



European Union: Selling goods & Services to EU institutions

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Summary

There are various ways to sell goods and services to European institutions. This report outlines some of the most useful websites that vendors should be familiar with in order to bid on contracts with European institutions. For example, the European Commission, the Council Secretariat and the European Parliament all need a wide array of goods and services, ranging from consultancy on policies and legislation, to office equipment and data management systems. For example, around 9,000 contracts are awarded each year through public procurement procedures by the European Commission. This may be a business opportunity for your company!

I. Understanding Public Tenders in the European Union Institutions

Every year, the European Commission awards some 9000 contracts for goods and services. An average of 80% are devoted to services, 12% to supplies, and 7% to works contracts. The European Commission is by far the largest source of public tenders, but there are also numerous other opportunities among the various European Union institutions. Each European institution has its own working procedures and contracts unit, while they usually follow the same EU legislation.

II. TED – Tenders Electronic Daily

TED is the primary source of information about big public procurement procedures organized by the European institutions. TED is the online Supplement to the Official Journal of the EU where large calls for tender for European institutions are published. TED publishes all contracts over 60,000 €. It also contains the publications of national authorities that are covered by European public procurement law. It is the most extensive database¹ for finding information on tendering opportunities in the EU.

<http://ted.europa.eu/TED/browse/browseByBO.do>

III. The European Commission

The European Commission (EC) is by far the largest source of contracts among all European institutions.

Contracts for goods and services below 60,000€ use a rather simplified process, and the open, restricted or negotiated procedure may apply. Low value contracts, below 25,000€,

¹ Webpage navigation guidance: from the main homepage, go to: "Business Opportunities", then select on the right the "Contract Notices"; go to the top bar "Refine Search" and chose "European Institutions" in the "Type of Authority" window.

are awarded through negotiated procedure without call for competition. Contracts between 25,000 € and 60,000 € are advertised on the webpage of each specific department (called "Directorate-Generals" or "DGs") on the European Commission website and require five candidates to close the tender procedure. This report offers below a selection of some websites of interest for specific DGs.

Additional general information:

Directory of all the EC webpages with direct tendering information:

http://ec.europa.eu/contracts_grants/index_en.htm

EC Guide on doing business with the EC:

http://ec.europa.eu/budget/library/biblio/publications/business/doing_business_en.pdf

1. Office for Infrastructure and logistics – Brussels (OIB)

The mission of the Office for Infrastructure and Logistics (OIB) is to ensure the implementation of all actions connected with the accommodation of personnel, the management of social infrastructure and the logistics of the institution. In particular, responsibilities include: to manage the purchase, rental and maintenance of the movable and immovable property of the Commission, to organize relocations and to manage space, to manage the transport of personnel and of equipment according to internal requirements, the reception and distribution of mail and the internal distribution of documents for the Directorates-General, graphic reproduction services, office supplies, historical archives, to manage the social facilities placed at the disposal of the personnel of the European institutions including cafeterias, shops, sports centers, etc.

Companies interested in selling their supplies are advised to register and can enroll their contact information after publication of a tender notice. Companies are invited to regularly check to website where the OIB publishes its calls for tender for works, supplies and services contracts: http://ec.europa.eu/oib/procurement_en.htm

Contact Information for the OIB:

Office for Infrastructure and logistics – Brussels

OIB.10 "Contracts and public procurement"

B-1049 Brussels

Tel. (32-2) 298 69 89

General website: http://ec.europa.eu/oib/index_en.htm

Email: OIB-CONTRATS-ET-MARCHES@ec.europa.eu

2. DIGIT: Directorate-General For Informatics

The European Commission has a Directorate-General for Informatics that is in charge of the electronic communication systems that are common to all the Directorate-Generals of the European Commission. The Finance and Contracts Unit's website (DIGIT/R2/CTR) displays a Guide for Tenderers, which advises companies to register in advance for the calls for tender that are of direct interest to their firm.

The website of the Public Procurement page:

http://ec.europa.eu/dgs/informatics/procurement/index_en.htm

The Guide for Tenderers:

http://ec.europa.eu/dgs/informatics/procurement/useful_documents/doc/guidebook_for_tenderers_v_4_4_en.pdf

The Contracts Information Center:

Email: digit-contracts-info-centre@ec.europa.eu

Tel: +32-2-296 0762

Fax: +32-2-295 7702

3. Directorate-General Justice & DG Home Affairs

DG Justice and DG Home Affairs regularly publish "Calls for Tenders" announcing calls for studies and other services. Such calls may be announced in advance by way of a "Pre-information notice". In specific cases, the EC may also organize a "Call for expression of Interest" in order to pre-select candidates who will be invited to tender under future restricted procedures.

DG Justice's webpage on calls for tenders:

http://ec.europa.eu/justice/tenders/tenders_en.htm

DG Home Affairs' webpage on grants and calls for tenders:

http://ec.europa.eu/dgs/home-affairs/financing/index_en.htm

4. EuropeAid Cooperation Office

The EC finances external development assistance programs worth close to EUR 9 billion every year. The EU office of external cooperation "EuropeAid" finances development projects outside the European Union under one of the external aid assistance instruments: "IPA" for the EU candidate (and potential candidate) countries, "ALA" for Asian and Latin American countries, "ENPI" - European Neighborhood and Partnership Instrument (Combining former TACIS program for Russia and Eastern European countries and former MEDA for the Mediterranean countries), EDF (European Development Fund) for the African, Caribbean and Pacific countries. Service, supplies and works contracts are awarded after a tendering process on the basis of projects identified by the EU in conjunction with the beneficiary countries.

Third-country participation:

Two Council Regulations on Access to Community External Aid (Regulation 2112/2005 and Regulation 2110/2005) apply the **reciprocity** principle to the public procurement rules that govern EC external assistance programs. Participation in the procurement of contracts financed by EU-funded programs will be possible where reciprocal access to other donor countries' external assistance is provided for. Participation in EC-funded contracts is in this way linked to the granting of the "status of reciprocity" by the EC to other donor countries (EU Regulations 2110/2005 and 2112/2005). The EC considers U.S. government development programs insufficiently open, and therefore, does not grant the status of reciprocity to the U.S. As a result, U.S.-based companies are not eligible to participate as bidders in external aid programs financed by the EC agency EuropeAid, unless they are officially registered in the EU (through a subsidiary for example).

However, the new EU Regulation states that restrictions linked to the nationality of **experts** have been lifted: all experts engaged by eligible tenderers in service contracts may now be of any nationality: they do not have to be European citizens any more.

General Information on EC external aid contracts:

http://ec.europa.eu/europeaid/work/funding/index_en.htm

http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/documents/2008new_prag_final_en.pdf

Requirement to enroll in the EU database of potential bidders:

The **PADOR** database, managed by EuropeAid, contains the profile of the organizations and their partners who apply for grants of the European commission in the field of external assistance. PADOR is the acronym for "Potential Applicant Dated Online Registration".

Registration in PADOR is necessary for organizations in order to:

(a) Obtain an identification number (EuropeAid ID),

(b) Upload all information concerning the profile to be taken into consideration by the Evaluation Committee of the Call for proposals they apply for (administrative & financial data, experience etc.)

(c) Make their existence known to the European Commission, but also to other organizations through the "search for local partners" tool.

Registration in PADOR is obligatory for all applicants and partners to Call for proposals who apply for a grant over 25,000€. Associates do not need to register in PADOR.

http://ec.europa.eu/europeaid/work/online-services/pador/index_en.htm

5. ECHO: Humanitarian Aid and Civil Protection

The Humanitarian Aid department of the European Commission (ECHO) provides emergency assistance and relief to the victims of natural disasters or armed conflicts outside the EU.

Civil Protection Financial Instrument:

This instrument aims at supporting and complementing the efforts of Member States for the protection, primarily of people, but also of the environment and property, including cultural heritage, in the event of natural and man-made disasters, acts of terrorism and technological, radiological or environmental accidents. Furthermore, it intends to enhance co-operation between the Member States in the field of civil protection:

http://ec.europa.eu/echo/civil_protection/civil/prote/finance.htm

Individual experts

In an effort to open up participation in EuropeAid programs with the best possible expertise, the EC has altered its participation rules to allow the inclusion of non-European experts. The EC seeks experts prepared to carry out technical assistance missions in their respective specialist areas. These missions cover food/aid food security and humanitarian aid operations. Experts of all nationalities may register their curriculum vitae in the roster of individual experts.

http://ec.europa.eu/echo/about/jobs/experts/experts_en.htm

IV. The Council of the EU

The European Council also purchases supplies and services through its own Procurement Coordination Unit, the PCU. A list of contractors is published every year. Invitations to tender and calls for expressions of interest are posted on the website of the PCU. A copy of the General Conditions of Contracts is also posted on the website. Bidders are invited to register their company's interest on the Council website, and a tool is also available to get automatic notification of newly published calls in specific areas of interest.

<https://tendering.consilium.europa.eu/>

EU Council "Tendering User Guide":

https://tendering.consilium.europa.eu/download/en/CT_User_Guide_Internet.pdf

Contact Point:

General Secretariat of the Council of the European Union

Procurement Coordination Unit

Office 1070-KL-77

Rue de la Loi, 175

B-1048 Brussels, Belgium

Tel. +32 2 281 8062

Fax +32 2 281 8093

E-mail: tendering@consilium.europa.eu

V. The European Parliament

The EP Directorate-General for Infrastructure and Logistics (DG "INLO") is responsible for the following tasks:

- Managing infrastructure and logistics in the EP's various buildings in Brussels, Strasbourg and Luxembourg, as well as the EP information offices in the Member States;
- Management of the equipment and services departments involved in running the buildings;
- Management of equipment (purchases, transport, removals, message services, catering, shops, etc.) and practical arrangements for meetings.

<http://www.europarl.europa.eu/parliament/expert/staticDisplay.do?id=54&pageRank=8&language=EN>

All calls for tender for the EP are published in TED. However the EP website offers a small selection of calls for tender and calls for proposals:

<http://www.europarl.europa.eu/tenders/invitations.htm>

Contacting DG INLO Tel: +322 284 3933

The Contracts and Public Procurement Unit is responsible for the three sites of the EP (Brussels, Strasbourg, Luxembourg) and may be contacted via e-mail at:

inlo.ao-bru@europarl.europa.eu

VI. Public Procurement Regulations

Types of Tenders

While many public tenders are open to non-European companies, it is important to understand the various types of contracts in order to see which opportunities are available. There are two main types of contracts: service contracts and framework contracts. Service contracts are the simplest contracts to award and they have a shorter turnaround time. Framework contracts allow an EU institution to launch a call for tender only once for a service which will be called upon multiple times (for example providing office supplies). The benefit of winning a repetitive contract is that once a company has been selected it is competing in a smaller pool for guaranteed contracts. Within framework contracts the tender can be either single or cascade. In a single contract only one provider is selected to provide a service multiple times. In a cascade contract up to three companies are chosen for a service and ranked. In this way, the company ranked first is always requested to respond to a call for tender. In the event that it cannot provide the requested service, the contract is passed down to the next company on the list. Within framework contracts, only selected companies are eligible to respond to a call for tender.

Suppliers

The following is an indicative list of some eligibility criteria:

- 2-3 years minimum of history
- No conflict of interest
- Technical and professional capacity
- Financial and economic stability
- Absence of legal conviction, fraud, tax evasion, other misdemeanors
- Proof of payment of social security obligations
- References

VII. Public Procurement Rules

EU Public Procurement Directives do not apply to European institutions, but only to Member States' procuring entities. The procurement procedure for EU institutions and agencies is governed by the following legislation:

(1) Council Regulation 966/2012 on the **Financial Regulation** Applicable to the General Budget of the European Communities;

(2) Commission Regulation 1268/2012 laying down **Detailed Rules for the Implementation** of Council Regulation 966/2012;

Both Regulations and their amendments can be found here:

<http://ec.europa.eu/eahc/management/legislation.html>

(3) In some cases, the **World Trade Organization's Agreement on Government Procurement (GPA) applies.**

In addition to the above-mentioned legislation, it is worth noting that

- European institutions are also bound by principles like transparency and equal treatment;
- Principles arising from the European Court of Justice's case-law in the field of procurement are binding on the EU institutions;
- The European Commission's staff is bound by a "[Code of Good Administrative Behavior](#)" in its relations with the public.

For More Information:

The U.S. Commercial Service at the U.S. Mission to the European Union is located at Boulevard du Regent 27, Brussels BE-1000, Belgium, and can be contacted via e-mail at: brussels.ec.office.box@mail.doc.gov; or contact: Isabelle.Maelcamp@trade.gov

Or via our website: www.export.gov/europeanunion

One can locate the nearest U.S. Export Assistance Center or Commercial Service offices throughout Europe by visiting www.export.gov

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