



### NOTE FOR BENEFICIARIES

**required to use PRAG in public procurements,  
reminding the rules for lower value contracts in projects  
financed under the Joint Operational Programme Black Sea Basin 2014-2020**

Having in view the provisions of article 9.3 of the Grant Contract signed by the beneficiaries for projects financed under the Joint Operational Programme Black Sea Basin 2014-2020,

Having in view the provisions of PRAG (Procurement and grants for European Union external actions),

In order to facilitate the proper implementation of procurement procedures in case of lower value contracts (up to 20 000 euro), considering that contracts of lower value are often encountered under the ENI CBC Black Sea Basin Programme 2014-2020,

The Managing Authority issues the following:

### NOTE FOR BENEFICIARIES

1. According to art 9.3 b) of the Grant Contract *in case of Lead Beneficiaries / Beneficiaries which are not contracting authorities or contracting entities (within the meaning of the Union legislation applicable to procurement procedures) established in a Member State, the provisions of the Procurement and grants for European Union external actions (PRAG) in force at the moment of the launch of the relevant procurement procedure by the Lead Beneficiary or the Beneficiaries, regarding the templates and details for the types of procedures, shall be applicable.*

*Notwithstanding the paragraph above, in case of Lead Beneficiaries / Beneficiaries required to use the Procurement and grants for European Union external actions (PRAG), for contracts not exceeding 60 000 euro, the provisions in force at the moment of the launch of the relevant procurement procedure by the Lead Beneficiary or the Beneficiaries, regarding the templates and details for the types of procedures, shall be applicable.*



2. The beneficiaries that are required to use PRAG<sup>1</sup> are reminded that, for the contracts estimated over 2.500 euro and up to 20 000 euro, the single tender procedure applies.
3. The PRAG<sup>2</sup> provisions applicable to the single tender procedure should be checked before starting to prepare the procurement.
4. The main aspects to be considered are:
  - Clear definition of the requirements for services, supplies or works, with adequate technical specifications;
  - Communication of requirements to tenderers;
  - Verification of the compliance of the received tenders with the original requirements;
  - Preparation and approval of an evaluation report;
  - Signature of contract with the successful tenderer.
5. For the contracts estimated up to 2 500 euro, payments may be made against invoice without prior acceptance of a tender.
6. When establishing the estimated value of the procurement, the artificial split of the contract must be avoided, meaning that it is not allowed to divide the contract into several distinct, lower-value contracts in order to avoid the rules which apply to procurement procedures above certain thresholds.

Procurement procedures divided by lots are allowed on the condition that the estimated value of the procurement is determined by cumulating the estimated values of all the lots when establishing the applicable procurement procedure.

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**ENI CBC Black Sea Basin Joint Operational Programme**

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<sup>1</sup> For a quick reference, the following overview can be checked on programme website: <https://blacksea-cbc.net/news/archive-news/procurement-rules-national-legislation-or-prag/>.

<sup>2</sup> <https://wikis.ec.europa.eu/display/ExactExternalWiki/ePRAG>