. If the PR is less than or equal to requester's delegated authority limit, the requester approves it; if it is greater than requester's delegated authority but less than €4,500, the SAO approves it. PRs greater than €4,500 require DFA or ED approval; and PRs greater than €60,000 must be approved jointly by ED and DFA
- The SAO raises a Purchase Order (PO) on receipt of an appropriately approved PR, and assigns it a unique identification
- The budget holder (requester) signs the PO
- The PO is approved by the SAO if the value of the order is less than or equal to €4,500 otherwise by DFA or ED.
- Once the PO is approved, the budget holder/SAO faxes or e-mails it to the supplier for order processing
- On receipt of the goods, the budget holder and Admin Officer agrees the goods received to the invoice and PO. Both the Admin Officer and budget holder sign the invoice to confirm receipt of items ordered.

For goods costing less than €1,000 payment can be made against invoice without a purchase order. This will obviously require the prior approval of SAO or DFA.

7.2 Procurement of goods projected to cost more than €5,000 but less than or equal to €50,000

The shopping method of procurement, which is based on comparing price quotations obtained from several national suppliers, usually at least three to ensure competitive prices, should be used in purchasing goods costing more than €5,000 but less than or equal to €50,000. Quotations shall indicate the description and quantity of the goods. Quotations may be submitted by e-mail or fax. The terms of the accepted offer shall be incorporated in a purchase order.

The procurement procedure is the same as section 8.1 except that:

- Where possible, at least three quotations must be obtained from at least three reputable suppliers
- The quotations must be reviewed and approved by EDCTP senior management team

EDCTP may exercise discretion in selecting a quotation that is not the lowest priced as far as there is good technical justification on the quality of the offered item, suitability of delivery schedule, etc. In such cases, such requirements should be indicated in the request for quotation or the evaluation.

7.3 Procurement of goods projected to cost more than €50,000

The FCB method is required if the proposed procurement value of an item is projected to be greater than €50,000. This will involve open advertisement or inviting tenders from several suppliers and selecting the best match for price, availability, quality and projected service costs. The procurement process begins with the preparation of a detailed specification of the item(s) required. The specification shall contain all information necessary for a prospective bidder to prepare a tender for the goods required, including:

- Description of the goods including the make and other relevant information;
- The purpose the item will be used for;
- Approximate date when the item is to be delivered; and
- The evaluation criteria and their relative weighting.

All other subsequent steps of the procurement procedure are the same as in section 8.5

7.4 Additional procedures for procurement of goods projected to cost more than €200,000

The procedures and procurement methods are the same as in 7.3 except that tenders for the proposed procurement value of a good projected to cost more than €200,000 must be opened and evaluated by an evaluation committee of at least five members comprising a non-voting chairperson, a non-voting secretary and an odd number (at least three) of voting members appointed by the Executive Director in consultation with the Board.

The Executive Director must ensure that each member of the evaluation committee has a reasonable command of English, and the technical and administrative expertise necessary to give an informed opinion on the tenders.

The members of the evaluation committee must sign Declaration to Participate in Procurement Evaluation (Annex B), and Declaration of Impartiality and Confidentiality (annex C).

The non-voting Chairperson will be responsible for coordinating the evaluation process in accordance with the EDCTP procurement guidelines and policies, and for ensuring its impartiality and transparency.

The non-voting Secretary to the Committee will be responsible for carrying out all administrative tasks connected with the evaluation procedure. These include:

- Circulating and collecting the following forms: Declaration of Honour on Exclusion Criteria and Absence of Conflict of Interest (annex A), Declaration to Participate in Procurement Evaluation (Annex B), and Declaration of Impartiality and Confidentiality (annex C)
- Keeping the minutes and any other relevant records and documents.

7.5 Procurement of services projected to cost less than or equal to €200,000

A limited competitive Bidding (LCB) process may be used if the proposed procurement value of a service is projected to be less than or equal to €200,000 unless FCB is justified on the basis of other reasons.

The steps in procuring services costing less than or equal to €200,000 are:

Step 1: prepare Terms of Reference (TOR)

The TOR shall contain all information necessary for a prospective bidder to prepare a tender for the services required, including:

- Description of the service and, if necessary, the order in which the service is required
- The purpose/objective of acquiring the particular service
- The proposal evaluation criteria
- Qualifications required to ensure achievement of the objective
- Scope of work and expected output
- Timing and duration of the assignment.

Selection and award criteria

The eligible proposals/tenders will be evaluated against the selection criteria indicated in the RFP/ITT. At EDCTP proposals/tenders are generally evaluated against three criteria:

- Quality of the submitted proposal/tender
- Technical competence of the team, including project management
- The price of the proposal

Step 2: prepare the Request for Proposal (RFP)

The requester/budget holder shall prepare a RFP. All TORs must be reviewed and approved by the senior management team before sending to the supplier. The DFA signature on the draft TOR is indicative of SMT approval.

- The date and time at which, and the email address to which, completed RFPs must be returned to;
- Contact details from which additional information can be obtained from;
- The currency in which prices should be quoted and in which payments will be made;
- The legal framework that will apply to any subsequent contract.

Stage 3: supplier selection

This stage is about identifying a selected list of suppliers to send the RFP to. The purpose is to request proposals from carefully selected suppliers (at least three) that are qualified to perform the service.

Step 4: send RFP to selected suppliers

Send RFP to the selected suppliers. The minimum time that should be given for submission of proposals is two weeks from the date of submission of RFP. The closing date for submission of proposals shall be clearly indicated in the RFP.

Where the value of the procurement is greater than €60,000 tenderers shall be asked to fill a Declaration of Honour on Exclusion Criteria and Absence of Conflict of Interest (annex A) to provide a declaration on their honour, duly signed and dated that they are not one of the situations that excludes them from participating in a procurement procedure.

Step 5: Setting up an evaluation committee

The Executive Director, in consultation with the senior management team, will appoint an evaluation committee of at least three members.

Step 6: Proposal evaluation and comparison

Proposals shall be opened by and evaluated by an evaluation committee. The members of the evaluation committee must sign Declaration to Participate in Procurement Evaluation (Annex B) and Declaration of Impartiality and Confidentiality (annex C).

The objective of this stage of the procurement process is to award the contract to the firm whose proposal is substantially responsive to the RFP and has the lowest evaluated cost.

The criteria detailed in the RFP shall be used in the evaluation of proposals.

The objective of the evaluation is to select the proposal with the lowest evaluated cost, but not necessarily the lowest submitted price, which should be recommended for award of the contract for the assignment.

A summary evaluation report including the comparison of the proposals and the specific reasons on which the recommendation is based for the award of the contract for the assignment should be prepared. The evaluation report must be signed by each member of the evaluations committee.

If following the consultation with suppliers, EDCTP receives only one proposal the contract may be awarded provided the award criteria are met.

If RFPs are not received from at least three suppliers within the time set, the evaluation committee should verify with the suppliers who have not submitted an RFP whether they intend to do so and how soon.

Step 7: Inform tenderers of the outcome of the evaluation

Tenderers, including those rejected, shall as soon as possible (not later than a week) be informed of decisions reached concerning the award of the contract by mail, fax or email.

Unsuccessful tenderers may request additional information about the reasons for their rejection in writing by mail, fax or email. The information shall be communicated to the tenderer within 15 calendar days from the date on which a written request is received.

Step 8: post proposal negotiation and award of contract

Once the preferred supplier has been selected, a series of negotiations and exchanges will take place to agree the contractual details.

Single proposals should also be considered for award, if it is determined that the RFP was not restrictive or unclear and the amount quoted is considered reasonable in comparison to the budget for the service.

Once the contract is satisfactorily awarded, unsuccessful bidders should be notified promptly.

Where the value of a contract is greater than €60,000 the senior management may, if it deems it appropriate and proportionate on a case-by-case basis and subject to a risk-analysis, require contractors to lodge a guarantee in order to:

1. Ensure full performance of the contract, or
2. Limit the financial risks connected with payment of pre- financing.

7.6 Procurement of services projected to cost more than €200,000

A full competitive bidding (FCB) process (tender) is required if the proposed procurement value of a service is projected to be greater than €200,000.

The steps in procuring services costing more than €200,000 are:

Step 1: prepare Terms of Reference (TOR)

The TOR shall contain all information necessary for a prospective bidder to prepare a tender for the services required, including:

- Description of the service and, if necessary, the order in which the service is required
- The purpose/objective the item will be used for
- Approximate date when the service is to be delivered
- Scope of work and expected output
- The evaluation criteria and their relative weighting.

Step 2: Prepare Invitation to Tender (ITT)

ITT should adequately describe the requirements and conditions, without being so prescriptive that the opportunities for achieving greater value for money are lost.

Accompanying the ITT will be a detailed Terms of Reference (TOR) of the services to be procured. The TOR and ITT must contain all the information necessary for a supplier to prepare a valid bid; together they shall give a full, clear and precise description of the subject of the contract and specify the exclusion, selection and award criteria applicable to the contract. The ITT must include the following:

- The date and time at which, and the place to which, completed RFP/tenders must be returned

- Contact details from which additional copies of the RFP/tender documentation can be obtained. The procedure to be followed if potential tenderers require clarification of any aspect of the ITT/RFP, together with a note advising potential tenderers such clarification will be issued to all other potential tenderers
- A list of any supporting documentation that will be required.
- If applicable, details of any financial guarantees
- The currency in which prices should be quoted and in which payments will be made
- State that Dutch law will be the legal framework that will apply to any subsequent contract
- Specify the rules governing the submission of tenders, including in particular the closing date and time for submission, documents to be attached, including those in evidence of financial, economic, technical and professional capacity
- State that submission of a tender implies acceptance of the TOR which the tender relates and that this submission of proposal binds the contractor to whom the contract is awarded during performance of the contract
- Specify the period during which a tender will remain valid and may not be varied in any respect
- State that contact between EDCTP and the tenderer is forbidden during the procedure except in exceptional circumstances.

Step 3: Advertisement

All RFP/ITT should be timely notified to bidders. The minimum time that should be given for submission of proposals is 4 weeks from the date of advertisement or submission of ITT. Where required, ITTS shall be published in at least one newspaper with wide circulation and on EDCTP website. The closing date shall be clearly indicated in the ITT or the advertisement.

Step 4: Setting up an evaluation committee

Tenders for the proposed procurement value of services projected to cost more than €200,000 must be opened and evaluated by an evaluation committee of at least five members comprising a non-voting chairperson, a non-voting secretary and an odd number (at least three) of voting members appointed by the Executive Director in consultation with the Board.

The Executive Director must ensure that each member of the evaluation committee has a reasonable command of English, and the technical and administrative expertise necessary to give an informed opinion on the tenders.

Step 5: Tender evaluation and comparison

Proposals shall be opened and evaluated by the evaluation committee. The members of the evaluation committee must sign Declaration to Participate in Procurement Evaluation (Annex B), and Declaration of Impartiality and Confidentiality (Annex C).

The non-voting Chairperson will be responsible for coordinating the evaluation process in accordance with the EDCTP procurement guidelines and policies, and for ensuring its impartiality and transparency.

The non-voting Secretary to the Committee will be responsible for carrying out all administrative tasks connected with the evaluation procedure. These include:

- Circulating and collecting the following forms: Declaration of Honour on Exclusion Criteria and Absence of Conflict of Interest (Annex A), Declaration to Participate in Procurement Evaluation (Annex B), and Declaration of Impartiality and Confidentiality (Annex C)
- Keeping the minutes and any other relevant records and documents.

The objective of this stage of the procurement process is to award the contract to the firm whose proposal is substantially responsive to the RFP and has the lowest evaluated cost.

The criteria detailed in the ITT shall be used in the evaluation of proposals.

The objective of the evaluation is to select the proposal with the lowest evaluated cost, but not necessarily the lowest submitted price, which should be recommended for award of the contract for the assignment.

A summary evaluation report including the comparison of the proposals and the specific reasons on which the recommendation is based for the award of the contract for the assignment should be prepared. The evaluation report must be signed by each member of the evaluations committee.

If following the consultation with suppliers, EDCTP receives only one proposal the contract may be awarded provided the award criteria are met.

Step 6: Inform tenderers of the outcome of the evaluation

Once the contract is satisfactorily awarded, unsuccessful tenderers shall be notified as soon as possible (not later than a week) of decisions reached concerning the award of the contract by mail, fax or email.

Unsuccessful tenderers may request additional information about the reasons for their rejection in writing by mail, fax or email. The information shall be communicated to the tenderer within 15 calendar days from the date on which a written request is received.

Step 7: post tender negotiation

Once the preferred supplier has been selected, a series of negotiations and exchanges will take place to agree the contractual details.

Single proposals should also be considered for award, if it is determined that the ITT was not restrictive or unclear and the amount quoted is considered reasonable in comparison to the budget for the service.

Once the contract is satisfactorily awarded, unsuccessful bidders should be notified promptly.

Where the value of a contract is greater than €60,000 the Senior Management may, if it deems it appropriate and proportionate on a case-by-case basis and subject to a risk-analysis, require contractors to lodge a guarantee in order to:

1. Ensure full performance of the contract, or
2. Limit the financial risks connected with payment of pre- financing.

In an instance where one bid is clearly preferable the contract may be awarded to that bidder. In other instances, there may be no suitable or compliant bid. In this instance the evaluation committee and requester must decide whether:

- To commence a new tendering exercise using the existing requirement, with different vendor companies
- To vary the requirement and initiate a new tendering exercise
- To vary the requirement, and negotiate with the present bidders to achieve a satisfactory solution
- Abandon the exercise.

Step 8: Post tender negotiations and contract award

Once the preferred supplier has been selected, a series of negotiations and exchanges will take place to agree the commercial and contractual details.

The proposal shall be awarded to the firm whose proposal is substantially responsive to the RFP and has the lowest evaluated cost.

Single proposals should also be considered for award, if it is determined that the advert received a wide distribution, if the ITT was not restrictive or unclear and the price quoted is considered reasonable in comparison to estimated price.

Once the contract has been agreed and signed, the parties are committed to ensuring the purchase and supply go ahead.

7.7 Purchasing procedure for air tickets

7.7.1 Tickets that are expected to cost less than €1000

Tickets that are expected to cost less than €1,000 are purchased from BCD.

- On receipt of appropriately approved TAF or TRF, the EDCTP Travel and Events Coordinator (TEC) obtains quotation from BCD with the indicative travel dates
- TEC receives quotation from BCD
- DFA approves the quotation
- BCD sends the invoice to FA/FO
- FA/FO forwards the invoice to TEC for checking
- TEC attaches the approved invoice, TRF and ticket to FA/FO for payment processing
- The FO gives the invoice to the FA for posting into Access Dimension and for payment processing
- The Finance Assistant (FA) reviews the invoice before posting into Access Dimensions
- Payment is made following normal bank payments procedures as described in EDCTP's accounting procedures manual.

7.7.2 Tickets that are expected to cost more than €1000

EDCTP has a contract with ATP and BCD, travel agents based in The Netherlands, for the purchase of air tickets.

- On receipt of appropriately approved TAF or TRF, the EDCTP Travel and Events Coordinator (TEC) obtains quotation from ATP and BCD with the indicative travel dates
- ATP and BCD sends their quotations to TEC
- TEC receives the quotes from ATP and BCD
- TEC selects the option that offers best condition and price where necessary in consultation with the traveller
- DFA approves for the purchase to be made from the travel agent that offers the best price
- TEC informs the travel agent selected
- The selected travel agent issues the ticket
- TEC sends an email to the traveller with the dates of travel and a link to the ticket
- The selected agent sends the invoice to FA and FO
- FA/FO forwards the invoice to TEC for checking and approval.
- DFA approves the invoice
- TEC attaches the approved invoice, TRF and ticket to FA/FO for payment processing
- The FO gives the invoice to the FA for posting into Access Dimension and for payment processing
- The Finance Assistant (FA) reviews the invoice before posting into Access Dimensions
- Payment is made following normal bank payments procedures as described in EDCTP's accounting procedures manual.

8 Contract

8.1 EDCTP contracts

Contracts for procurement of goods and services between EDCTP and service providers/suppliers must be:

1. In writing, and
2. Reviewed by the EDCTP Legal Officer before being signed
3. Signed by either the ED or the DFA separately for contract or invoice values up to €60,000 or jointly for up to €500,000 or by the Chair of the General Assembly for values in excess of this amount. No other person within EDCTP or its constituencies has any power to commit EDCTP financially
4. Any oral negotiation should be undertaken on the basis that it is subject to formal written agreement and will not be treated as binding on EDCTP until set out in writing and signed as appropriate as stated above
5. Where possible, it should specify that Dutch law is applicable to the contract.

8.2 Creating a contract by requesting quotations or tenders

A requester/budget holder makes an invitation to treat when she/he asks a potential supplier to submit a quotation or a tender. The supplier responds by making a bid, which constitutes an offer. When the purchaser issues an unqualified acceptance of that offer, a contract is created.

In practice, EDCTP's specification or the supplier's tender may be varied during negotiations, giving rise to counter-offers. In such cases, it is important that staff record the outcome of any negotiations and obtain the written acceptance of the supplier to the terms finally agreed. This ensures that both parties to the contract are clear about and agree on all aspects of the required performance, other documentation (terms and conditions, specification, schedule, etc. included in the invitation to tender) and the bid/proposal.

8.3 Creating a Contract by the action of the parties

A contract can also be created implicitly through the actions of the parties. It is therefore important that EDCTP should not create a contract by "part performance" or by performing its agreement with the contractor before a written agreement is in place. This is particularly important where EDCTP is negotiating, or believes that it is negotiating, the terms of an agreement. Part performance is a prima facie indicator that EDCTP has accepted the terms as last exchanged.

8.4 Letters of intent

EDCTP employees should not send letters of intent to suppliers because they constitute an agreement to meet the supplier's costs in preparing to fulfil the obligations of a contract before that contract is awarded. If a problem arises to prevent the award, then expenditure may be incurred for no benefit.

Staff should wait until proper financial and contractual approval is given before committing EDCTP.

8.5 Contracts with foreign suppliers

All contracts, especially with foreign suppliers, should have a jurisdiction clause. Where possible, it should specify that Dutch law is applicable to the contract because litigation in countries other than The Netherlands are likely to be more difficult and expensive for EDCTP.

8.6 Awarding of subcontracts

Subcontracts may be awarded for eligible costs following the general principles of tendering as set out above and to the subcontractor whose bid offers best value for money. In doing so it shall observe the principles of transparency and equal treatment of potential subcontractors and shall take care to avoid any conflicts of interest.

A subcontract differs from a one-off tendered project in so far as a subcontract will normally be for a longer and continuing time period for which EDCTP requires a service which it cannot do itself due to a lack of resources either within the Secretariat or the hosting providers.

Subcontracts may be awarded to individuals or to firms, where it is an individual it is especially important that the Secretariat assesses the capacity of the person to successfully carry out the tasks and the decision of the ED will be final on this.

Subcontracts may only be awarded where they have been clearly set out and budgeted for in the work plans.

In all cases the EDCTP Secretariat remains liable to the EC and its participating states for the quality of the work undertaken by the subcontractor and therefore regular monitoring of performance should be carried out by the budget holder responsible.

9 Keeping records and other supporting documentation

Procurement transactions are likely to be subjected to the scrutiny of external auditors and the European Court of Auditors (ECA). It is therefore important that adequate records and other supporting documentation should be kept to prove the accuracy of the costs reported in the accounts in respect of each procurement transaction, and also to show that the appropriate procurement rules and procedures have been followed. These documents include request for proposals, quotations, TORs, tender valuation reports, contracts, subcontracts, invoices and purchase orders. The original documents must be kept. EDCTP may accept non-original documents if it considers that they offer a comparable level of assurance. No payment will be made without supporting authorised documentation which may be either an invoice, contract, purchase order, grant payment notification, credit card or travel authorisation form which will be attached to the back of the payment (BACS) form before the DFA signs it.

EDCTP must make available upon request any information requested by the European Commission or other stakeholders to verify compliance with the relevant procurement procedures and the obligations under the Delegation Agreement or in the context of checks, reviews, audits or investigations. Auditors, including the ECA, and other interested parties will expect to find the procedures and policies described in this manual in operation when an audit is carried out and they will seek to ensure that:

- Procurement processes followed are transparent;
- Procurement procedures comply with external requirements (e.g. legislation) and internal policy and requirements (e.g. this Guideline); and
- Procurement decisions are carried out with due regard to value for money - economy, efficiency and effectiveness.

9.1 Retention of documents

All procurements documents relating to financial payments will be retained by EDCTP for a minimum of 6 years from the date of payment.

If there are on-going checks, reviews, audits, investigations, litigation or other pursuits the records and other supporting documentation must be until the end of these procedures.

9.2 Procurement Records

The objective is to build a complete history of the relations with each supplier so that future decisions, negotiations and dispute resolutions can be based on the best possible information, and to produce a complete history of each transaction so that the decision-making process is transparent and if necessary justified, or alternatively, lessons are learned.

For each procurement process, all the relevant records shall be maintained. These will include:

- The requisition
- Notes of any changes made to the requisition
- Notes of the process by which the contract evaluation and award criteria were decided
- All documents relating to the tender/RFP or quotation process. This will include originals of the request for proposals, TOR, advertisements, evidence of how recipients of the RFP were selected, all bid/quotes received in response (whether compliant or not)
- Results of the evaluation exercise
- Notes of all post tender/RFP negotiations and their outcome
- The final contract or purchase order
- Records of any variations agreed after award or contract
- Records of all disputes and their resolution
- Records of payments and final sign-off, and reconciliation of invoices etc with final payment.

10 Bank payments to suppliers of goods and services

Payments for goods and services are broadly classified under the following categories:

- Payment for invoices relating to supply of goods
- Payment for invoices relating to consultancy services
- Payment for invoices relating to services
- Payment for invoices relating to public utility services
- Payment for invoices relating to expenses (flight, train, taxis, etc.).

10.1 Bank payment - invoices for supply of goods

All purchase invoices are sent to the Financial Officer (FO)

- The FO will review the invoice to verify the charges are accurate and are appropriate for payment by performing the following checks:
 - The goods are received in good working order in accordance with the terms of the purchase order;
 - The quantities are accurate;
 - The prices charged are the amounts agreed; and
 - All totals are accurate.
- The FO gives the invoice to the Finance Assistant for posting into Access Dimension and for payment processing
- The Finance Assistant (FA) will review the invoice before posting into Access Dimensions
- Payment is made following normal bank payments procedures as described in EDCTP's accounting procedures manual.

10.2 Bank payment - invoices for professional services

- These relate to payments of consultants in respect of consultancy services including audits and training
- All invoices with a copy of the consultancy contract for professional services are first sent to the FO for verification of invoice before payment. The FO will verify these invoices by reference to the respective contract documents
- The FO gives the invoice to the Finance Assistant for posting into Access Dimension and for payment processing
- The Finance Assistant (FA) reviews the invoice by comparing the invoice details to the contract
- Payment is made following normal bank payments procedures as described in EDCTP's accounting procedures manual.

10.3 Bank payment – invoices for services

- The common examples of such payments are repairs of office equipment,
- All purchase invoices for services are first sent to the user department to verify the charges are accurate and are appropriate for payment.
- The invoice will then be passed to the finance department for further verification
- Once the invoice is approved by SAO or DFA for payment, payment is processed following normal payment procedure.

10.4 Bank payment – invoices for public utility services

- The common examples of such payments are KPN (mobile)
- Mobile rates are fixed by KPN
- The FA will receive the invoice for entry into the Access Dimensions
- The bills are sent to SAO for approval
- The SAO performs a logic check on the bill before starting the payment processing.

Annex A

Declaration of honour on exclusion criteria and absence of conflict of interest

(To be completed and signed by the tenderer: complete or delete the parts italics in brackets)[choose the correct option for parts between square brackets]

The undersigned (insert name of the signatory of this form):

- in [his]]her] own name (for a natural person) or
- representing the following legal person: (only if the economic operator is a legal person)

Full official name:

Official legal form:

Full official address:

VAT registration number:

1) declares that [the above-mentioned legal person][he][she] is **not** in one of the following situations:

- a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has been convicted of an offence concerning professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
- c) has been guilty of grave professional misconduct proven by any means which the contracting authorities can justify including by decisions of the European Investment Bank and international organisations;
- d) is not in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- e) has been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union's financial interests;
- f) is a subject of an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or failing to supply this information, or having been declared to be in serious breach of its obligations under contracts covered by the Union's budget.

2) Declares that the natural person with power of representation, decision-making or control¹ over the above-mentioned legal entity are not in the situations referred to in b) and e) above;

3) declares that [the above-mentioned legal person][he][she]:

- g) has no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinity, family, emotional life or any other shared interest;
 - h) will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
 - i) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to award of the contract;
 - j) provided accurate, sincere and complete information to the contracting authority within the context of this procurement procedure;
- 4) acknowledges that [the above-mentioned legal person][he][she] may be subject to administrative and financial penalties² if any of the declarations or information provided prove to be false.

In case of award of contract, the following evidence shall be provided upon request and within the time limit set by the contracting authority:

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the tenderer is a legal person and the national legislation of the country in which the tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the tenderer.

For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

If the tenderer is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the contracting authority.

Full name:

Signature:

Date:.....



Annex B

EDCTP Evaluation Committee Members

Declaration to participate in procurement evaluation

Please complete and return your signed form to the EDCTP legal officer

Surname: _____

First name: _____

Job title: _____

Declaration

I declare that I am not conflicted to the following suppliers that have submitted proposals for the tender titled" _____":

- 1) Supplier A
- 2) Supplier B
- 3) Supplier C
- 4) Supplier D
- 5) Supplier E
- 6) Supplier F

Date: Signature:

Annex C

Declaration of impartiality and confidentiality

I, the undersigned, hereby declare that I agree to participate in the evaluation of proposals for the tender titled" _____". By making this declaration, I declare that I am aware of Article 57 of the Financial Regulation for the Budget, which state that:

1. "Financial actors and other persons involved in budget implementation and management, including acts preparatory thereto, audit or control shall not take any action which may bring their own interests into conflict with those of the Union.

Where such a risk exists, the person in question shall refrain from such action and shall refer the matter to the authorising officer by delegation who shall confirm in writing whether a conflict of interests exists. The person in question shall also inform his or her hierarchical superior. Where a conflict of interests is found to exist, the person in question shall cease all activities in the matter. The authorising officer by delegation shall personally take any further appropriate action.

2. For the purpose of paragraph 1, a conflict of interests exists where the impartial and objective exercise of the functions of a financial actor or other person, as referred to in paragraph 1, is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with a recipient."

I hereby declare that, to my knowledge, I have no conflict of interest with the operators who have submitted a tender for this contract, including persons or members of a consortium, or the subcontractors proposed.

I confirm that if I discover during the evaluation that such a conflict exists or might exist, I shall declare it immediately to the chairperson of the Evaluation Committee. In the case that such conflict is confirmed by the chairperson, I agree to cease from participating in the Evaluation Committee.

I confirm that I have familiarised myself with the information available to date concerning this tender procedure, including the provisions of the Practical Guide to contract procedures for external actions relating to the evaluation process.

I shall execute my responsibilities impartially and objectively. I further declare that, to the best of my knowledge, I am not in a situation that could cast doubt on my ability to evaluate the tender(s).

I declare that I shall maintain the strictest confidentiality in respect of all information acquired as a result of my involvement in the evaluation process of the above-mentioned call, as well as any information relating specifically to the object of this call.

I undertake neither to disclose such information to any unauthorized person who does not already have right of access to such information, nor to discuss it with any person in any public place or where others could overhear it.

I furthermore undertake to use this information only in the context, and for the purposes of, the evaluation of this specific call.

After the conclusion of the evaluation I undertake not to retain copies of any written information, as well as any templates or models used in the course of my duties.

I understand that any unauthorized disclosure by me will result in the termination of my role as a member of this Evaluation Committee and may also render me liable to legal action.

I undertake to maintain this duty of confidentiality after the conclusion of my term as a member of this Evaluation Committee.

Name	Function	Signature

Signature:

Date:



Annex D

Notice of changes to procurement procedures manual

Issued by: _____

Issue date: _____

Approved by: _____

Effective date: _____

This notice changes section _____ on page(s) _____

Type of changes: (check one)

- Additional requirements
- Deletions
- Revisions
- Descriptions



Annex E

Corporate Credit Cards Acceptance and Undertaking Form (CCCAUF)

I, the undersigned, hereby declare that I understand and accept the terms and conditions of use and my role as an EDCTP corporate credit card holder.

I understand that I am personally liable for any expenditure charged to the credit card that does not comply with the above terms and conditions. I undertake to repay any such sums to EDCTP immediately.

Name of card holder: _____

Job title: _____

Signature of card holder: _____

Date: _____

