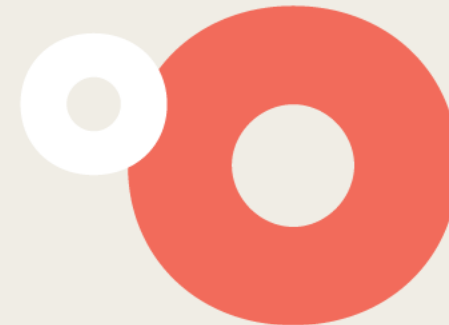




Pronto

Boosting public procurement
for sustainable innovation



Tender Documentation

PPI Mini-training module #7



This project has received funding from
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under grant agreement No 857810

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TD at a glance



What do we mean by it

A mix of obligatory and optional documents being part of the “legal package” of a call for tender, including for PCP or PPI (with few modifications compared to conventional procurement).

Why it is important

Apart from the provisions of procurement law, the optional documents are particularly helpful for the procurer to clarify the goals of the procedure and its expected results.

When is it important to use it

Always. There can be no innovation (or even conventional) procurement procedure without a Contract Notice, Invitation to Tender, or Contract Template. Thus, the focus should be set on the optional documents and their usefulness.

How it can be implemented

For instance, a Prior Information Notice, a template of IPR Agreement, and a collection of Tender Forms are all optional documents contributing to clarify the scope and contents of the tender. Same goes for the OMC rules and proceedings (see module 6).

When should it be planned/implemented



Needs identification and assessment



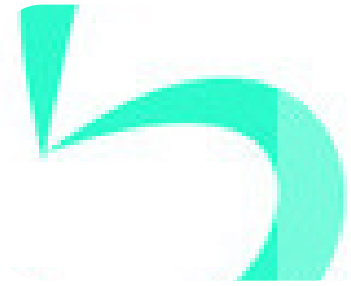
Prior art analysis



IPR search & IPR and confidentiality strategies



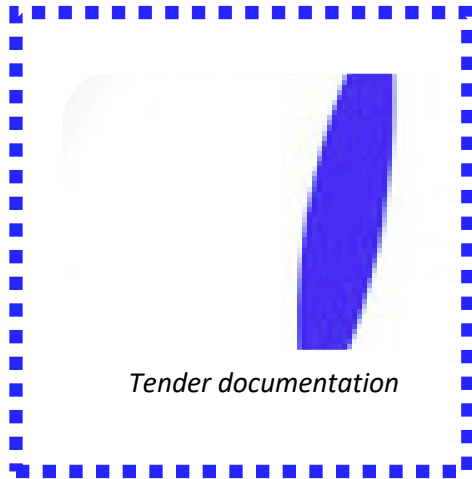
Analysis of the regulatory, certification, standardisation environment



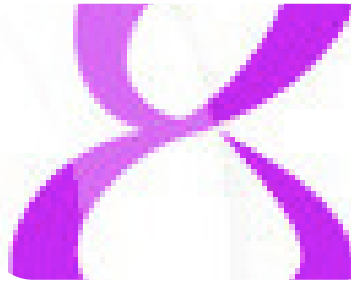
Drafting the business cases



Open market consultation



Tender documentation



Conducting the procedure



Monitoring and evaluating the contract performance



Managing after contract issues

SWOT analysis



Strengths

- Investing time in drafting the TD and including all the specificities of innovation procurement is capital for the success of the tender.
- Once developed, the templates can be reused with small or bigger changes.

Opportunities

- A plethora of inspiring examples exist already, which may be used as reference, though with some adaptations to the case at hand.
- Talking to other procurers can also be helpful.

Weaknesses

- This activity cannot be automated and demands utmost care to prevent mistakes and risks of litigation.
- Every case is different and we can learn more from our experience than by reusing past TD.

Threats

- The legal system and the internal conventions at the procurer's organisation may distract the attention from implementing the needed clauses.
- Overall, this is the most challenging task of all.



Consortium



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