



Experience in audit of public procurement – cases and findings

**Supreme Audit Office of the Slovak
Republic**

Iveta Marinčáková



Supreme Audit Office of the Slovak Republic shall carry out audits with regard to the compliance with generally binding legal regulations, the economy, effectiveness and efficiency.



Auditors of the Office examine the procurement function mostly as a part of compliance audit or financial audit.

During the audit of public procurement auditors have to apply rules for auditing activities, methodological directives and checklists.



The most common shortcomings:

- **invalid or outdated determination of the estimated value of the contract,**
- **dividing the subject of the contract in order to avoid public procurement entirely or to avoid a specific method of public procurement,**
- **incorrect evaluation of the security over 5 % of the estimated value of the contract,**



- **not publishing the call for the submission of the tenders by means available to the public (award of contract below the threshold),**
- **not satisfying transparency and equal treatment of candidates,**
- **inadequate requirements to specify the financial and economic standing of tenders or candidates,**



- **missing deadlines for publication of results in the Journal of the public procurement,**
- **not signing a contract with the winning candidate in the period of validity of the offer,**
- **incomplete or missing documentation from the public procurement,**



- **poor utilization of The Public Procurement Central System mostly in ministries and in their subordinated organizations,**
- **insufficient utilization of the possibility of electronic public procurement for increasing the transparency.**



In above mentioned cases internal control systems are executed formally.

Audited entities shall be obliged to take measures to remedy weaknesses and shortcomings identified by the audit and to submit them to the Office within the time period specified by the Office. They shall be obliged to submit written follow-up report of the fulfillment of these measures.



The Office informs about any weaknesses and shortcomings identified by the audit the authority on behalf of the State in relation to the activities of the audited entity.

If any corruption or misapplication, respectively ineffective use of public funds occur due to incorrect procedures in the public procurement, the Office reports it to bodies active in penal proceedings.



Office for Public Procurement

- a central body of the state administration for public procurement:

- performs state administration in the area of public procurement,**
- performs supervision over the public procurement,**



- **cooperates with the European Commission, and performs other functions as well.**

If the Office has found out that Public Procurement Act had been violated and this violation could have had major effect on the result of public procurement, it applies revision procedures.



The Office can:

- **order to cancel the used contract award procedure, remove the illicit situation, e.g. order to cancel discriminatory conditions in the contract notice, cancel a decision of the Supervised to exclude a tenderer, et cetera.**
- **fine the contracting authority or contracting entity if it has violated the Public Procurement Act or has not fulfilled the duties imposed by the Office.**



Thank you for your attention.