Tool: Checklist for record keeping

Purpose

- To allow access to relevant parties within a procuring authority or from an audit institution to an official record of the entire procurement transaction.

- To equip procurement practitioners' with the necessary information to analyse the overall performance of the process as well as assess capacity building needs.

- To maintain documentary records which can be used to take the necessary steps to reduce risk of error, fraud or corruption in subsequent procurement processes.

Public Procurement Principle: **Transparency, Accountability**

Procurement Stage: **All phases**

Audience: **Policy Maker, Procuring Entity**

Description

Record-keeping regulations are usually provided in procurement legislation. A procuring authority must be able to verify the conditions under which a contract was awarded, performed and supervised in order to guarantee transparency in the process and trust in the parties that participated in it.

Moreover, documentation must be readily accessible for consultation by both the contracting authorities and by any auditors, as well as the general public (including competitors of the winning firm).

What should be conserved?
Everything that could affect the course of proceedings. There is no single list, but the following items may be cited as examples:

1. Pre-tendering
- Needs evaluation reports;
- Unused preliminary studies; and
- Local council deliberations.

2. Tendering
- Call for tenders;
- Requirements and justification of changes to technical requirements;
- All administrative and technical documents supplied to bidders;
- Bid analysis reports;
- Decisions of the awards commission and all the elements on which the decision was based; and
- Selection criteria that have been modified or added during the review of bids.

3. Post-award

- Decisions and observations during contract performance (visit reports, for example);
- Changes in needs;
- Decisions and reports on any disputes;
- Changes to performance deadlines;
- Price changes in the course of performance; and
- Supplementary works or deliveries.

Where should the records be kept?

- In the offices of the contract authority, until the contract is completed.
- On the premises of a specialised government archives unit, where they will remain permanently available to the depositing authority.
- In a digital information database, for electronic documentation used in the e-procurement system.

Who should keep the records?

- The contract authority, until the contract is completed.
- The specialised archives unit, from contract completion to the end of the warranty period.
- The contract authority may however keep a copy.

How long should the records be kept?

Administrative documents have a retention life determined by law or by the archives service.

- Documentation kept on the contract authority's premises should be conserved at least until expiry of the warrantee covering the works, services or supplies procured under the contract. (For example, in France construction firms are required to take out insurance for 10 years against defects in their work).
- In the archives unit, the duration will depend on regulations and on the historical interest of the documents. In principle, simple contracts may be destroyed when they are no longer of administrative usefulness. On the other hand, contracts of historical interest (e.g. involving a particular and innovative technique or related to historic buildings) should be kept indefinitely.

How to take changes into account?

In a report justifying the changes, to which will be added all technical or other documents (meteorological data, for example, when deadlines are extended because of bad weather).

Where should this information be kept?

In principle, it should be attached to the files on the contract. This means that it should be kept in the archives (either electronic or paper based) of the office responsible for contract execution until the contract is completed, and then in specific offices.