

Audit of tenders awarded during the COVID-19 pandemic: procurement of COVID-19 rapid immunochromatographic antigen tests

Compliance audit

Published: 22.4.2021



[FULL REPORT \(EL\)](#)



[SUMMARY \(EN\)](#)



What we assessed and why

The Ministry of Health's (MoH) Purchasing and Procurement Directorate (PPD) conducted 12 tender procedures to procure rapid immunochromatographic tests for the detection of COVID-19 antigens during the second wave of the pandemic. Nine of the tender procedures were negotiated, owing to the urgency of the situation, and three were conducted under the open procedure. According to the data we received for our audit from the PPD, nine negotiated contracts were awarded, and one contract was awarded following the three open procedures, covering a total of 3 491 000 tests valued at €9 182 590. The tenders were awarded to five different contractors.

What we found

Our audit of the 12 tender procedures confirmed that the PPD had satisfactorily implemented the procedures applicable in such exceptional situations, in accordance with the relevant public procurement legislation. However, certain comments need to be made.

The only successful open tender, which was awarded by the PPD in March 2021 at a price of €1.489 per test, resulted in an award price that was approximately 24 % lower than the lowest award price of the nine negotiated procedures (€1.97 per test), 53 % lower than the average tender price (€3.17 per test), and 50 % lower than the average cost per test based on the total quantities procured under the tender procedures (€2.97 per test). This confirms our other findings.

We noted that the PPD had announced another open tender at the end of December 2020, amidst the negotiated procedures. This was cancelled in midFebruary 2021, however, which affected subsequent action taken by the PPD, since, under the pressure of time, they had to implement negotiating procedures to cover the needs at that time.





What we concluded

Under both the exceptional (negotiated) procedure and all other procedures laid down in public procurement legislation, contracting authorities should apply all the stipulated principles, which require them to treat economic operators equally and without discrimination, and to act in a transparent manner.

Our general observation is that, in contrast with the situation where the level of competition was minimal under the negotiated procedures, under the only open procedure conducted, prices could be kept at the same level or reduced, as a result of true competition.

We believe that better management of the individual issues identified in respect of each tender and analysed in our report could potentially ensure greater competition between and equal treatment of economic operators, and secure lower prices from the outset.