



Brussels 14 April 2021  
HaDEA.A.2.001

## **HTA information webinar - 25 March 15:00-16:30**

### **Outcomes of the Q&A session**

***Q: Could you please provide us with an approved list of providers or specify the approval mechanism on how to e-sign documents in the tender?***

A: There is no approved list of providers. The approval mechanism is embedded in the e-Submission system, including the registration of the submitting entity (or entities in case of a joint tender) in the EU Funding and tenders portal.

Please note that following the electronic submission of the tender documents, the system will automatically generate an acknowledgment of receipt of the submission of your tender, which you will need to print out, sign, scan and submit, in order to finalize the submission process. The full details of this process are provided in the e-Submission guide published with the tender documents. As the submission might require some time, we highly recommend you not to wait until the last day to submit your offer.

***Q: When is awarded decision expected to be communicated?***

A: Tenderers will be informed of the contracting authority's award decision as soon as the evaluation of the submitted tenders is completed. Ideally, such information may be transmitted by mid-June.

***Q: When is contract expected to start?***

A: The Service Contract starts upon its entry into force, which occurs when the last (second) party signs the contract. Time wise, this could be mid-June / early July.

In case of a successful tender and award of the contract, the awarded tenderer will receive an information letter with the evaluation outcome incl. the evaluation of the submitted tender against the award criteria; the award notice and service contract, signed by the Responsible Authorising officer (RAO). The awarded tenderer will need to sign the contract and send it back to the contracting authority.

***Q: In the tender specifications (award criteria 3), there is a reference to “a contingency plan”. To what does it refer?***

A: The tender specifications provide the following details regarding the assessment of the submitted offer under award criterion 3 by the evaluation committee (Quality control measures), as: *“This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, risks management and continuity of the service in case of absence of the member of the team dedicated to a particular task. This criterion will also assess the adequate organisational and technical measures to ensure the full compliance with the Data protection legal framework when processing personal data. The data protection plan must be detailed in the tender and specifically refer to the data flows; actors involved, specific actions proposed to comply with data protection principles and obligations. A generic data protection plan will result in a low score under this criterion. The quality of **the proposed contingency plan** will be assessed under this criterion as well.”*

Any project is always exposed to certain risks and risk management should be integrated into the management of the contract.

The contingency plan mentioned under criterion 3 consists of a risk matrix addressing the risks that may affect the successful execution of the service contract, including risk identification, risk assessment and risk mitigation measures.

***Q: Are there further relevant differences (in terms of form and content) between an offer document and a grant proposal that should be taken into account?***

A: A grant or call for proposals is a public invitation by the Awarding Authority, addressed to clearly identified categories of applicants, to propose an action within the framework of a specific EU programme and priority topics for actions included in the latter’s annual work programme or financing decision. Grants are based on the reimbursement of the eligible costs: costs effectively incurred by the beneficiaries that are deemed necessary for carrying out the activities in question. The results of the action remain the property of the beneficiaries.

Public procurement means the purchasing of works, supplies and services by public bodies. The objective of public procurement is to achieve the most economically advantageous tender through increasing the choice of potential contractors, while at the same time developing market opportunities for companies. The result of the action remains the property of the contracting authority. Within public procurement, the contractor’s invoice is only paid in exchange of the delivered services, as per the contract signed by both parties.

- ✓ **Further information on grants and public procurement is available on the following page:**

[https://ec.europa.eu/info/strategy/eu-budget/how-it-works/annual-lifecycle/implementation/grants-and-procurement\\_en](https://ec.europa.eu/info/strategy/eu-budget/how-it-works/annual-lifecycle/implementation/grants-and-procurement_en)

- ✓ **Information on public procurement on Your Europe.**

[https://europa.eu/youreurope/business/selling-in-eu/public-contracts/public-tendering-rules/index\\_en.htm#shortcut-0](https://europa.eu/youreurope/business/selling-in-eu/public-contracts/public-tendering-rules/index_en.htm#shortcut-0)

## **NOTA BENE**

When preparing an offer, tenderers should carefully read the tender specifications and the award criteria and sub-criteria, as their offer is going to be assessed against them.

The tenderer will need to define the most appropriate way to present their offer (there are no templates to fill in). The information should be well structured and precise. Repetition of information available in the tender specifications should be avoided, e.g. the context for delivering the service should be explained and not simply copy pasted from the tender specifications.

Another important element to consider when preparing the financial offer is that in procurement, the contracting authority is not assessing the effort necessary to deliver the required service, i.e. staff effort, but the unit prices for items to be delivered under the service contract and the overall price for the full service to be provided. This is also reflected in the footnotes accompanying the financial offer form: they refer to the need for the tenderer to include price for every output included in the tender specifications and the total price of the service.

When responding to a call for tenders, there is in principle no possibility to modify the offer submitted. The tenderer is bound by the content of the tender, which shall respond in a precise and structured manner to the tender specifications.