



MINISTRY OF DEVELOPMENT,  
PUBLIC WORKS AND ADMINISTRATION

**NOTE FOR BENEFICIARIES**  
in projects financed under  
the Joint Operational Programme Black Sea Basin 2014-2020

required to use PRAG in public procurements,  
reminding the rules for the justification of the choice of economic operators invited to  
participate in procurement procedures

Having in view the recommendation of the European Commissions' auditors following the compliance audit mission carried out for the accounting year 1/7/2019 - 30/6/2020, regarding the recording, in the procurement documents, of the justification of selection of undertakings invited to participate in the procurement procedures,

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<sup>1</sup> (Procurement and grants for European Union external actions),

In order to facilitate the proper implementation of simplified procedures, as well as single tender procedures,

The Managing Authority issues the following:

**NOTE FOR BENEFICIARIES**

1. The beneficiaries that are required to use PRAG<sup>2</sup> are reminded that, in case the single tender procedure or the simplified procedure is used, **the justification of the choice of the economic operators invited to participate in the procedure should be recorded in the procurement documents.**
2. The beneficiaries are reminded also to avoid any potential conflict of interest in the choice of economic operators invited to participate in the procurement procedure and to follow the principles of procurement according to the Regulation (EU) no. 897/2014<sup>3</sup> and PRAG (transparency / adequate *ex-ante* publicity, equal treatment and non-discrimination, competition, proportionality, sound financial management).

Iulia HERTZOG  
Head of the Managing Authority for  
ENI CBC Black Sea Basin Joint Operational Programme

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<sup>1</sup> <https://wikis.ec.europa.eu/display/ExactExternalWiki/ePRAG>

<sup>2</sup> For a quick reference, the following overview can be checked on programme website: <https://blacksea-cbc.net/communication/news/news-2020/procurement-rules-national-legislation-or-prag>.

<sup>3</sup> COMMISSION IMPLEMENTING REGULATION (EU) No 897/2014 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument



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