

Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (Text with EEA relevance)

TITLE IV

GOVERNANCE

Article 84

Individual reports on procedures for the award of contracts

1 For every contract or framework agreement covered by this Directive, and every time a dynamic purchasing system is established, contracting authorities shall draw up a written report which shall include at least the following:

- a the name and address of the contracting authority, the subject-matter and value of the contract, framework agreement or dynamic purchasing system;
- b where applicable, the results of the qualitative selection and/or reduction of numbers pursuant to Articles 65 and 66, namely:
 - (i) the names of the selected candidates or tenderers and the reasons for their selection;
 - (ii) the names of the candidates or tenderers rejected and the reasons for their rejection;
- c the reasons for the rejection of tenders found to be abnormally low;
- d the name of the successful tenderer and the reasons why its tender was selected and, where known, the share of the contract or framework agreement which the successful tenderer intends to subcontract to third parties; and, where known at this point in time, the names of the main contractor's subcontractors, if any;
- e for competitive procedures with negotiations and competitive dialogues, the circumstances as laid down in Article 26 which justify the use of those procedures;
- f for negotiated procedures without prior publication, the circumstances referred to in Article 32 which justify the use of this procedure;
- g where applicable, the reasons why the contracting authority has decided not to award a contract or framework agreement or to establish a dynamic purchasing system;
- h where applicable, the reasons why other means of communication than electronic means have been used for the submission of tenders;
- i where applicable, conflicts of interests detected and subsequent measures taken.

This report shall not be required in respect of contracts based on framework agreements where these are concluded in accordance with Article 33(3) or point (a) of Article 33(4).

To the extent that the contract award notice drawn up pursuant to Article 50 or Article 75(2) contains the information required in this paragraph, contracting authorities may refer to that notice.

2 Contracting authorities shall document the progress of all procurement procedures, whether or not those are conducted by electronic means. To that end, they shall ensure that

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they keep sufficient documentation to justify decisions taken in all stages of the procurement procedure, such as documentation on communications with economic operators and internal deliberations, preparation of the procurement documents, dialogue or negotiation if any, selection and award of the contract. The documentation shall be kept for a period of at least three years from the date of award of the contract.

3 The report, or its main elements, shall be communicated to the Commission or the competent authorities, bodies or structures referred to in Article 83 where they so request.