

Questions & answers on procurement

Follow-up training for Ukrainian beneficiaries
Online, 24 November 2025

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General questions

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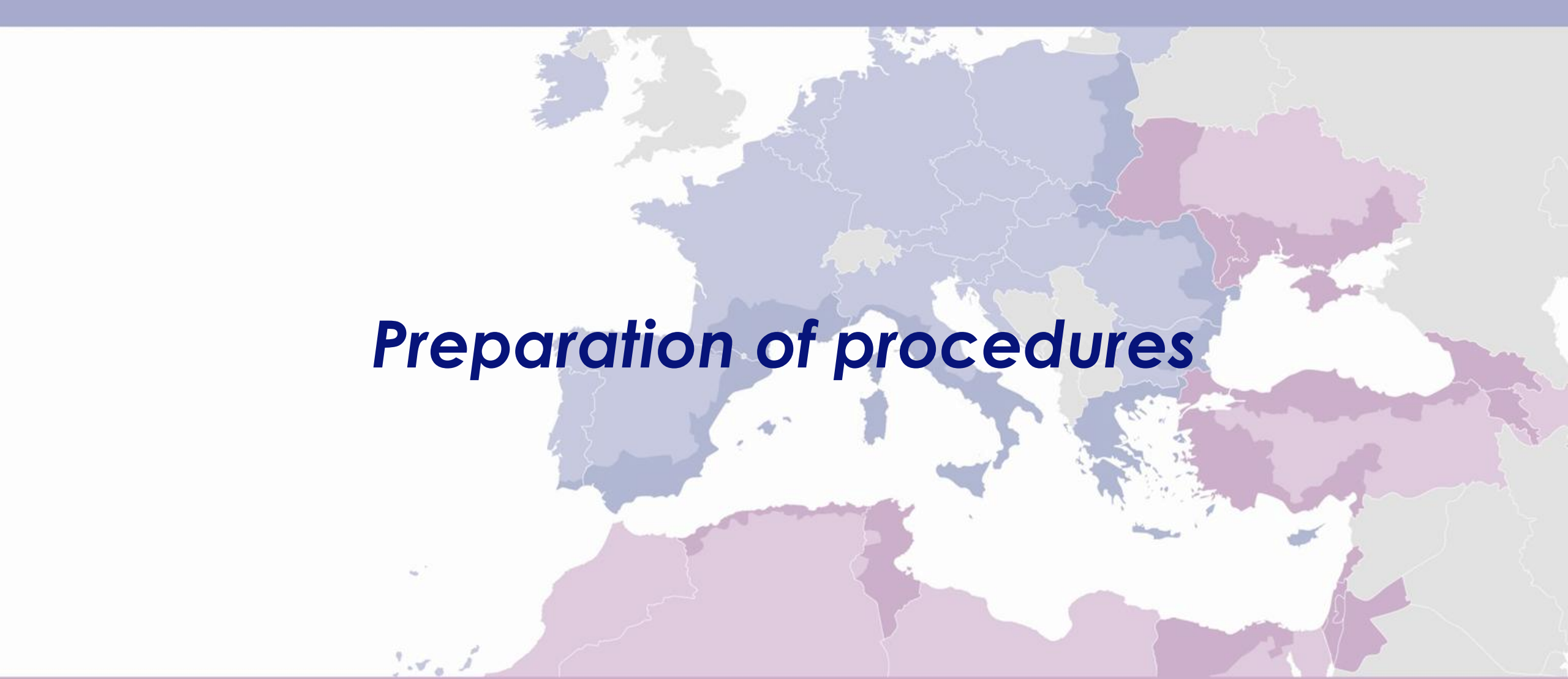
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Question	Answer
Framing of procurement contracts as "works" or "equipment" – in the grant contract is budgeted as "equipment", but acc. to national classification it would be "works" as it require installation-related operations.	Even if you use the national classification in Prozorro, the procedure must be classified in the project accounting in accordance with the category in the approved budget.
Advance payments: Are advance payments to suppliers allowed (and at what percentage), and are bank guarantees required?	There are no provisions on advance payments in Annex II of the Financing Agreement. If you are a public body, use national legislation; if private, your own usual procedures.
Publication: where and when to post announcements/results (programme website, partner website, national platforms).	It depends on the type of procedure. Publication in Prozorro is correct and only above the thresholds mentioned in point 5 of Annex II of the Financing Agreement, also in the Official Journal of the European Union.

Question	Answer
Why is there no column regarding the source of funding for the Interreg Program (Interreg VI-A) NEXT Romania-Ukraine 2021-2027 in the electronic procurement system - ProZorro? If Annex 2 is part of the Financing Agreement for the Interreg NEXT Romania-Ukraine 2021-2027 Program, why was it not possible to create an interface in the ProZorro system that would correspond to the capabilities and obligations set forth in Annex 2 and Ukrainian legislation?	Please refer to the National Authority in the SCMU or to the Prozorro authority in Ukraine.

Question	Answer
Annex II provides for the conduct of simplified procurement, but currently, there is no possibility of conducting simplified procurements in Ukrainian legislation; how should one act?	The Financing Agreement is embedded in the national legislation, and it is compulsory. You cannot use the provisions of the Ukrainian Procurement Law for the procedures.
If the JS ROUA interacts with the State Audit Office of Ukraine and together you form a team that is well aware of the obligations set forth in Annex 2, as well as the limitations of Ukrainian legislation, are you planning the possibility of aligning the types and procurement procedures defined in Annex 2 with the procedures established by Ukrainian legislation, in order to create a clear correspondence or analogy that beneficiaries could use in the future	



Preparation of procedures

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Question	Answer
We begun preparing documentation for concluding contracts for the provision of services and the supply of goods, organizing procurement procedures. We would like to hear the professional advice on clearly the requirements for the terms of organizing both small (up to 2,500 euros, up to 20,000 euros, and large) procurements (including market research procedures, collection of commercial offers). We would also like to understand what the most common mistakes	The requirements are clearly stated in Annex II of the Financing Agreement. Up to EUR 2.500 you may simply pay against invoice with no procedure. From this amount until EUR 20.000 you may request only one offer, but we recommend requesting at least three. The most common mistake is using national procedures instead of the procedures indicated in Annex II of the Financing Agreement and the tips provided by the Managing Authority in the Procurement Fiche available in the website.

Question	Answer
Under what conditions can shorter procurement deadlines be applied than those provided in Annex II (if Annex II sets a 30-day period for submitting offers, but this affects the project implementation timeline and compliance with the Grant Contract requirements regarding the expenditure of the fixed amount during the first half of the project implementation)	Delays in planning or project implementation cannot be accepted as an exception for the use of shorter deadlines. They can only be applied in very exceptional circumstances and after receiving a written formal authorisation from a competent director in your organisation.

Question	Answer
Training for Ukrainian teachers (accommodation/meals, hall rental). What procedure should be applied (request for quotations or open tender), taking into account the total cost for different locations, and is it possible to divide the procurement by venue/type of service without violating the principle of indivisibility of the procurement subject?	Please refer to point 5.2 of the Financing Agreement. Open tender is only compulsory for procedures over EUR 300.000. We strongly recommend not to divide the contracts artificially as it may render the expenditure ineligible. If the total cost of the event is below EUR 20.000, you may request just one quotation, even though we recommend requesting three.
Final conference and seminar for stakeholders. Is it possible to combine services (hall rental + catering + technical support) into one lot, and what is the minimum number of valid bids acceptable if competition in the local market is limited?	Yes, you can combine services. See previous answer if the amount is below EUR 20.000. If the amount is between 20.000 and 60.000, you must request three quotation, but you can award the contract if you receive only one valid bid.

Question	Answer
Trainer for Ukrainian teachers, education coordinator. For individuals, is competitive selection based on the quality-cost ratio (CV + price offer) permissible, and what documents (technical specifications, evaluation matrix, selection report) are required to confirm the procurement procedure?	it is up to you to decide which should be the exclusion, selection and award criteria, as well as the documents proving the compliance with these criteria. See points 17 to 21 in Annex II of the Financing Agreement for the specific rules on this topic.

Question	Answer
Equipment for 'open-air classrooms', sports equipment, technology (laptops, printers, telephones), school radio stations, prizes (two sub-questions not linked to procurement)	
Do the rules of origin of goods (EU/partner countries) apply, and how can compliance be documented?	There is no restrictions on the origin of goods, except for the sanctions https://www.sanctionsmap.eu/#/main
If delivery is in stages, is it possible to make one purchase for several deliveries, and how to draw up acceptance certificates for partial deliveries?	Yes, it is possible. There are no specific provisions on how to draw up acceptance certificates. You can use your usual templates.
How should the Customer act when making purchases up to 20,000 Euros?	You may request just one quotation. See procurement fiche in programme website for some tips.

Question	Answer
If the budget includes expenses of the same type for the purchase of services, but under different budget lines, should they all be combined into a single CVP and conducted as a single open procedure? Or should procedures be conducted in accordance with the cost of each individual budget line under a separate CVP?	It is one CVP
According to the Annex 2 the evaluation committee is to be formed alongside the tender committee. Can the tender committee be acting on behalf of both, or two separate groups of different members are to be formed?	The evaluation committee is the same as tender committee

Question	Answer
If two equipment items are divided in two separate budget lines, but are traditionally being sold as one set in Ukraine, is it possible to make a joint open procurement for these two budget lines to purchase them together?	It is one procurement, one procedure
How should procurement reporting be carried out: is it sufficient to provide a link to the procurement in Prozorro, or is it necessary to upload the full set of documents to JEMS?	The full set of documents should be uploaded to JEMS

Question	Answer
Annex II, B. Types of procedures, paragraph 9. Procedure involving a call for expression of interest (mirroring points 13.1 & 13.2 of Annex I of the Financial Regulation) - How should this procedure (steps) be carried out? - Where should the invitation be published?	It is explained in paragraph 9 of Annex II: - to pre-select candidates to be invited to submit tenders in response to future restricted invitations to tender; - to collect a list of vendors to be invited to submit requests to participate or tenders. The decision how to organise the process is up to you, mind the proper documentation and prevent any type of the discrimination
In the case of a procurement below EUR 20,000, where invitations are sent to three suppliers and an announcement is additionally published on the organization's website, what type of procurement procedure is this considered under such an invitation method?	It is acceptable for single tender

Question	Answer
Deadlines for procedures (paragraph 22 of Section E, Annex II): Subparagraph 2 paragraph 22 – Tenderers may put questions in writing before the closing date for receipt of tenders. The grant beneficiary shall provide the answers to the questions before the closing date for receipt of tenders. At the same time, subparagraph 6 of paragraph 22 states: 6. For the simplified procedures referred to in point (d) of point 5.1, candidates shall be allowed at least 30 days from the date of dispatch of the letter of invitation to tender in which to submit their tenders. In the electronic procurement system of Ukraine, there is no technical possibility for participants to ask questions before the deadline for receipt of tender proposals, and for the customer to provide an answer before the deadline for receipt of proposals. This can only be done during the clarification period preceding the period for the start of submission of proposals.	This issue must be communicated to SCMU, they will contact Prozorro to make adjustments

Question	Answer
According to the project budget, an amount of 6,000 EUR is allocated for the procurement “Purchase of equipment for a gym in ... Lyceum” Are we required to announce a tender procedure for this amount, or is it acceptable to conduct a direct procurement using Ukrainian procurement classification code, while still finalizing everything under one single contract?	Contracts with a value of less than or equal to EUR 20 000 may be awarded on the basis of a single tender

Award procedure

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Question	Answer
According to Annex II, for procurements under 20000 euro, an evaluation committee should be appointed. Do we need to have from each member of the evaluation committee a Declaration of Impartiality and Confidentiality? If yes, where can we find the template?	Yes, each member has to sign such declaration. You can find a template in TESIM's Compilation (template G2), available in https://ro-md.net/en/projects/useful-in-implementation
If one budget line exceeds EUR 100,000 but consists of expenses for the purchase of goods or services that are completely different in terms of technical characteristics and nature, is it possible to conduct several open procedures for different CVPs, choosing the procedure that is suitable in terms of cost for each individual CVP?	There is no obligation to launch one single procurement procedure per budget line. However, you need to avoid artificial splitting. There is no need for an open tender for procurement procedures for services below EUR 300.000 and goods below 100.000

Question	Answer
If two offers are received, but one of them exceeds the announced value (falls outside the available budget), is it necessary to wait 10 days from the notification of the evaluation results before signing the contract? (Or if the second offer does not meet the exclusion/selection criteria?)	If it is the single tender, you do not have to wait

Questions not related to procurement

Question

For small-scale projects, half of the project implementation is 9 months, as stated in the Grant Contract. But the 2nd reporting period is for 8 months. Can we submit one more report after the 9th month to ensure the amount of spending indicated in the Grant Contract?

Is it allowed to suspend the project implementation for some time, e.g., for 1 month, due to inability to carry out infrastructural works because of weather conditions?

What other documents need to be added for the use of budget funds, and at what point is it possible to do so within the framework of the project?

Equipment for 'open-air classrooms', sports equipment, technology (laptops, printers, telephones), school radio stations, prizes.

- What are the requirements for labelling, inventory management, transfer certificates to schools and further accounting after the project is completed?
- How to account for the transport costs of delivering 'open-air classrooms' equipment to schools?

Exchange rate: What exchange rate should be used for payments and reporting if the budget is in euros and the invoices are in hryvnia/lei?

Question

Documentation: Is it possible to obtain a checklist of mandatory documents for each type of procedure (technical specifications, request, proposals, evaluation protocol, contract, acts, photos, visibility evidence)?

What are the most common mistakes identified by Ukrainian controllers during the verification of partners' reports

As administrative costs are based on the flat rate what is the order of the spending of the administrative costs?

What documents are required for submitting for the control?

What supportive documents for staff costs payments are required for control?

Can travel and accommodation budget lines be used for the travel and accommodation not only for project team but also for participants in trainings/ common events?

The project involves the purchase of equipment. Will the advance payment for equipment (provided payment is made in the current period) be approved in the current report, if the second payment under this contract (for the purchase of equipment) will be made in the next reporting period?

Any additional questions, comments or feedback?

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Key takeaways

Follow-up training for Moldovan beneficiaries
Online, 7 November 2024

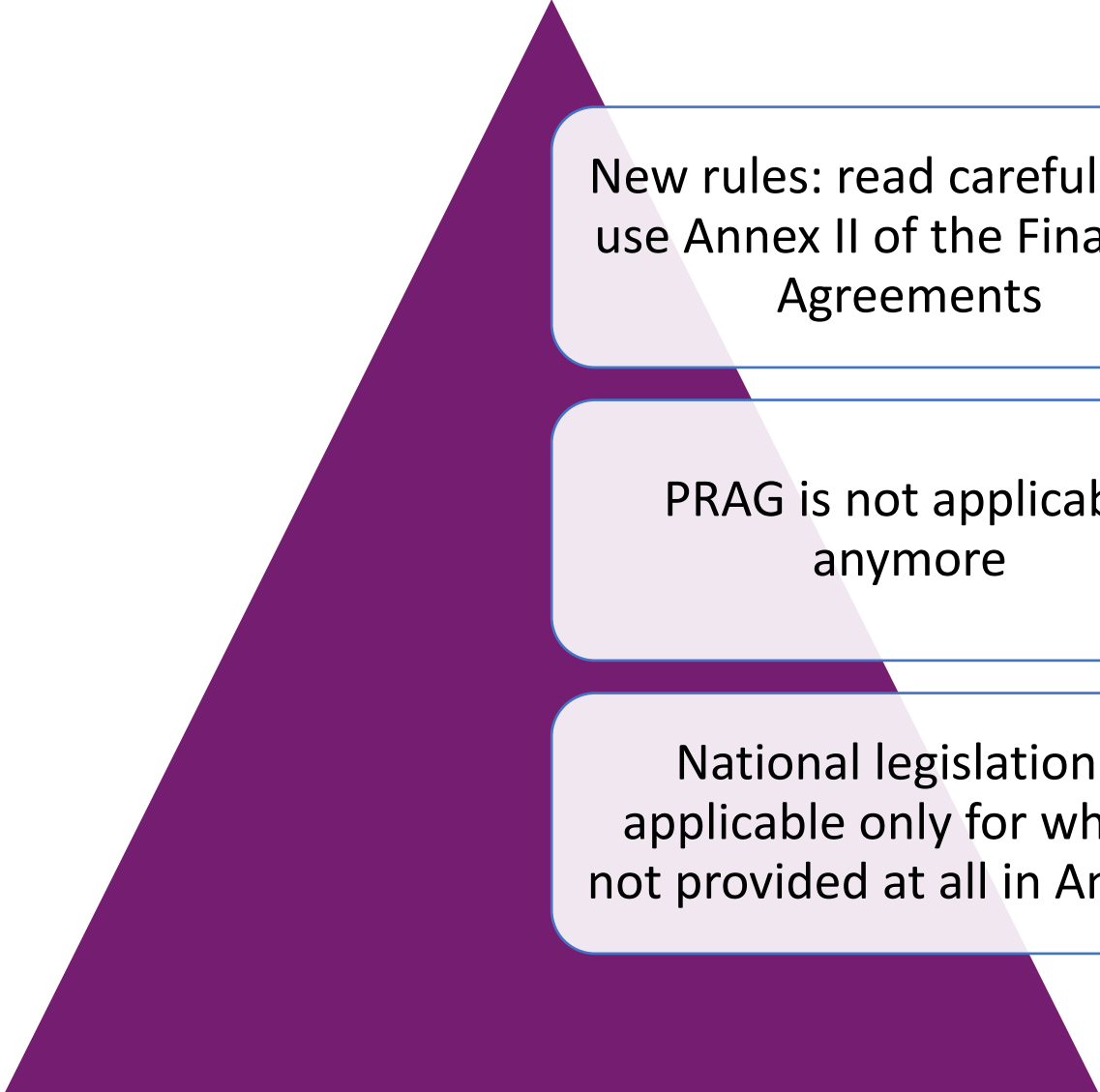
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New rules: read carefully and use Annex II of the Financing Agreements

PRAG is not applicable anymore

National legislation is applicable only for what is not provided at all in Annex II