

EFSA procurement:

WHY, WHAT, HOW

EFSA buys services and supplies through public procurement in line with EU legislation and the basic principles of transparency, equal treatment and non-discrimination, widest competition, proportionality and sound financial management.

When tendering for EFSA procurement procedures, tenderers may bid alone as a single entity or in a joint offer with partners. All tenderers must have access to the EU market to be eligible for the award of EFSA contracts. Tenderers may also rely on the use of subcontractors in their offer. Subcontractors may be established in countries which do not have access to the EU market, unless specified differently in the individual call for tenders.

HOW ARE PROCUREMENT CONTRACTS AWARDED?

OPEN CALL FOR TENDERS

- For purchases **above 140,000 €**
- Open to all economic operators with **EU market access**
- Published in EU-OJ with at least **32 days** to submit offers.



NEGOTIATED PROCEDURE FOR TENDERS

- **Below 15,000 €**
Invite at least **1**
Direct invitation with no advance publicity.
- **Above 15,000 € and below 60,000 €**
Invite at least **3**
Advance publicity on EFSA website for expression of interest, then direct invitation.
- **Above 60,000 € and below 140,000 €**
Invite at least **5**
Advance publicity on EFSA website for expression of interest, then direct invitation.

NEGOTIATED PROCEDURE WITH NO CALL FOR TENDERS

- For purchases of any value**, a contract may be awarded directly to an economic operator without the need of a call for tenders, in the circumstances described in para. 11.1 of Annex 1 of the EU Financial Regulation. Examples:
- **Monopoly** due to ownership / protection of exclusive rights.
 - **Extreme urgency** due to unforeseeable events.

TYPE OF CONTRACT

FRAMEWORK CONTRACT



Exact deliverables & timing **NOT** known

- **Single**
One FWC signed with one contractor (individual organisation or consortium).
- **Cascade**
FWC signed with different contractors and assigned order of ranking.
- **Re-opening competition**
FWC signed with pool of contractors which compete for specific assignments.

DIRECT CONTRACT



Exact deliverables & timing **known**

SPECIFIC CONTRACTS / ORDER FORMS



Exact deliverables & timing **known**

WHO OWNS CONTRACT DELIVERABLES?

EFSA

EFSA owns contract deliverables with exception of those subject to pre-existing intellectual property rights. EFSA can make use of the contract deliverables which it owns, without consulting the contractor.



CONTRACTOR

Owner only of parts of deliverables subject to pre-existing intellectual property rights. If the contractor wants to make use of or publish contract deliverables owned by EFSA, they must request permission from EFSA in advance.

For more details about rules related to EFSA procurement, consult Title VII EU Financial Regulation 2024/2509 and <https://www.efsa.europa.eu/en/calls/procurement>. The EFSA Guidance for tenderers explains in detail each step of our procurement procedures.

EFSA also awards grants to organisations which are designated by their Member State to assist EFSA with its mission and which are included on the Article 36 list of Competent Organisations. Find out more from this infographic.