

DEP4ALL
Training for potential tenderers
Presentation on Procurement

23rd April 2026

DG CONNECT

Difference Procurements vs Grants

- ▶ **Public procurement** is the purchase of services, supplies or works in return for payment.
- ▶ **Grant** is a financial contribution to an action.

Difference Procurements vs Grants

Procurement		Grant
Buy	Purpose	Give funding
Commission	Owner of results	Beneficiary
Agreed price	Payment	Sharing cost
Profit	Principle	No profit
Call for tenders	Procedure	Call for proposals

LEGAL FRAMEWORK

► All procurement procedures must comply with the FINANCIAL REGULATION

« *Financial Regulation - Regulation (EU, Euratom) No 2024/2509 of the European Parliament and the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union*

- *Title V (Common rules),*
- *Title VII (Public procurement and concessions) and*
- *Annex 1.*

Title V and annex 1 of the Financial Regulation contain a set of rules and legal requirements relating to public procurement like the principles and procedures.

All procurements follow 5 basic principles:



Transparency



Equal
treatment and
non-
discrimination



Widest
competition



Proportionality



Sound financial
management:
economy,
efficiency and
effectiveness

DEP Work Programme

- ▶ The work programme details objectives, scope, outcomes, deliverables, and budget allocations for each topic of the DEP Programme.
- ▶ For each action, it defines the modality of implementation: grants, procurement, grants for procurement, etc.
- ▶ It also provides estimates on the publication of the calls.
- ▶ WP 2025-2027 is available [here](#)

List of procurement already implemented under DEP

- ▶ Cloud Federation / Smart Middleware for a European cloud federation and for the European data spaces (SIMPL)
- ▶ Local Digital Twins Toolbox
- ▶ Platform for advanced virtual human twin (VHT) models
- ▶ EU Digital Identity Wallet
- ▶ European Digital Innovation Hubs (EDIH)
- ▶ Data Space for Cultural Heritage
- ▶ European Digital Media Observatory (EDMO)

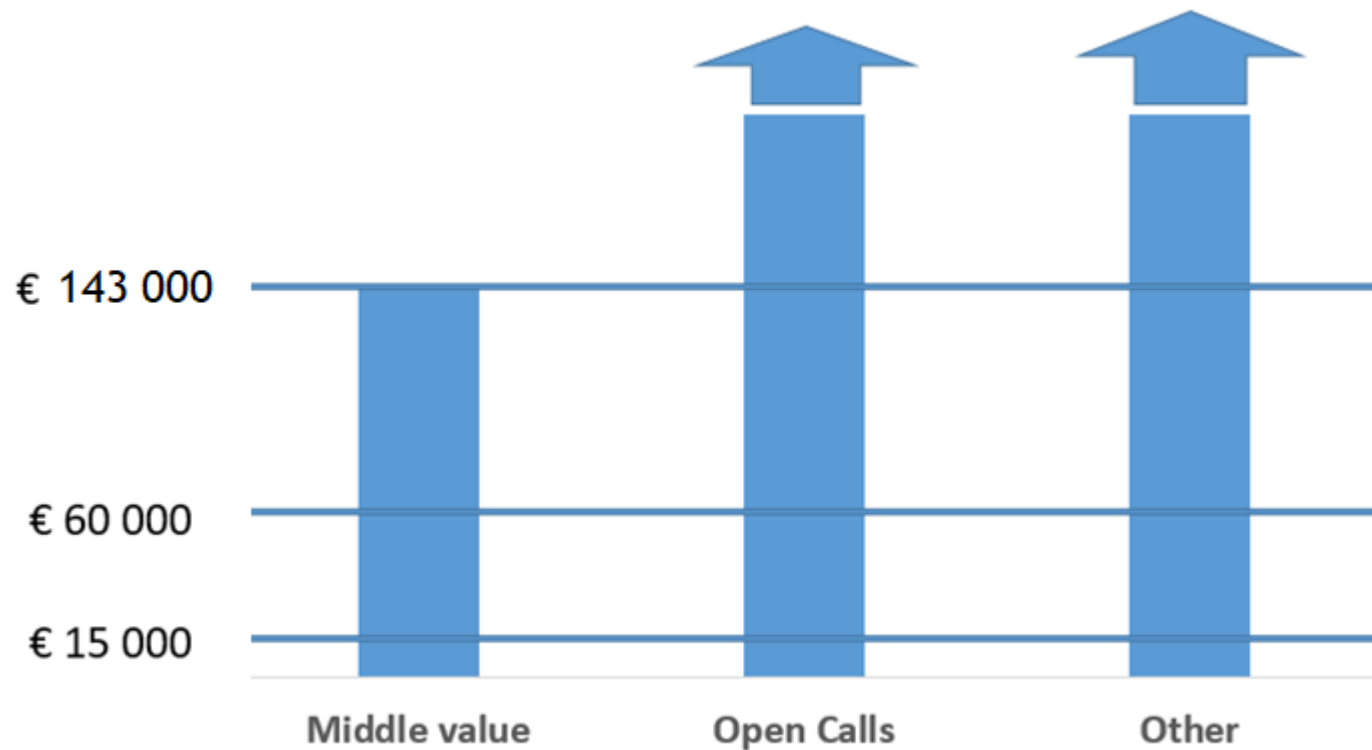
DEP Work Programme - examples

2.3.3.2 Virtual Human Twins and Artificial Intelligence in health: Platform validation and uptake incubator (Work strand 1: Platform validation)

Type of action	Procurement
Indicative budget	EUR 1 million
Indicative call planning / timing	2027
Indicative duration of the action	9 months
Implementation	European Commission
Type of beneficiaries	Not applicable
Eligibility and security	<p>Work strand 1 is restricted on the basis of Article 12(6) of the Regulation (EU) 2021/694.</p> <p>Subject to participation restrictions for the protection of European digital infrastructures, communication and information systems, and related supply chains, as described in Appendix 4 of this Work Programme.</p>

Selection of the procurement procedure

- ▶ All procedures are based on the amounts and level of competition:



Direct contract VS Framework contract

- ▶ **DIRECT CONTRACTS** → to procure services and the precise volume and timing of delivery can be defined at the outset.
- ▶ **FRAMEWORK CONTRACTS:** If you are procuring series of services but the precise volume and timing of delivery cannot be defined at the outset, the volume and other specific conditions will be laid down in “specific contracts” or “order forms”.
 - ❑ FWCs establish a list of contractors to sign specific contracts with.
 - ❑ Reopening of competition VS cascade mechanism.



Procurement steps



Duration of a procurement procedure

from publication/invitation to signature of the contract

- ▶ **OPEN CALLS: approx. 5 months (if procedure without restrictions)**
- ▶ **NEGOTIATED PROCEDURES (middle and low value): approx. 2 month**

Where to find call for tenders?

- ▶ **Open calls:** [EU Funding & Tenders Portal](#) (additionally [Ted portal](#) when a Contract Notice is published)
Advanced information: **Pre-Information Notice (PIN)**
- ▶ **Negotiated procedures (middle and low value):** [EU Funding & Tenders Portal](#)
Advanced information: **Ex ante publicity**
- ▶ **Other means:** EC webpages, mailing lists, other sources/portals.

Main documents of a call for tenders

- ▶ Invitation letter
- ▶ Technical Specifications + Declaration on Honour + Annexes
- ▶ Model contract
- ▶ Contract Notice - **for open calls only**

How to submit a tender

- ▶ Via the [EU Funding & Tenders Portal](#)
- ▶ Via other IT tools for specific Framework Contracts

Submission deadlines

from the day of the publication of the Contract Notice

- ▶ **OPEN CALLS: min. 32 days from the day of the dispatch of the Contract Notice**
- ▶ **NEGOTIATED PROCEDURES (middle and low value): no time limits (reasonable time to prepare a high quality tender)**

Who can submit a tender

“Participation in this call for tenders is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations.

It is also open to all natural and legal persons established in a third country provided that it has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement”.

Eligibility criteria (access to procurement)

- ▶ Tenderers must not be subject to EU Restrictive measures (Art. 29 TEU or Art. 215 TFEU)

(prohibition to make available or transfer funds or economic resources or to provide financing or financial assistance)

- ▶ Tenderers must be established in an eligible country

Normally open to entities established in a third country provided that it has a special agreement with the European Union (e.g. GPA).

Who can submit a tender

Economic operators CAN:

- submit a tender either as a sole economic operator (sole tenderer) or as a group of economic operators (joint tender);
- Act as subcontractors for several tenderers as long as the tenders are drawn and submitted in complete independence and autonomously from each other.

Economic operators CAN'T:

- participate at the same time and [for the same lot] within the same procedure either as member of two or more groups of economic operators or as a sole tenderer and member of another group of economic operators.

Who can submit a tender

difference with grants

Freedom to organize: there is no minimum number of entities and/or countries to include in a group.

VS

Multinational consortia: specific requirements in terms of place of establishment and typology of the entity are defined in the calls for proposals.

Who can submit a tender

Economic operators **MUST**

- be registered in the Participant Register;
- Appoint a group leader (in case of joint tender);
- draw and submit a tender in complete independence and autonomously from the other tenders.



The award process



Access to procurement

Participation of entities established in DEP associated and third countries

Rules on access to procurement are defined in **Section 2** of the Tender Specifications.

- ▶ Entities affected by **restrictive measures**: prohibition to make available or transfer funds or economic resources or to provide financing or financial assistance.
- ▶ If **GPA is applicable**: for procurement procedures of minimum estimated value above the threshold, participation is open to Economic operators established in GPA countries.
- ▶ If the call for tenders implements a **Union funding programme** which provides for additional access to procurement, participation is also open on equal terms to natural and legal persons established in a third country eligible for funding under such programme;
- ▶ Associated countries and related Specific Objectives are defined in [this list](#).

Restrictions to participation

Based on security requirements (Art. 12 of DEP Regulation)

- ▶ **Art. 12.5:** calls for tenders are restricted to legal entities established or deemed to be established in Member States and controlled by Member States or by nationals of Member States. Check performed by the Central Validation Service, based on documents provided by tenderers and/or publicly available.
- ▶ **Art. 12.6:** legal entities established in associated countries and legal entities that are established in the Union but are controlled from third countries may be eligible to participate in all or some actions under Specific Objectives 1, 2 and 6 only if they comply with the requirements to be fulfilled by those legal entities to guarantee the protection of the essential security interests of the Union and the Member States and to ensure the protection of classified documents information.

Guarantees have to be validated by the National Authorities and approved by the contracting authority.
- ▶ **Other restrictions (appendix 4):** Entities that are assessed as “**high-risk suppliers**” of mobile network communication equipment (and any entities they own or control) are not eligible to participate in any capacity. List of actions restricted under such provisions are in Appendix 4 of the DEP Work Programme 2025-2027

IMPACT OF RESTRICTION ON PROCUREMENT PROCEDURES

- Delay due to unresponsiveness of the tenderers;
- National authorities involved

Eligibility criteria

to fulfil NON-EXCLUSION and SELECTION criteria

- ▶ **NON-EXCLUSION CRITERIA:** established to determine whether an operator is allowed to participate in the procurement procedure or to be awarded the contract.

Check is done through the Declaration on Honour. Tenderers proposed for the award will be asked to provide documentary evidence.

Individual assessment

- ▶ **SELECTION CRITERIA:** to assess whether the tenderer has the legal, regulatory, economic, financial, technical and professional capacity to perform the contract.

As far as legal and financial capacities are concerned, check is done through the Declaration on Honour. Tenderers proposed for the award will be asked to provide documentary evidence.

Evidence for technical and professional capacity must be submitted with the tender.

Consolidated assessment (except for legal capacity)

Minimum requirements

- ▶ **Minimum requirements** are the requirements to be met by the tender for considering it compliant with the technical specifications.
- ▶ They must be clearly specified.
- ▶ They may relate to part of or all the technical specifications.
- ▶ It is not obligatory to “list” them as a separate item of the specifications, as they can be included in the text and may be expressed as a minimum, a range, a maximum or an obligation (“the tenderer must...”).

SOME EXAMPLES:

- ❖ characteristics of the service to deliver;
- ❖ the geographic coverage (e.g. at least 8 EU countries);
- ❖ the time schedule for the execution of tasks.

Award criteria

The purpose of the award criteria is to evaluate the technical and financial tender with a view to choosing the most economically advantageous tender.

- ❖ **QUALITY CRITERIA** → based on the information in the technical tender
 - ▶ clear, complete and related to the TS and content of the tender;
 - ▶ min. and max. number of points.
 - ▶ **Examples:** quality and relevance of the methodology; organisation of the work, etc.

- ❖ **PRICE** → based on the information in the financial tender

The relative importance of each of the quality award criterion and of the price must be announced in the tender specification.

Award methods

Lowest cost: the contract is awarded based on a cost-effectiveness approach

Best price-quality ratio: contract is awarded taking into account the price or cost and other quality criteria.

AWARD FORMULA

score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	100	*	price weighting (in %)	+	total quality score (out of 100) for all award criteria of tender X	*	quality criteria weighting (in %)
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Ex post publicity

A **contract award notice** must be published in the Official Journal for a contract or framework contract as from the Directive thresholds (e.g. EUR 143.000), even if there was no contract notice:

- ▶ within 30 days;
- ▶ also for cancelled procedures;
- ▶ accessible via [Ted portal](#).

EXCEPTIONS

- for contracts below the Directive thresholds;
- for specific contracts under Framework Contracts;
- for secret contracts;
- other exceptions



Thank you