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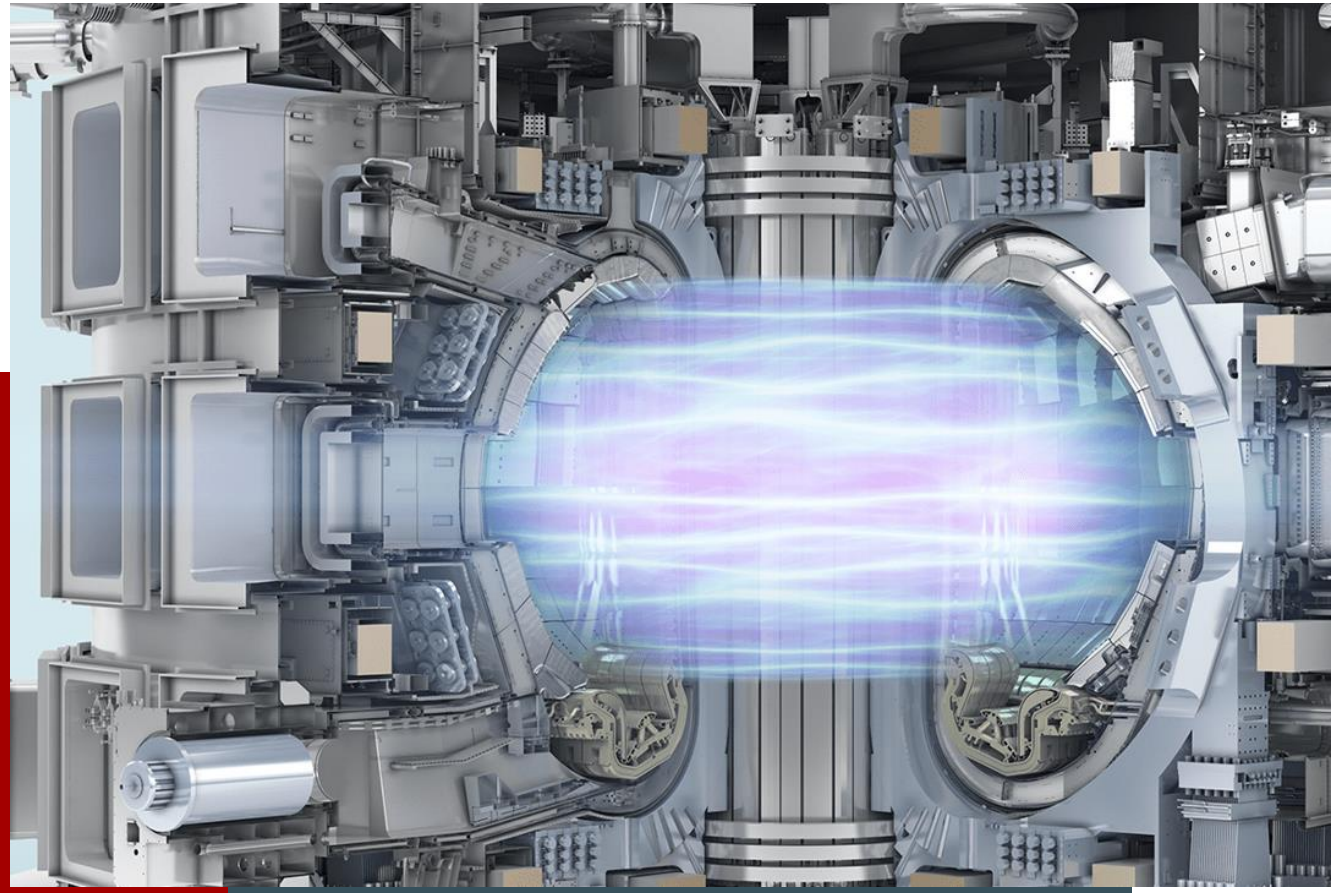
Training 3 Market analysis in the context of innovation procurement



Welcome and agenda

Antonio Bonucci

Agenda for today

Time	Session	Key points
08:30-09:00	**Welcome**	• Welcome to all participants (in-person at European XFEL and online) • Opening remarks and context setting by Antonio Bonucci • Importance of market analysis for Big Science Organizations
09:00-09:25	**Why market analysis matters in innovation procurement**	• knowing what exists vs. what needs to be developed • Consequences of inadequate market research • Introduction to the EAFIP step-by-step methodology
09:25-10:00	**State-of-the-Art (SOTA) analysis and prior art research**	• Definition and purpose of SOTA analysis in innovation procurement • What is prior art analysis and why it matters • Experience of Danish Technogical Institute
10:00-10:20	**Break**	
10:20-10:40	**Market research methods and supplier identification**	• Informal methods • Formal methods
10:40-11:30	**Collaborative Exercise: Conducting a mini-SOTA analysis**	
11:30-11:45	**Break 2**	
11:45-12:10	**Open Market Consultation: Introduction**	• Definition and legal basis • Objectives of Open Market Consultation
12:10-12:30	**Synthesis, Q&A, key takeaways, and next steps**	

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Housekeeping & Logistics

- **Hybrid format:** In-person + online participants
- **Duration:** 4 hours (08:30-12:30) with 2 breaks
  - one breakout exercise at 10:30
  - Breaks at 10:00 and 11:30

- **Interactive elements:** Mentimeter polls and quizes
- **Recording:** Yes, available afterward
- **Questions:** Use chat function or raise hand

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Learning Objectives

- ✓ **Understand** why market analysis is the foundation of successful innovation procurement
- ✓ **Conduct** State-of-the-Art (SOTA) analysis and prior art research
- ✓ **Identify** suppliers and assess market maturity for your needs
- ✓ **Plan and execute** Open Market Consultations (OMC) compliant with EU law
- ✓ **Apply** EAFIP methodology to BSO scenarios

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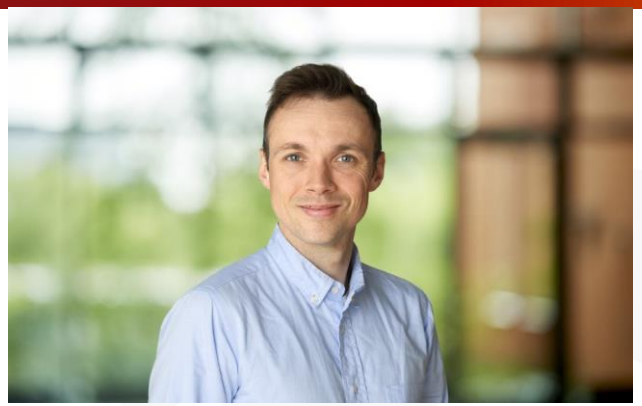
Today´s trainers

Jozef Kubinec — Innovation procurement expert, INPROCAP trainer

- Member of CERIS – Community for European Reseach and Innovation for Security
- iProcureNet National Contact for Slovakia
- Ministry of Interior Slovakia procurement experience
- SHIELD4CROWD, PROTECT, PCP WISE, SHIELD PCP, multiple EU projects



André Berle Falsig - Danish Technological Institute

- Centre project manager, innovation and digital transformation
- Works in innovation in a broad sense and helps leading Danish companies build new cabalities by the means of innovation procurement.
- His focus is on finding the right solutions with pragmatic and straight-forward models for innovation procurement.

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Expectations from training

What are your expectations from Training?

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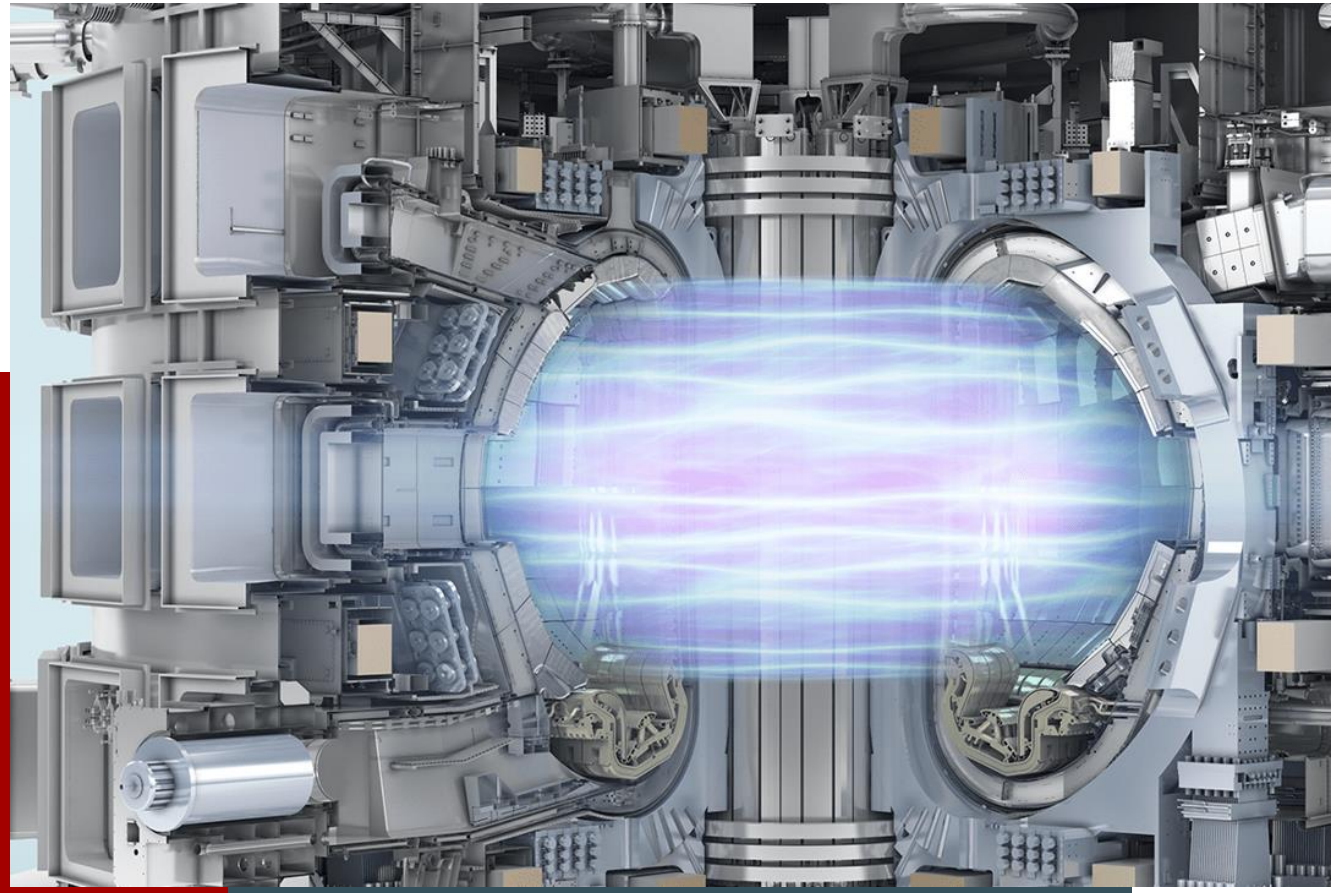

Why market analysis matter in innovation procurement

WHAT IS INNOVATION PROCUREMENT?

Innovation procurement refers to any procurement that has one or both of the following aspects:

- **buying the process of innovation** – research and development services with (partial) outcomes
- **buying the outcomes of innovation**

*the EC definition of Innovation Procurement

Innovation procurement instruments

the purchase of innovation:	• Pre-commercial procurement (PCP) and Public procurement of innovative solutions (PPI) • Innovation Partnership
is encouraging innovative suppliers in the procurement process:	• Preliminary market consultation • Meet the buyer, etc.
new methods and approaches for the procurement process:	• Functional specifications • Value engineering, etc.
Public procurement procedures that can promote innovation:	• Competetive dialogue and competitive procedure with negotiation

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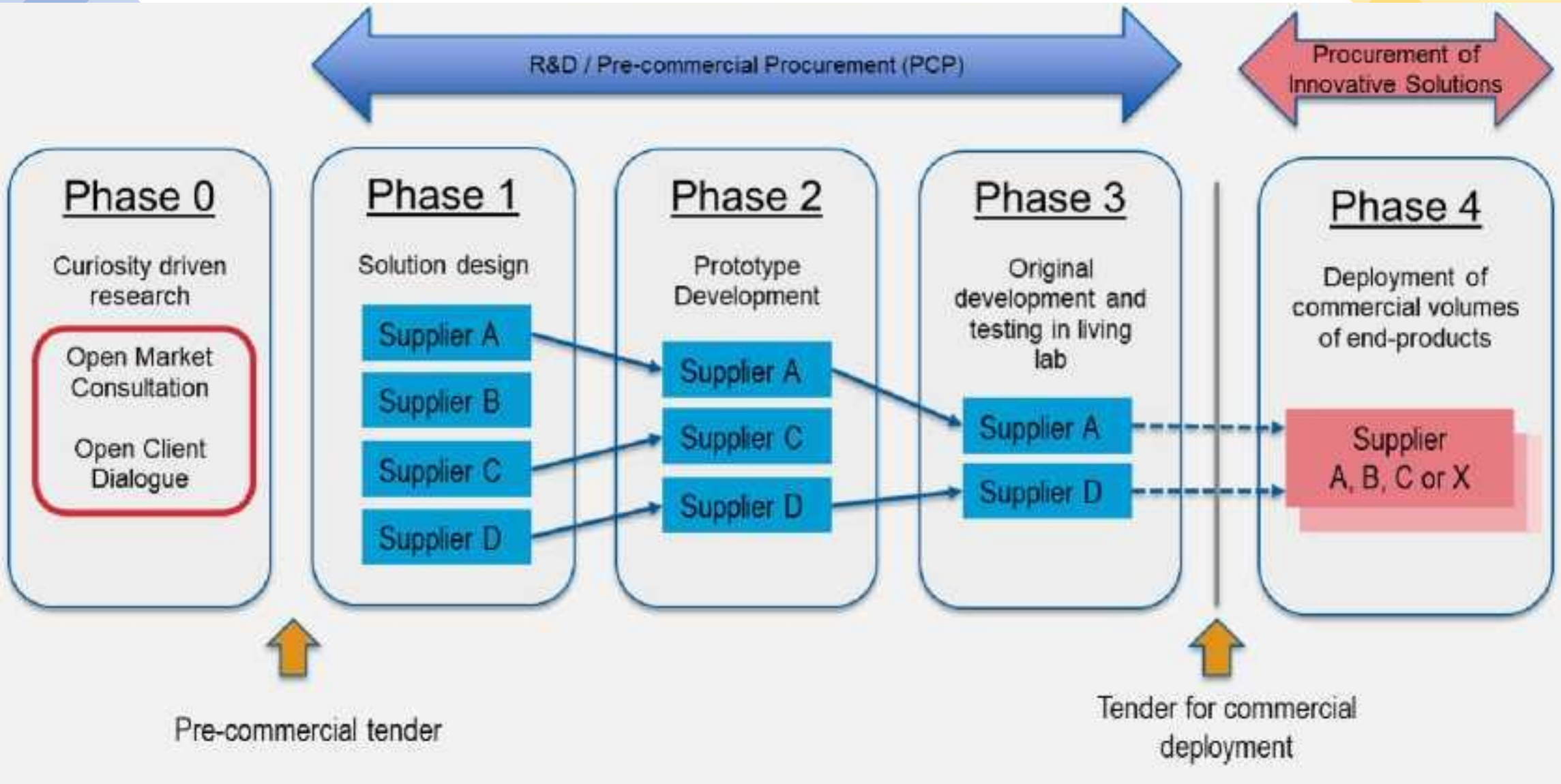
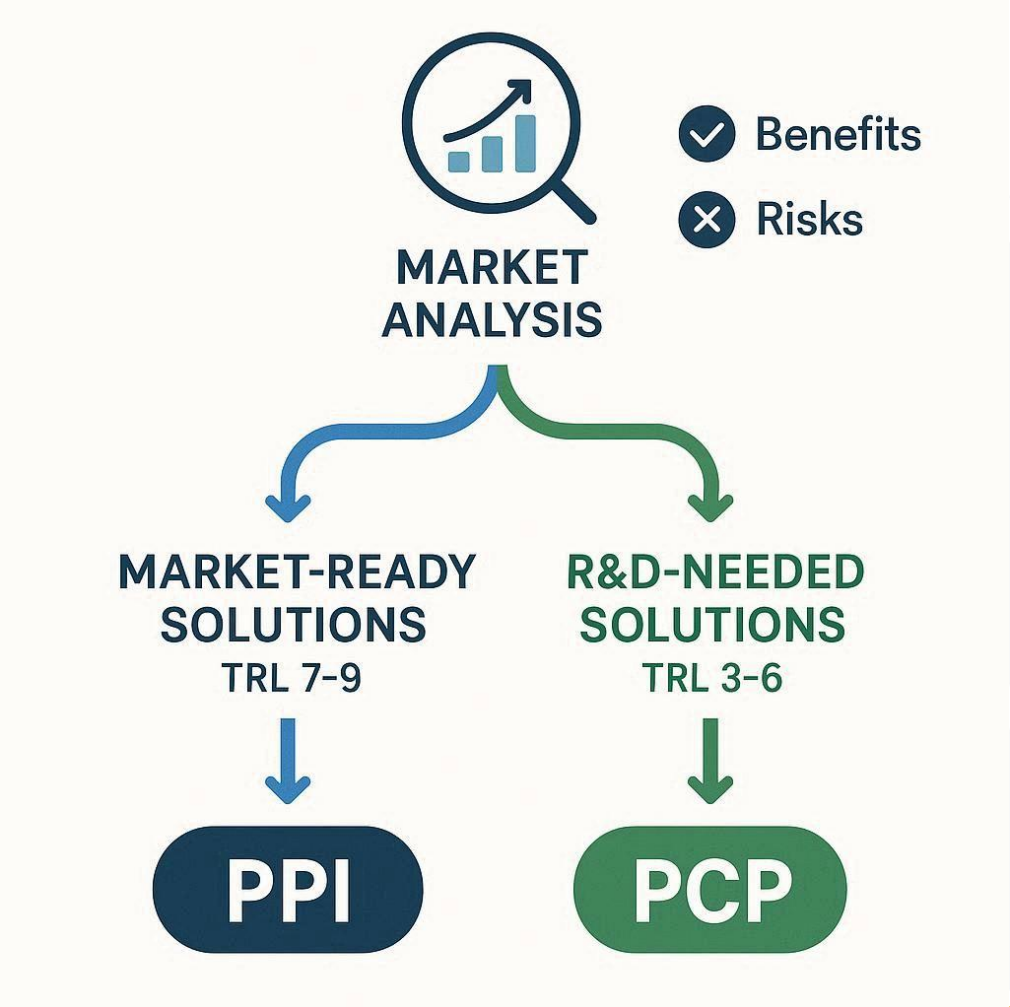

R&D / Pre-commercial Procurement (PCP)
Procurement of Innovative Solutions
Phase 0
Curiosity driven research
Open Market Consultation
Open Client Dialogue
Phase 1
Solution design
Supplier A
Supplier B
Supplier C
Supplier D
Phase 2
Prototype Development
Supplier A
Supplier C
Supplier D
Phase 3
Original development and testing in living lab
Supplier A
Supplier D
Phase 4
Deployment of commercial volumes of end-products
Supplier A, B, C or X
Pre-commercial tender
Tender for commercial deployment

The innovation procurement challenge

Knowing What Exists vs. What Needs Development

- **The core question:** Can the market already solve your problem?
- **Market maturity determines procurement approach:**
  - Solution ready (TRL 7-9) → Public Procurement of Innovation (PPI)
  - Needs R&D (TRL 4-6) → Pre-Commercial Procurement (PCP)
- **Without market analysis:** You choose the wrong instrument, waste resources, face legal challenges
- **With market analysis:** Informed decisions, better specifications, competitive bids



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Consequences of inadequate research

Costs of Skipping Market Analysis

- **Wrong instrument choice:**
  - Launch PPI when market isn't ready → No bidders or non-compliant solutions
  - Launch PCP when COTS exists → State aid concerns, wasted R&D budget
- **Over-prescription in specifications:**
  - Lock out innovative SMEs who could solve problem differently
  - Favor incumbents, reduce competition
- **Failed procurements:**
  - No bids received (market can't deliver)
  - Legal challenges (discriminatory specs)
  - Solutions don't work (misunderstood actual market capabilities)

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EAFIP methodology

EAFIP = European Assistance for Innovation Procurement

- **Preparatory Phase:**
  - Needs assessment (Training 2 ✓)
  - State-of-the-Art (SOTA) analysis
  - Prior art & IPR landscape
  - Open Market Consultation (OMC)

- **Why EAFIP?** Proven in innovation procurements across EU

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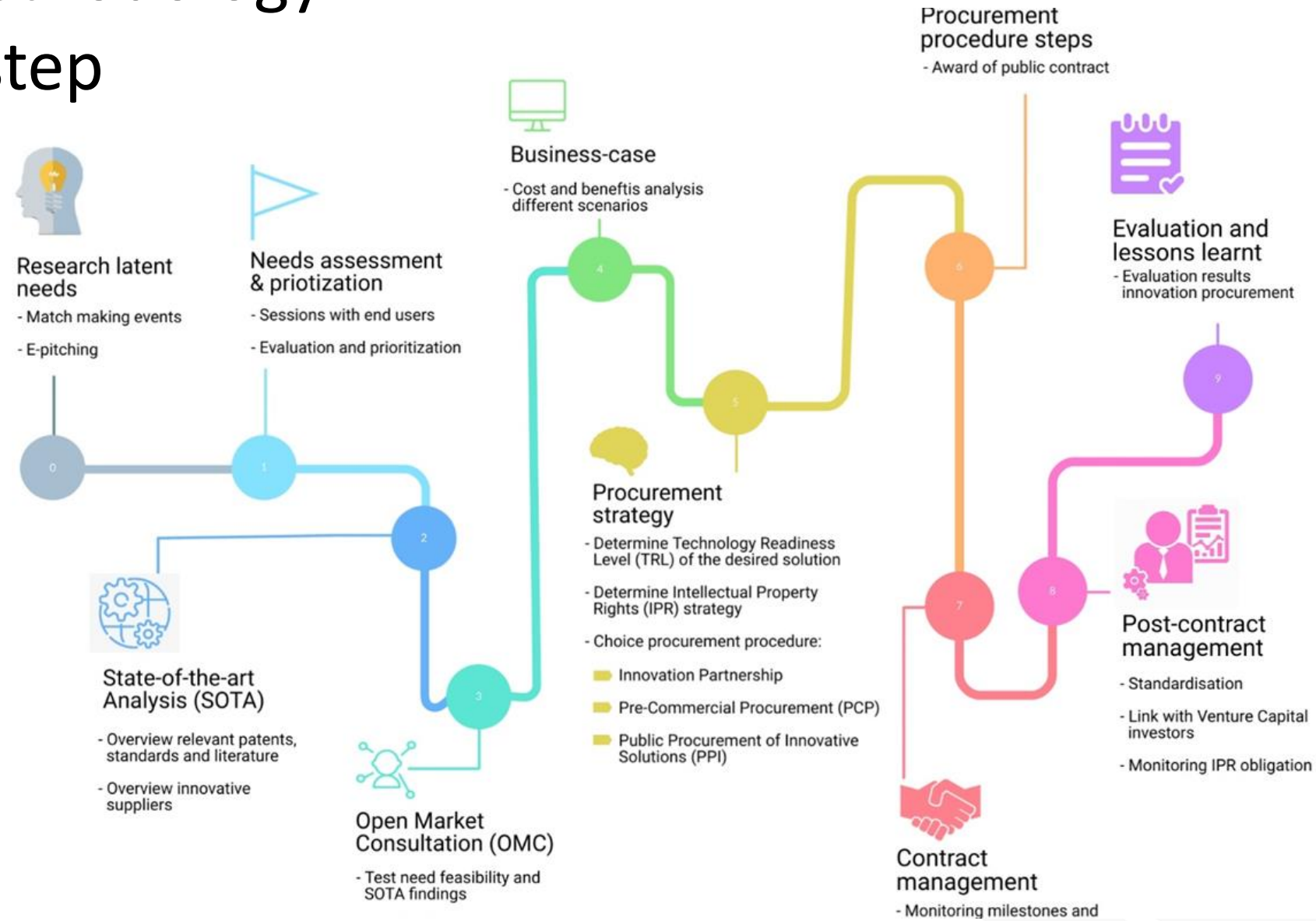
EAFIP Methodology step-by-step



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Sucess vs. Failure Example

SUCCESS: SHIELD4CROWD

- Thorough SOTA: 2,350+ patents analyzed
- OMC with 25-35 participants per session
- Identified TRL gaps (4-6, not 7-9)
- Chose PCP approach
- Result: Funded SHIELD PCP project, 10 partners, 6 countries

FAILURE: Public Authority Case

- Internal experts: "Only 3 suppliers in the market"
- Launched negotiated procedure with pre-selected suppliers
- Investigation revealed: **8 capable suppliers** existed
- 2 suppliers had **superior technology** vs. pre-selected ones
- Result: €12M costs, procurement cancelled, **3-year delay**

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Key lesson – We know the market

- "We know the market" is the most dangerous assumption
- Expert opinion ≠ systematic market analysis
- Markets evolve constantly - new entrants, new technologies

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Mentimeter

What's your biggest challenge in market research? (word cloud)

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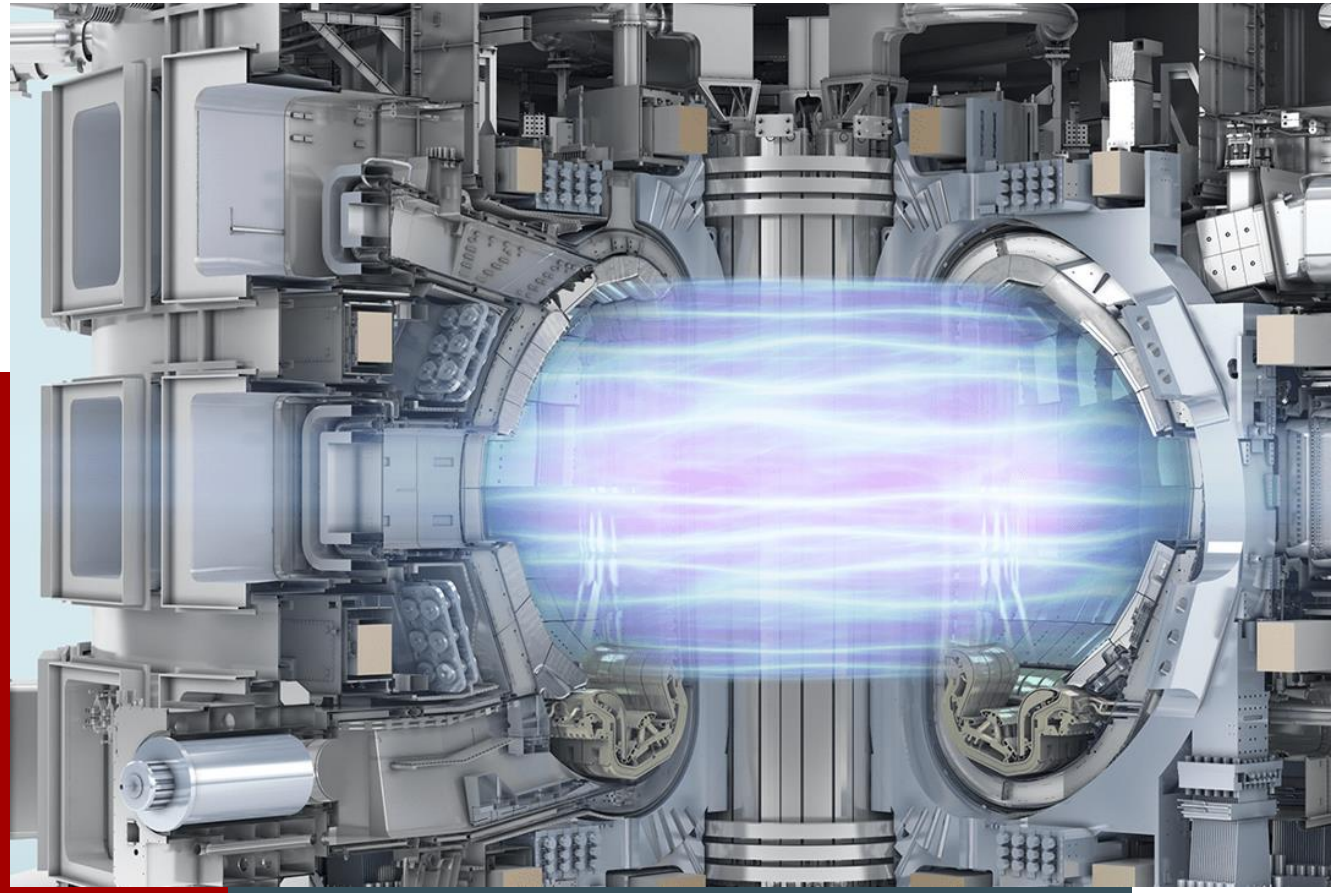

SOTA analysis

What is SOTA?

- The SOTA (prior art analysis + IPR search) **identifies products, services, standards, patents, and publications** to define the TRL of relevant solutions.

- Once the needs of the public procurers have been identified, a SOTA Analysis should be conducted to confirm whether the **identified need(s) are indeed "unmet" needs.**

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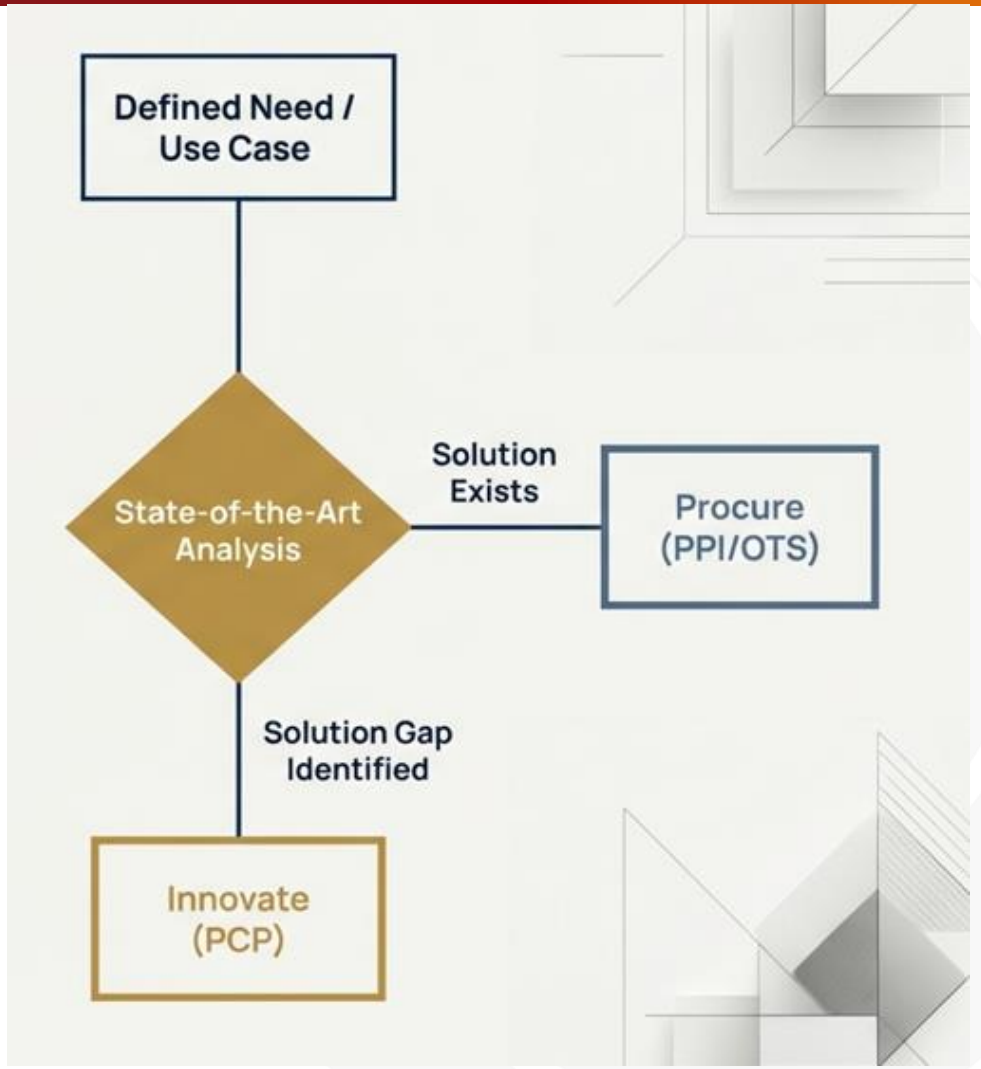
WHy SOTA Analysis is a cornerstone

- If the solutions exists, there is no need to spend our money and effort to reinvent the wheel
- It determines whether a viable solution already exists in the market.
- This single process dictates the project's entire procurement path: either we buy an existing solution efficiently, or we invest in developing a new one.



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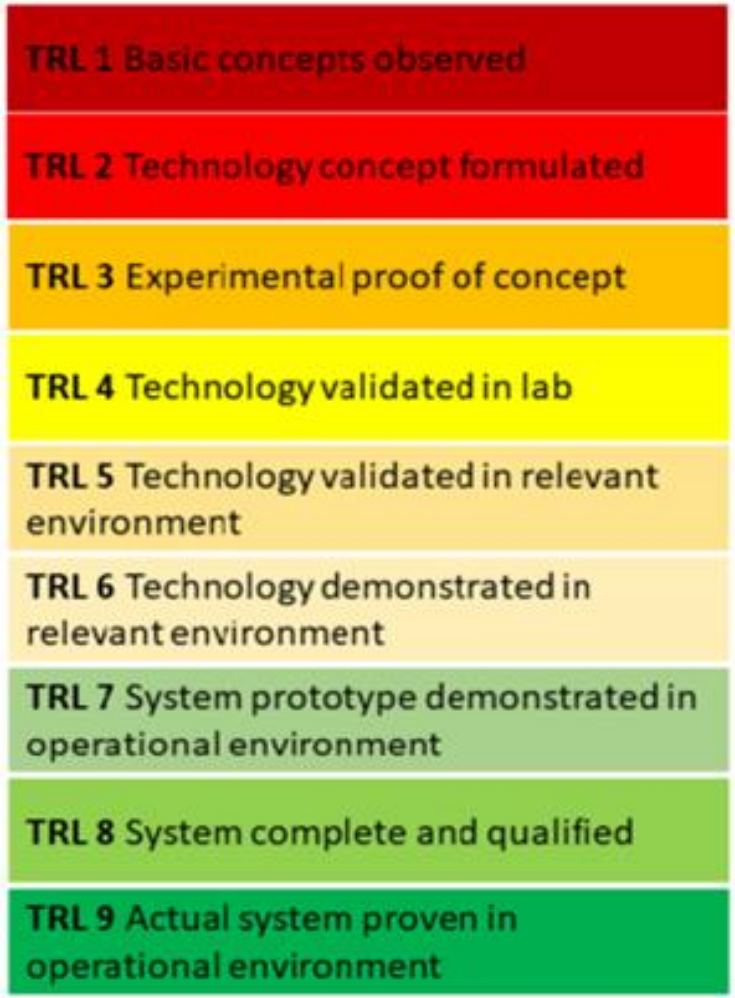
TRL Scale Explained

Technology Readiness Levels — The Common Language

- **TRL 1-3:** Basic research, concept validation
- **TRL 4-6:** Technology development, prototyping, lab testing
- **TRL 7-8:** System prototyping, operational environment testing
- **TRL 9:** Proven in operational environment, ready for deployment

- **Procurement implications:**
  - TRL 4-6 → PCP (R&D procurement)
  - TRL 7-9 → PPI (buying innovation ready for deployment)
  - TRL 4-6 → Innovation Partnership (phased approach)



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Two pillars of Market Intelligence

SOTA is a synthesis of two distinct but complementary activities that provide a complete view of the market

Prior art Analysis

A systematic search of the public domain to discover what is already available or in development.

- Existing products
- Ongoing product developments
- Services
- Academic publications

IPR Search

A targeted search of national and international patent databases to understand the intellectual property landscape.

- Identify key R&D players
- Avoid infringing on existing patents
- Understand who owns the foundational technologies in a given field

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Prior art analysis

Prior art analysis identifies **"all" information available in the public domain (existing products, ongoing product development and published ideas) whether IPR protected or not.**

- ❑ **Existing products and their roadmaps – COTS** (Trade shows and exhibitions);
- ❑ **New product developments** (ongoing R&D projects - CORDIS, scientific studies)
- ❑ **Academic publications** – in some projects (PCP WISE)
- ❑ **Published literature** (news sites, Industry Journals, vendor specific publications, reports by industry sector analysts, books, magazines and periodicals).

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IPR search

The IPR search finds out which of the information available in the public domain (existing products, ongoing product development and published ideas) **is already protected by IPRs**

Why an IPR search?

- ✓ Identify if the technological solutions to be developed during the planned PCP are innovative and **can thus be protected by IPR**.
- ✓ **Avoid IPR infringement**: it reveals whether there are providers who own "key IPRs" needed to develop the solution to the identified needs. In such case, an evaluation of the licensing policy is needed.
- ✓ **Identifying potential candidates for the PCP**, including:
  - ✓ Companies unknown or partially unknown to the buyers
  - ✓ Companies not working a specific field but active in the R&D of the relevant technologies

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1 Define Needs

Start with clearly defined Use Cases and requirements.

2 Develop Keywords

Brainstorm and refine a comprehensive set of search terms with domain experts.

3 Search & Filter

Systematically scan patent and publication databases (e.g., using the IPlytics platform) with the defined keywords.

4 Analyze & Shortlist

Review abstracts to narrow down thousands of initial results to a manageable number of highly relevant patents and publications.

5 Assess TRL

Collaborate with domain experts to assess the Technology Readiness Level (TRL) of the shortlisted solutions.

6 Interpret & Strategize

Analyze the findings to determine the market landscape and define the optimal procurement strategy.

What the Data Tells Us: Three Scenarios for Strategic Action

Scenario 1: All Needs Met	Scenario 2: Some Needs Met	Scenario 3: No Needs Met
A solution (or combination of solutions) exists that fully addresses the defined need.	Existing technologies address some, but not all, of the core needs. There is a clear innovation gap.	The analysis reveals no existing patents or products that address the core need. This is “white space.”
Strategic Action: Procure. This could be an COTS solution from one supplier or a PPI to integrate multiple existing technologies.	**Strategic Action:** Innovate via Pre-Commercial Procurement (PCP) targeting mid-range TRLs (e.g., TRL 5-6).	**Strategic Action:** Innovate via Pre-Commercial Procurement (PCP) targeting early-stage R&D (e.g., TRL 3-4).
Risk: Low (for COTS), but watch for vendor lock-in. High (for PPI), due to the complexity of integrating solutions from multiple patent holders.	**Risk:** Moderate. Requires R&D to bridge the gap between existing components and the desired final solution.	**Risk**: Low. Because there are no incumbent patent holders, the risk of infringement is minimal, offering maximum freedom to innovate.

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Mentimeter quiz

What does TRL stand for? (multiple choice)

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Mentimeter quiz

At what TRL level is a solution typically ready for PPI? (multiple choice)

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Mentimeter quiz

True/False: Prior art analysis only concerns patent searches

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DTI: How we approach SOTA and OMC

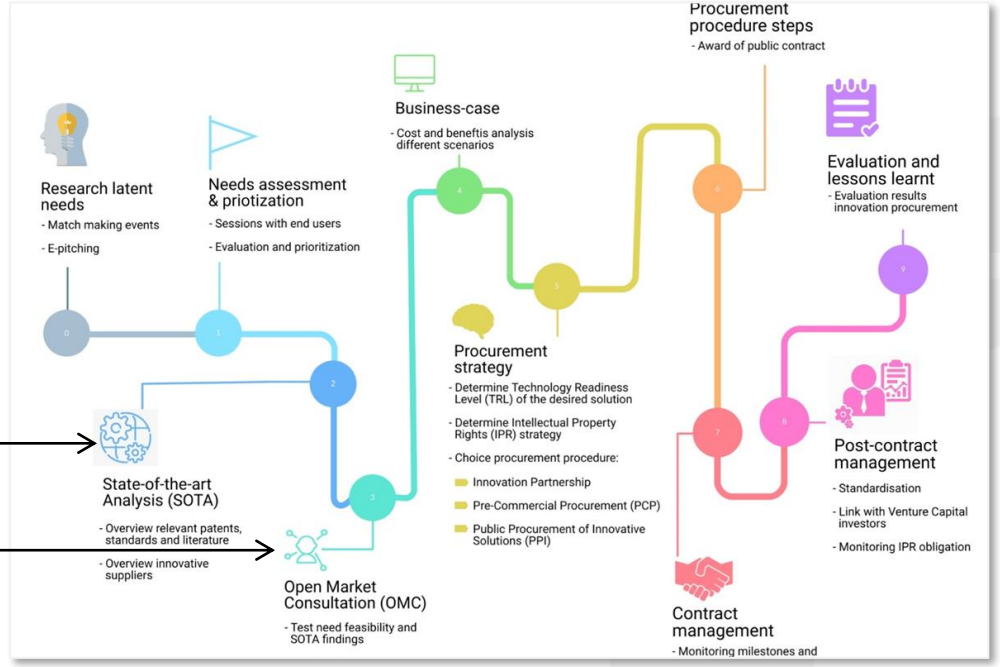
How do DTI help companies?

SOTA and OMC

My main points:

- Get TRL right

- Get market dynamics right



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The dream – ”of the shelf solutions”

DTI SOTA/(OMC) playbook

SOTA purpose:
To build a supplier database with 'enough' rigor and validation as fast as possible before conducting OMC.

	01. Technology Screening	02. Supplier screening	03. Solution/part screening
PATENT SEARCH >			
PURPOSE	Discover possible solutions	Discover possible suppliers	Discover actual solutions > **OMC**
MAIN QUES-TION	***Which*** technologies could solve our needs?	***Who*** could solve it?	***What*** could solve our need?
KEY METRICS	TRL level range	Company size and financial wedding, typical customers Geography, references, one-stop shop/integrator, own attractiveness compared to supplier	Qualified guestimate on TRL Level, price, technical specifications
SCOPE	3-5 technologies/ methods/approaches	50-80 suppliers	7-10 suppliers with 1-2 solutions pr. supplier
RE-FLECTION	What do we don't see?	Do we understand the market right?	What is the actual amount of customization needed for the solution to fit our need?
INPUT	Desk research, expert interviews, network	Desk research, expert interviews, network	Desk research, expert interviews, network

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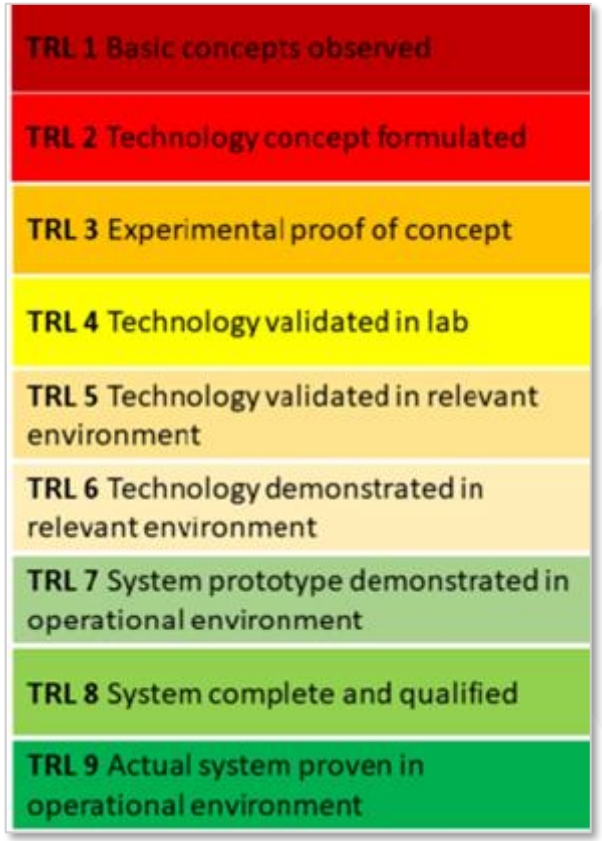
01. Technology screening - Getting TRL right

TRL looks easy, but hard to get right

A note on IP search
Patens can be an R&D defensive tactics to detér other companies to pursue a specific technological path

Your first guess on TRL is often wrong
Therefore do your guess within a range instead of a finite level you are probably going to adjust it later on. Validatation is needed to figure out the exact level (OMC).

Your case is probably unique?
The TRL level will be settled in the OMC and in most cases somehow still need test and validation before you can settle for a final *informed guess*



IP could have a TRL level within this scope. Depends on the state of IP.

Companies could put up press releases / product presentation which obscures the TRL or makes it hard to interpret the TRL right.

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02. Supplier screening - Getting market dynamics right

Sometimes a market don’t want to solve your case. Understanding your bargin power in the market helps you plan your OMC

If TRL is low. Your case is not on the market radar.
Your problem is the most ‘important’ for you, but maybe not for the market.
Therefore consider:

- Who else could have problem similair to you?
- How have they solved it?
- Who solved it for them?

Make your case attractive to the market. Consider what is in it for them?
If you are the only one having this problem. Consider what is making it interesting in terms of commitment and commercialization.

- is it one time purchase or repeatable?
- Is there any potential of others who have this problem later on?
- Is there any potenial for doing a service business on the solution afterwards?
- Is your organization as a brand interesting for the market, what kind of legimity can a potential collaboration bring to a supplier?

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SOTA assesment tool – how good is you case?

How attractive is our case for suppliers?			
How will we purchase	One time purchase		Re-occurring/ or for multiple sites or processes
Future market outlook on our case	Niche case with little future perspective		Significant part of market share can be found in the future
Bargin power and case attractivness	We are the only one with this problem		Other companies are easy to spot and we able to point them out
Complexity of changening or customizing a solution	High customization or new product is needed		Low or no customization is needed
Our organization as a customer related to typical customers in the market			
Our position as a customer in the market	We are small player compared to typical customers in this market.		We are a large company compared to other typical customers in this market
Brand fit	Our brand and vertical is odd compared the martket		Our brand and vertical is similiar to others in the market
Market competition	No or low competition in the market		Competition for customers is high in the market
Our own assesment of our case			
Realism in TRL assesement of own case	We are chasing a solution that we have little or no evidence for		We have evidence of others doing the same
Cases	Simliar cases are not present or we cannot obtain the detail needed to transfer other cases in to our domain		Similar cases are found with enough detail level to forecast that our challenge can be solved
Integrators and startups			
Custom solutions are available	Integratrors cannot be located or very few with the xact expertise		Multiple integrators are present in the market and they have visible cases on the problem
Possibility of M&A	There are no stratups solving a problem like ours		There are multiple startups trying to solve our problem
Trends and research			
Supplier research	Suppliers focus on other aspects not touching on our challenge		Suppliers posted whitepapers, blog post or posted news on possible solutions specific for our case
Peer reviewed research	No papers has directly studied our challenge or possible solutions, and no further research in meta-studies is questioned		Many or some research papers has been studying our challenge or aspects of it and

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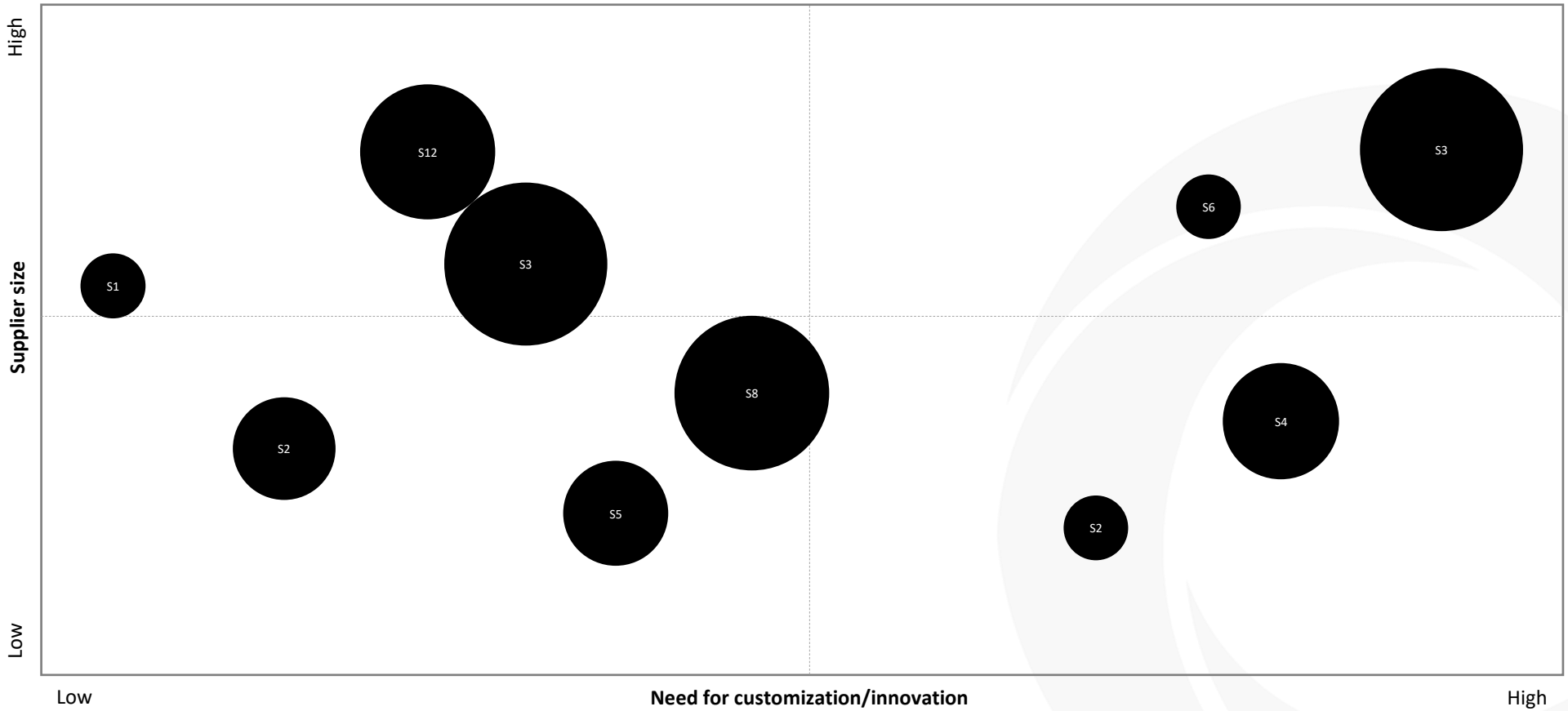
02. Supplier screening - Getting bargin power right



Size = How much do we believe in their ability to solve our challenge?

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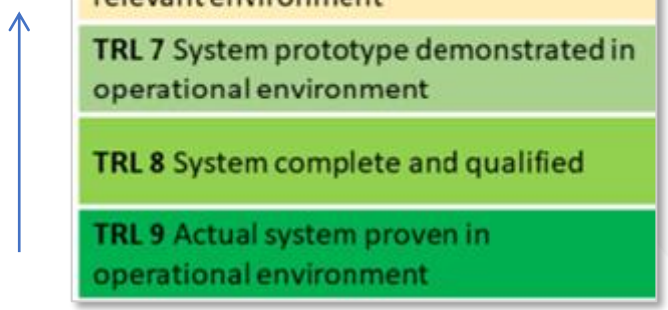
03. Solution screening

Finding the exact solution/technology that will solve our need

Perceived TRL vs. Actual TRL
TRL often drops 2-3-4-5 levels when you transfer your specific case to the technology.

Therefore: consider if your case is different than others
Consider the specific case how much does it actually alter from yours? Geometry, materials, temperature surface conditions, processing roughness etc.

Components are present but not whole solutions
Look for integrators. Assess them, look at their cases and how they relate to your case



Actual level. When tested in OMC, the solution needed customization to work at a cost point which could be accepted for the process.

There is proven working solutions in the market and at scale for your specfic need.

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DTI SOTA/(OMC) playbook

SOTA purpose:
To build a supplier database with 'enough' rigor and validation as fast as possible before conducting OMC.

PATENT SEARCH >	**01. Technology Screening**	**02. Supplier screening**	**03. Solution/part screening**	> **OMC**
PURPOSE	Discover possible solutions	Discover possible suppliers	Discover actual solutions	
MAIN QUES-TION	***Which*** technologies could solve our needs?	***Who*** could solve it?	***What*** could solve our problem?	
KEY METRICS	TRL level	Company size and financial wedding, typical customers Geography, references, one-stop shop/integrator, own attractiveness compared to supplier	Qualified guestimate on TRL Level, price, technical specifications	
SCOPE	3-5 technologies/ methods/approaches	50-80 suppliers	7-10 suppliers with 1-2 solutions pr. supplier	
RE-FLECTION	What do we don't see?	Do we understand the market right?	What is the actual amount of customization needed for the solution to fit our need?	
INPUT	Desk research, expert interviews, network	Desk research, expert interviews, network	Desk research, expert interviews, network	

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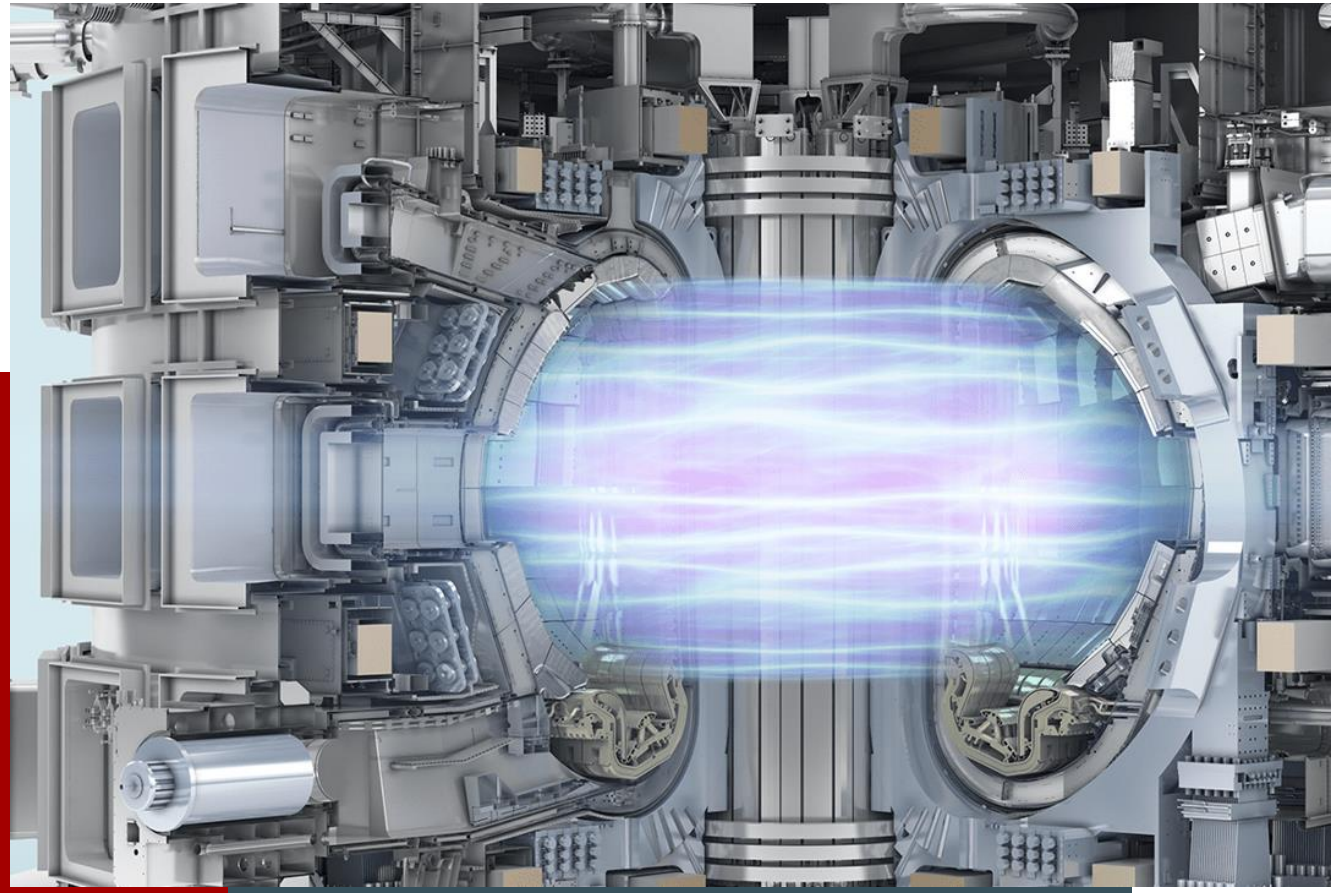
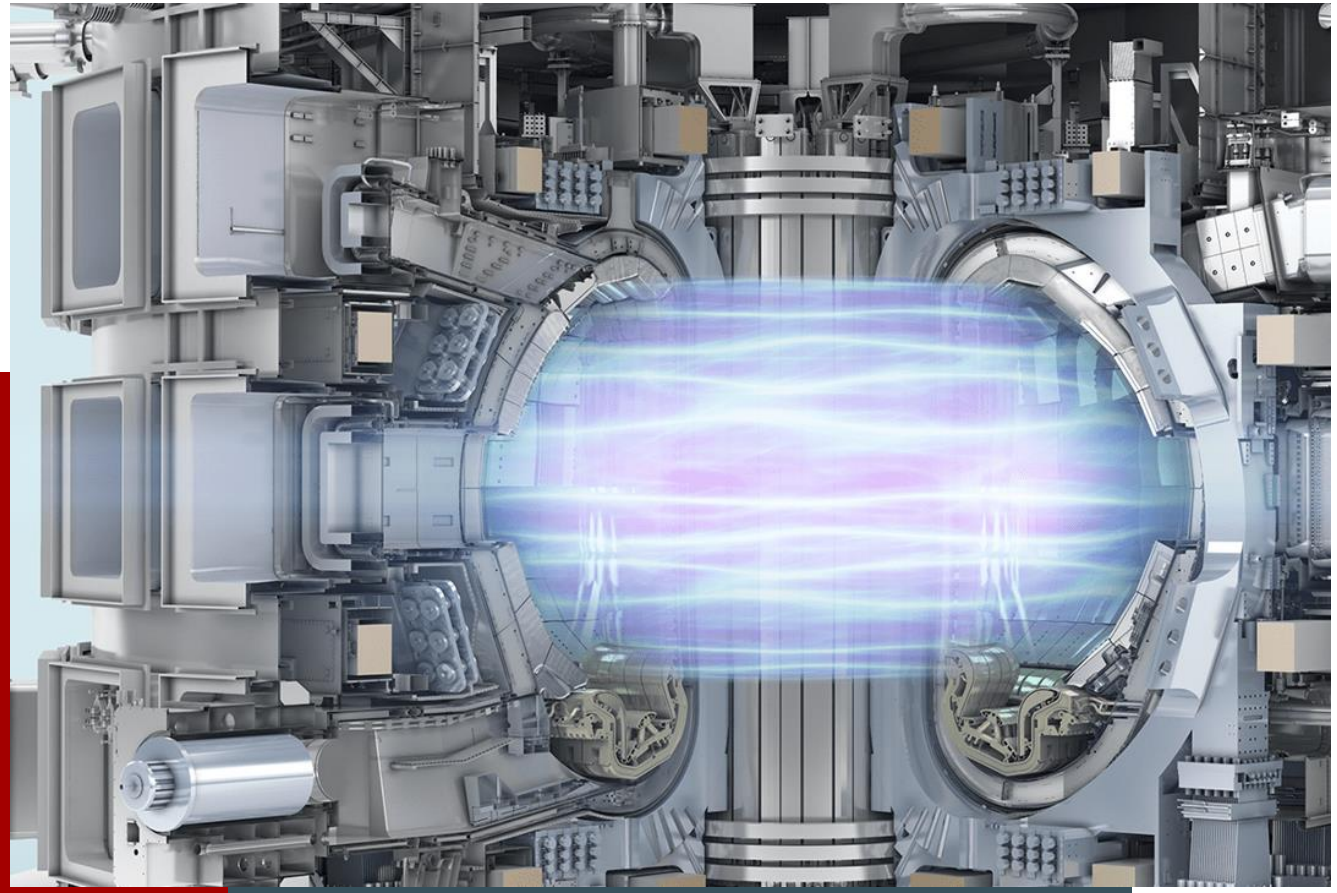


10:00–10:15 | Break ☕

- 15-minute break



Market research methods and supplier identification

Formal vs. Informal market research

INFORMAL METHODS

- Network consultations (ask colleagues, peers)
- Expert interviews (academics, consultants)
- Industry association engagement
- Conference and trade show participation
- Online research (supplier websites, forums)
- "Googling" solutions
- **Advantages:** Fast, low cost, flexible
- **Limitations:** Not comprehensive, potential bias, not legally documented

FORMAL METHODS

- Request for Information (RFI)
- Preliminary/Open Market Consultation (PMC/OMC)
- Structured supplier surveys
- Technical feasibility studies
- **Advantages:** Comprehensive, legally compliant, documented, creates audit trail
- **Limitations:** Time-consuming, resource-intensive, requires planning

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Example of iProcureNet - informal

iProcureNet experience with informal methods:

- Attended MILIPOL security trade show (Paris)
- Identified 20+ relevant suppliers through booth conversations
- **Value:** Direct contact with vendors, makers, saw live demonstrations
- **Limitation:** Only vendors who exhibit at trade shows, missed smaller innovators

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Example of iProcureNet - formal

Use case: Waste fires detection and response (Climate change segment)

- **What was it about:** Detecting and responding to fires in waste management facilities using AI and thermal imaging
  - Challenge: Waste fires have different signatures than forest fires (plastics, chemicals combustion)
  - Need: Develop AI for waste fire detection + integration with facility monitoring systems
- **RFI responses:** Received responses from multiple suppliers across EU
- **Information gathered:** Technical capabilities, TRL levels, pricing ranges, delivery timelines, R&D capacity
- **Time:** 6 weeks from publication to analysis
- **Outcome:** Confirmed need for PCP (not COTS solution), use case included in Horizon Europe proposal
- **Legally compliant:** Published through EU Survey, equal access, documented process
- **Key lesson:** Detailed use case description in RFI led to quality responses and clear market understanding

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When to use which

- ✓ Early exploration → Informal (conferences, expert calls)
- ✓ Before PCP/PPI decision → Formal (RFI, OMC)
- ✓ Before tender publication → Formal OMC (mandatory in the case of HE funding)

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Supplier Landscape

Classification dimensions:

- **Type:** Large corporations, SMEs, startups, research institutions
- **Capabilities:** Technologies offered, TRL levels, integration capacity
- **Geographic:** EU vs. international, local presence
- **Financial:** Turnover, stability, R&D investment level
- **Experience:** Track record in similar projects, innovation portfolio
- **Capacity:** Can they scale? Delivery timelines? Multi-country delivery?

Data sources:

- TED database (past procurement winners)
- Company registers, business directories
- EU project participant databases (CORDIS)
- Industry associations, cluster organizations
- Trade show exhibitor lists

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Example supplier types

- **Large system integrators** — Major corporations that can deliver end-to-end solutions (e.g., Siemens, Thales, ...)
- **Specialized technology SMEs** — Mid-sized companies focused on specific technologies (e.g., sensor manufacturers, AI algorithm developers)
- **Deep-tech startups** — Early-stage companies with innovative approaches, higher risk but potentially breakthrough solutions
- **Research institutions / universities** — Academic organizations with R&D capability, especially relevant for PCP

- **Component manufacturers** — Companies producing specific hardware elements (e.g., detector manufacturers, optical systems suppliers)
- **Software/IT developers** — Companies specializing in algorithms, data analytics, or integration platforms
- **Engineering consultancies** — Firms that design custom solutions and manage implementation
- **Industry consortia** — Groups of companies collaborating to deliver complex, multi-disciplinary solutions

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Market Dynamics Assessment

Market concentration:

- Are solutions dominated by single player?
- Risk: Vendor lock-in, limited innovation
- Opportunity: PCP can diversify supplier base

Supply chain dependencies:

- Single-source components (risk!)
- Geographic concentration (geopolitical risk)
- Critical materials availability

Barriers to entry for new players:

- High: Patents, certifications, capital requirements
- Low: Open standards, software-based, modularity
- SME/startup participation depends on barriers – less administrative burden in procurement

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Example of market trend analysis

Market trend analysis — PROTECT climate services:

- Trend: Copernicus data becoming more accessible (EU policy push)
- Trend: AI/ML capabilities increased (lower barriers)
- Trend: Climate urgency driving demand (growing market)
- Conclusion: Right timing for PCP — market growing, technology maturing, political will

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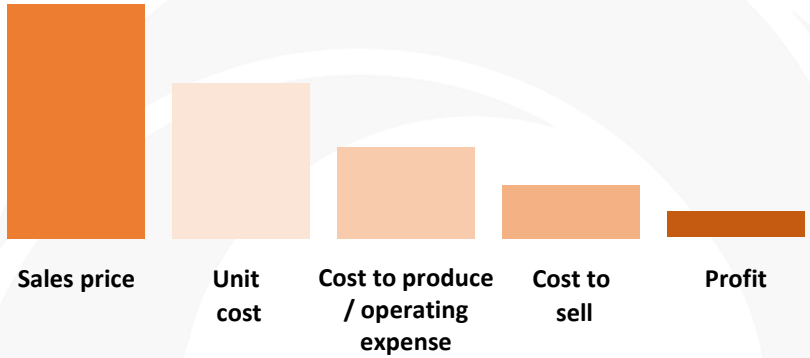
Cost of the solution of the solutions

Understanding the cost structure of the solution and getting the cost structure of your solution right. Go for total-cost-of-ownership (TCO).

Profit breakdown of a solution (How the supplier makes money)**:**

Understanding supplier pricing models and evt. supplier discount models. Gives you a better start point for negotiation and being realistic on the financial implication of your project.

Profit breakdowns varies from company to company to solution to solution. Depends on complexity and how good the companies are to value engineer their solutions / keeping track of their profits in each solution.



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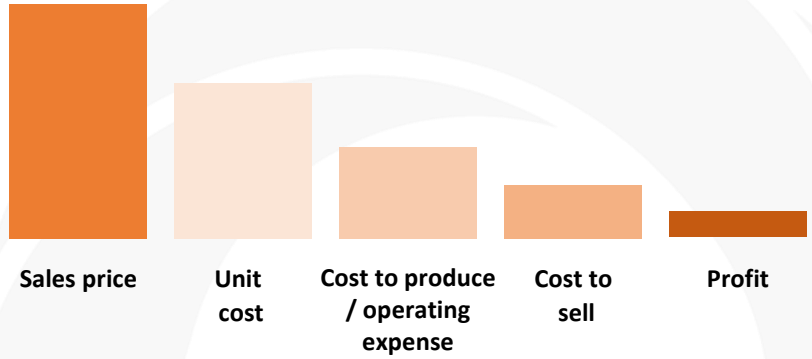

Life cycle considerations (Your costs)**:**

Consist of: development investment, Capex investment and Opex investment.

Consider what are the key components in the operation of the solution:
- Consumption: water consumption, pneumatics, electricity, gas etc.
- Yearly licenses and approvals e.g. ATEX, subscriptions etc.
- Degeneration of materials and parts
- Cost of spare parts
- Secondary process: cooling, heating, wastewater etc.
- Cost of training and services
- And many more…

Development Investment
Cost related to developing the solution

CAPEX
Cost related to building the solution

OPEX
Cost related to operating the solution

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Mentimeter quiz

How many potential suppliers do you typically identify before procurement? (range)

Go to .....Mentimeter.com
Use code.....5488 0946

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Mentimeter quiz

What's the main barrier to conducting thorough market research? (word cloud)

Go to .....Mentimeter.com
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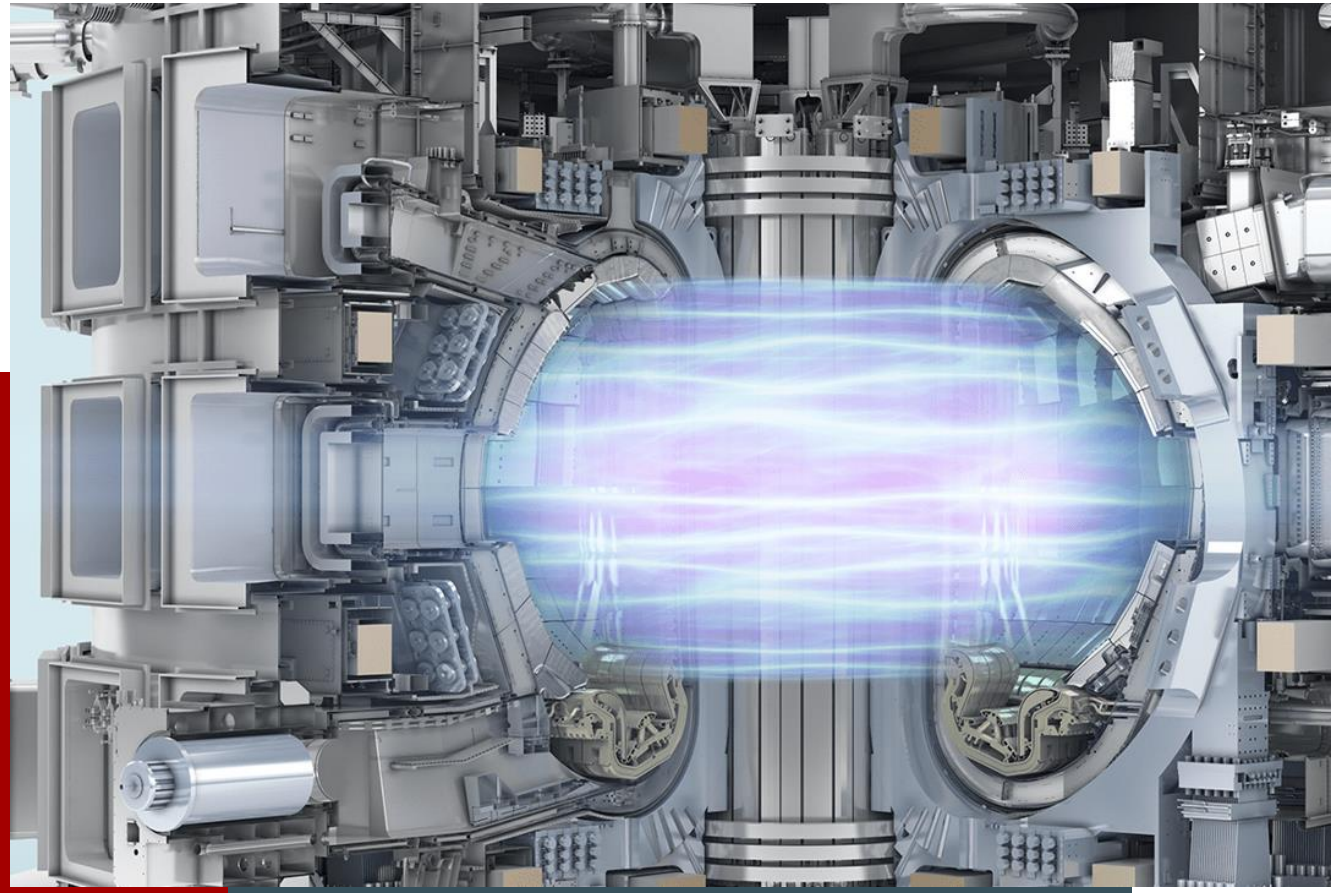

Collaborative Exercise: Conducting a mini-SOTA analysis

Mini-SOTA Analysis

Collaborative Exercise: Conducting a mini-SOTA analysis

Group Work (30 min):

- Each group receives a innovation procurement scenario
- You work on the tasks, fill in the handout
- Online participants:
  - Group 1 – Scenario A
  - Group 2 – Scenario B
  - Group 3 – Scenario C
  - Group 4 – Scenario D

After Group work there will be group presentation:

- Each group presents main ideas max for 5 minutes

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Scenarios

Scenario	Scenario A: Advanced Radiation Detection for Particle Accelerator Safety	Scenario B: Predictive Maintenance for Research Infrastructure	Scenario C: Sustainable Energy Storage for Large-Scale Research Facilities	Scenario D: Quantum-Safe Cybersecurity for Sensitive Research Data
Context	BSO needs real-time radiation monitoring system covering 2 km facility	SO operates complex machinery (€100M value), downtime costs €200k/day	BSO needs 20 MWh storage, 95% efficiency, 20-year lifespan	BSO handles data that must remain secure for 30+ years (quantum computer threat)
Requirement	Sub-second detection, integration with emergency shutdown, pattern recognition	Predict failures 48-72h in advance, integrate with 15 legacy systems	Peak shaving, grid stability, renewable integration	Encrypt 10 PB data, post-quantum algorithms, international data sharing
Challenge	Existing systems cover smaller areas, lack prediction	No training data available for this specific equipment type	Commercial batteries don't meet scale/efficiency requirements	Standards still emerging, few commercial solutions

Mini-SOTA Analysis

Your task (complete template provided):

- Identify information you need (create research plan)
- Identify potential data sources and search strategies
- Determine likely TRL of existing solutions
- List 3-5 potential supplier types or categories
- Assess market maturity: PPI, PCP, or Innovation Partnership?
- Identify 3 key risks or unknowns requiring further investigation
- Any other inputs?.....

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Mini-SOTA Analysis

Group presentations and discussion:

- Each group presents 5 minutes summary

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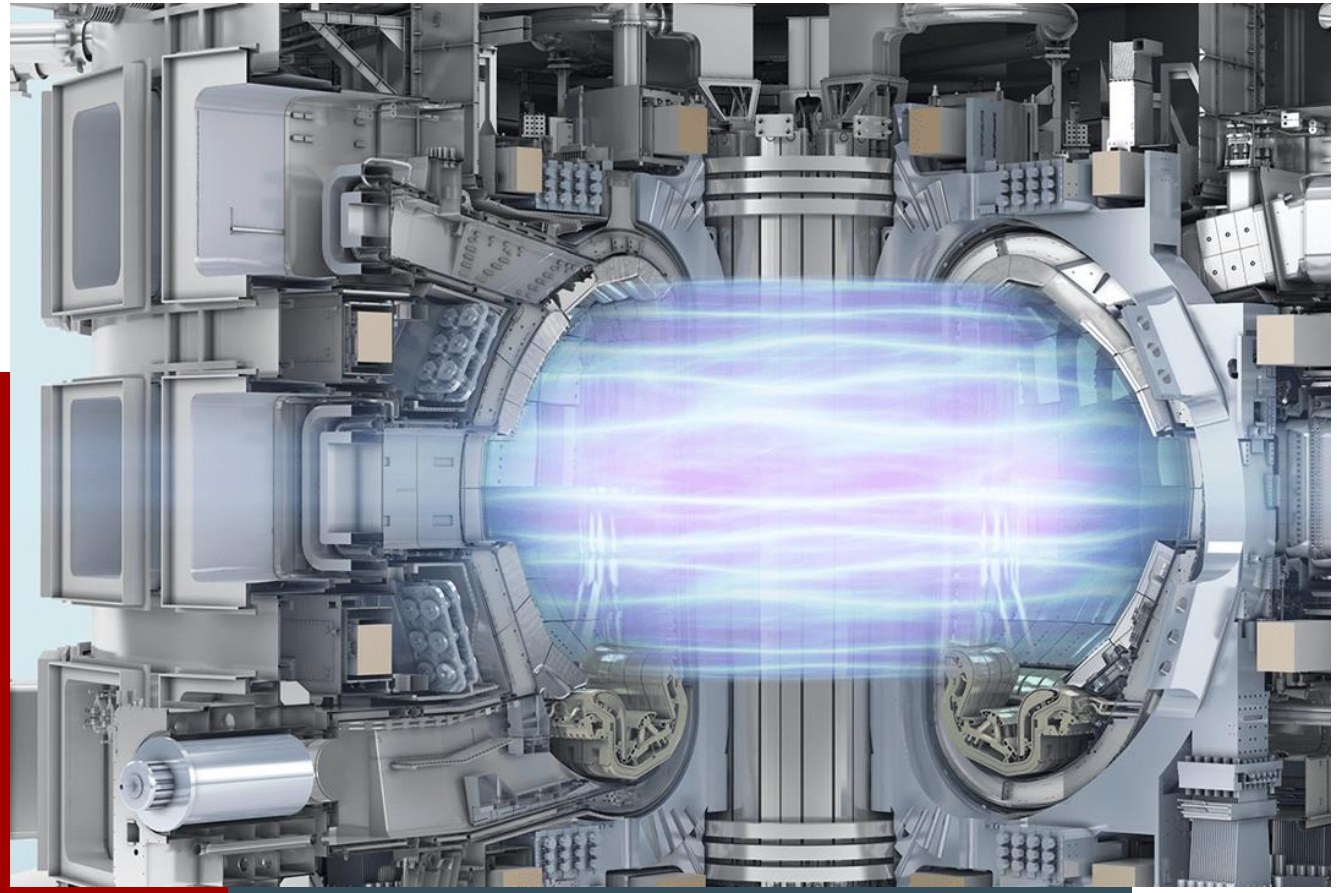
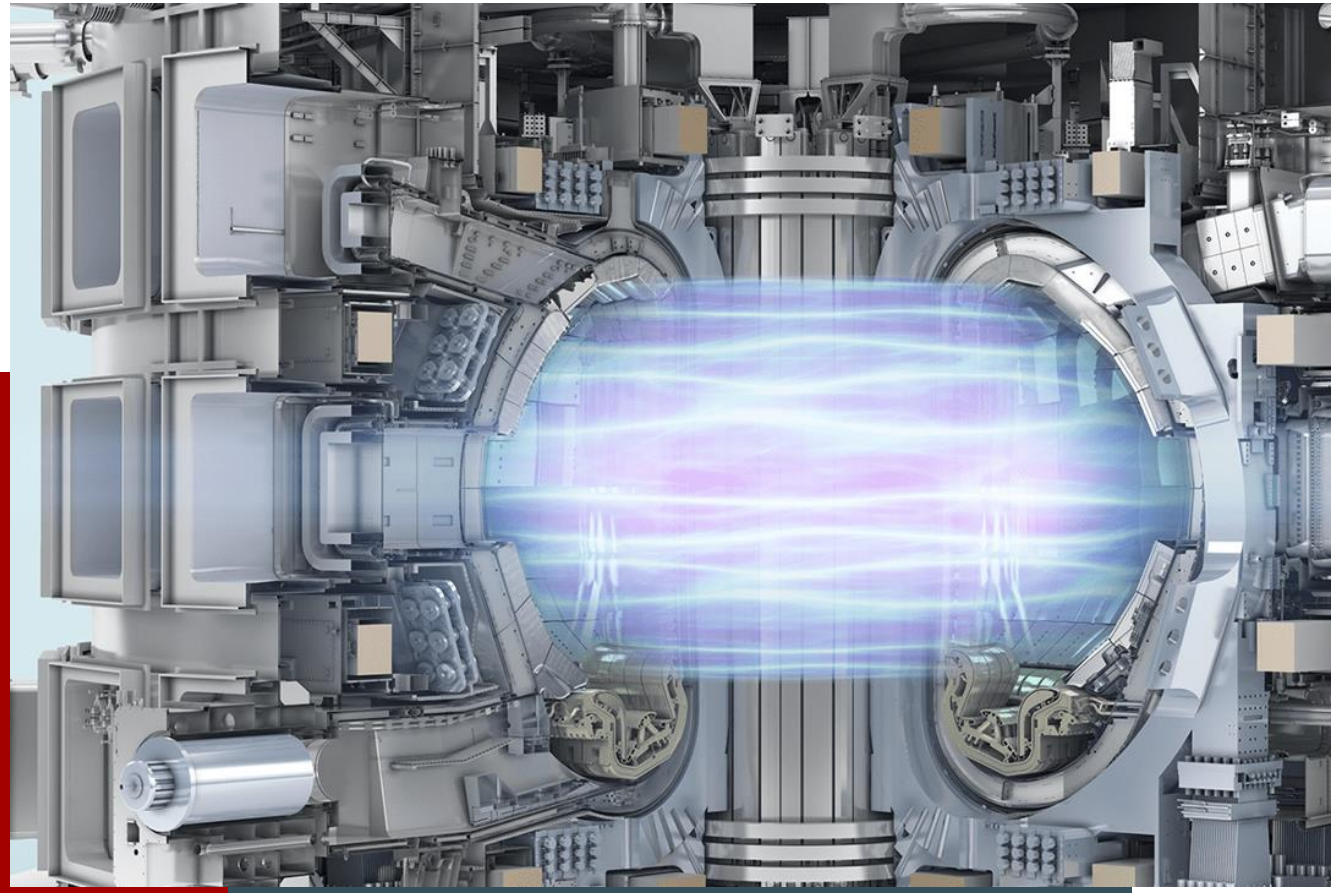


11:30–11:45 | Break 2 ☕

- **15-minute break**



11:45–12:10 | Open Market Consultation: Planning and execution

Open market consultation

- **Legal basis:** PMC - EU Directive 2014/24/EU, Article 40/ OMC – guidance of EC

- **Definition of OMC:** An open market consultation is an open dialogue between procurer(s) and the market, in which the procurers ask for the view of the market to identify the ability to meet the needs of the procurer(s)

- **Critical compliance requirements:**
  - **Equal treatment:** All interested suppliers must have equal access
  - **Transparency:** Process must be documented and open
  - **Non-discrimination:** Cannot favor participants in later tender

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OMC fundamentals

- **Core objectives:**
  - **Validate SOTA findings** with actual market players
  - **Refine technical specifications** based on supplier input
  - **Assess market interest and capacity** (Will anyone bid?)
  - **Identify innovative approaches** you hadn't considered
  - **Build market awareness** of upcoming procurement
- **OMC ≠ tender:** Consultation is pre-procurement, non-binding, exploratory
- **When to conduct:** After SOTA, before finalizing tender documents
- **Typical timeline:** 6-12 weeks from announcement to completed analysis

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OMC Formats and Methods

Traditional formats:

Physical meetings: In-person sessions at your facility

- Pros: Best for technical discussions, relationship building
- Cons: Limited geographic reach, expensive, time-consuming

Site visits: Suppliers see operational environment

- Pros: Suppliers understand context better, better proposals
- Cons: Security/confidentiality concerns for BSOs

Digital formats (increasingly common):

Online webinars: Presentation + Q&A

- Pros: Broad reach, cost-effective, easy to record
- Cons: Less personal, technical difficulties

Questionnaires/surveys: Structured data collection

- Pros: Standardized responses, easy to analyze, documented
- Cons: Low response rates, limited dep

Innovative formats:

- **Prototype demonstrations:** Suppliers show working solutions
- **Hackathons:** Competitive problem-solving events
- **Innovation challenges:** Prize-based idea competitions
- **E-pitching sessions:** Suppliers pitch solutions (5-10 min each)
- **Hybrid approaches:** Combine multiple formats for best results

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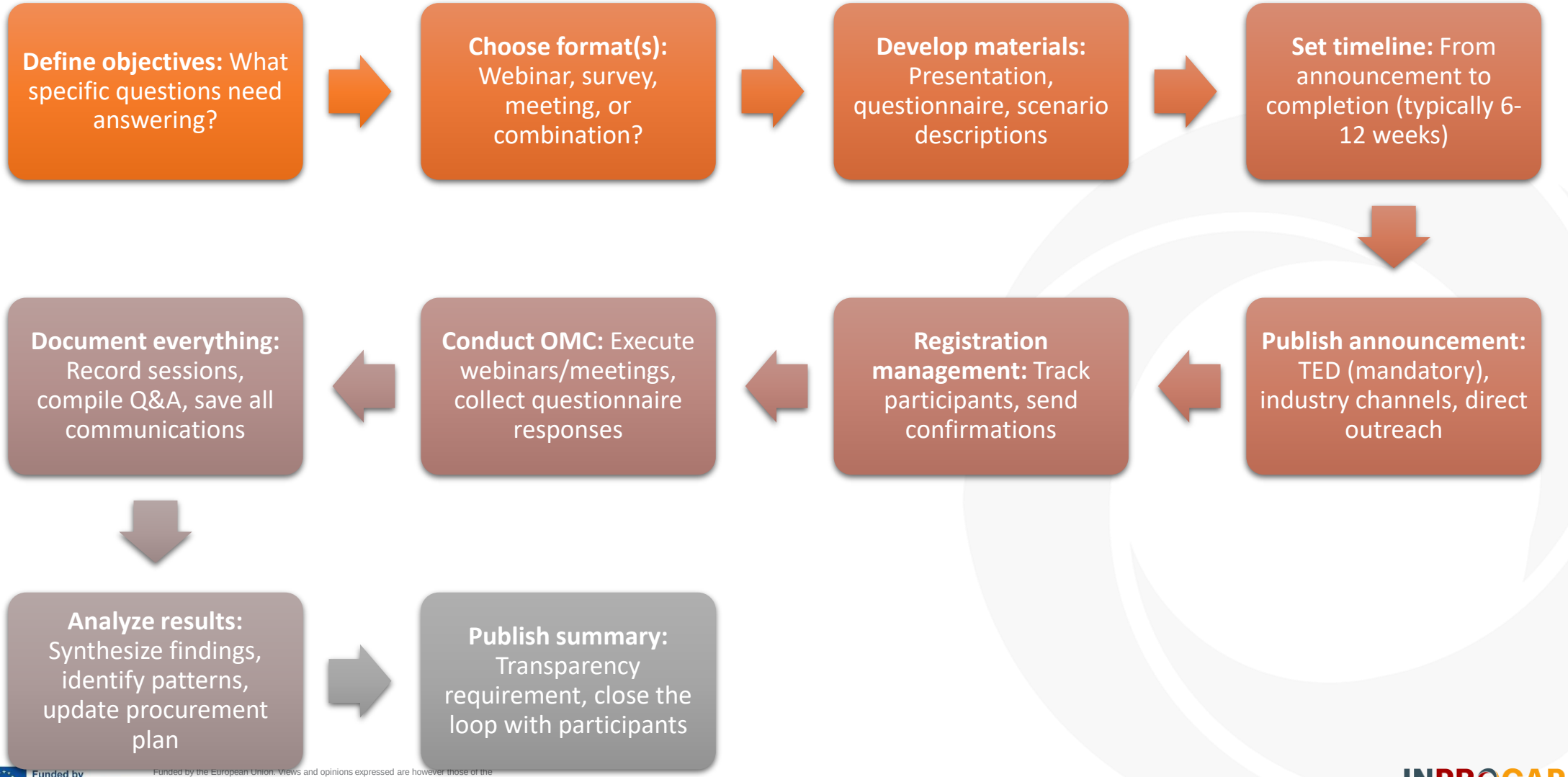
10 step process



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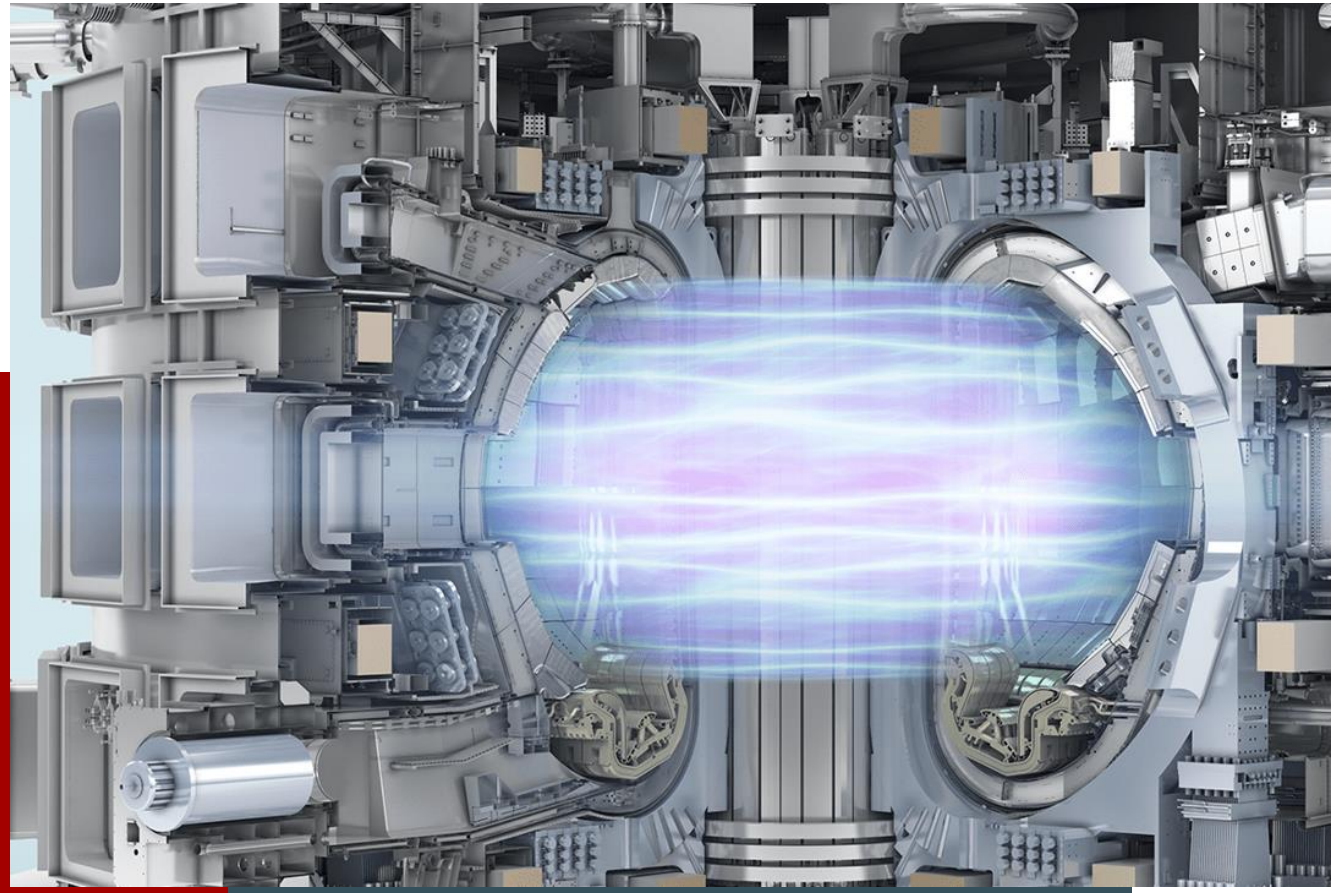
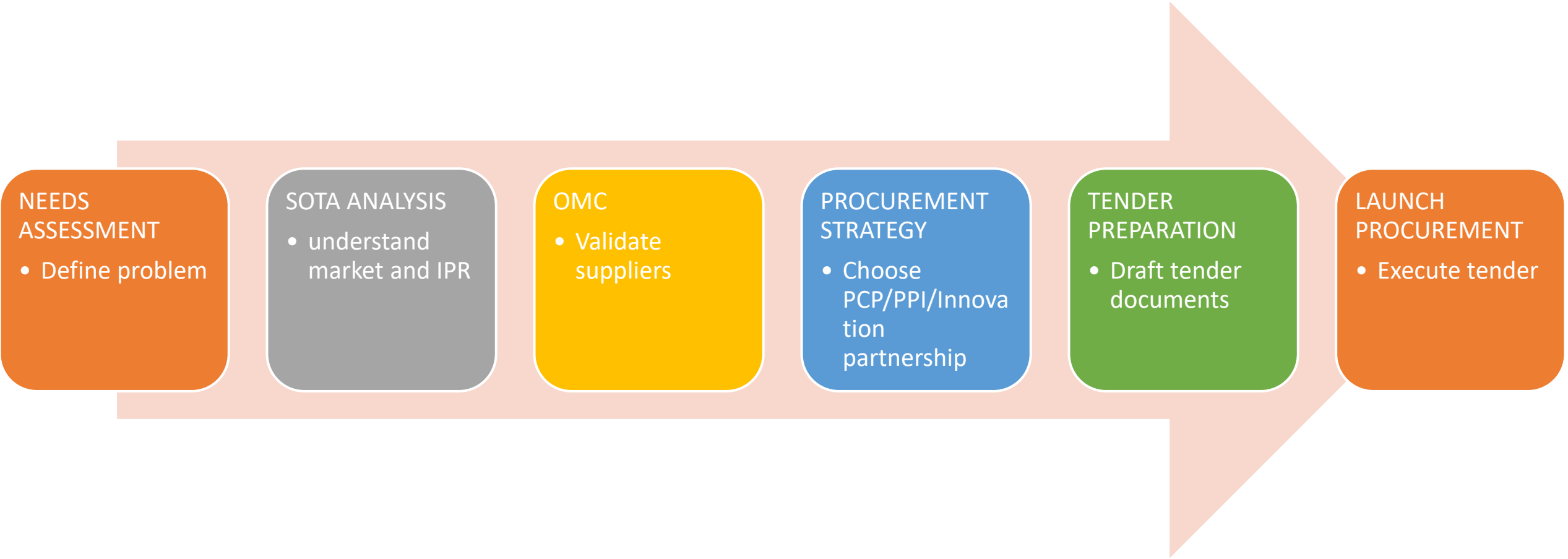


Synthesis: From market analysis to procurement strategy

From Needs to procurement strategy



Documentation

Why document thoroughly:

- ✓ Legal compliance (demonstrate non-discrimination)
- ✓ Audit defense (prove justified choices)
- ✓ Institutional memory (reusable for future procurements)
- ✓ Transparency obligations (public sector accountability)

Essential documents:

- ✓ **SOTA report:** What you found, how you searched, TRL assessments
- ✓ **OMC report:** Who participated, what they said, how it influenced specs
- ✓ **Decision record:** Why PCP vs. PPI vs. other, with references to evidence
- ✓ **Procurement strategy:** Complete plan approved

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Common mistakes to avoid

Mistake 1: Insufficient Market Research

Symptom: Choose wrong procurement instrument

Example: Launch PPI, no compliant bids

Prevention: Thorough SOTA + OMC

Mistake 2: Over-Prescription

Symptom: Specifications too detailed, favor one supplier

Example: "Must use Technology X" instead of functional requirement

Prevention: Functional specs, multiple supplier input

Mistake 3: Inadequate Supplier Engagement

Symptom: Low competition, limited innovation

Example: Only 1-2 bidders, oligopoly pricing

Prevention: Broad OMC outreach, SME-friendly conditions

Mistake 4: Ignoring IPR Landscape

Symptom: Patent conflicts during procurement

Example: Winner can't commercialize due to blocking patents

Prevention: Prior art analysis, clear IPR rules in tender

Mentimeter

What's the most valuable insight you gained today? (word cloud)

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Do you feel confident about conducting market analysis? (scale 1-5)

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Mentimeter

What additional support or training would be helpful?

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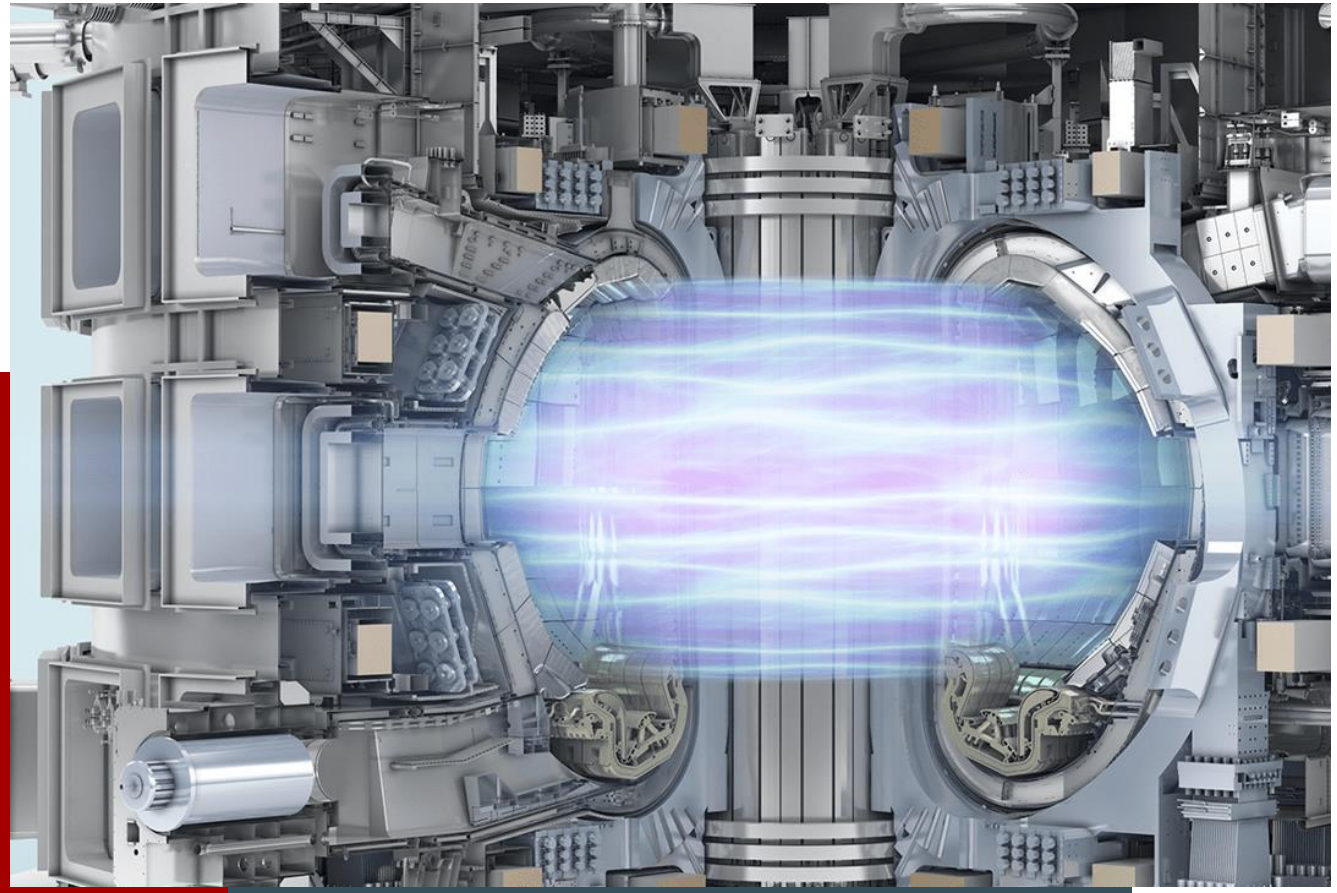
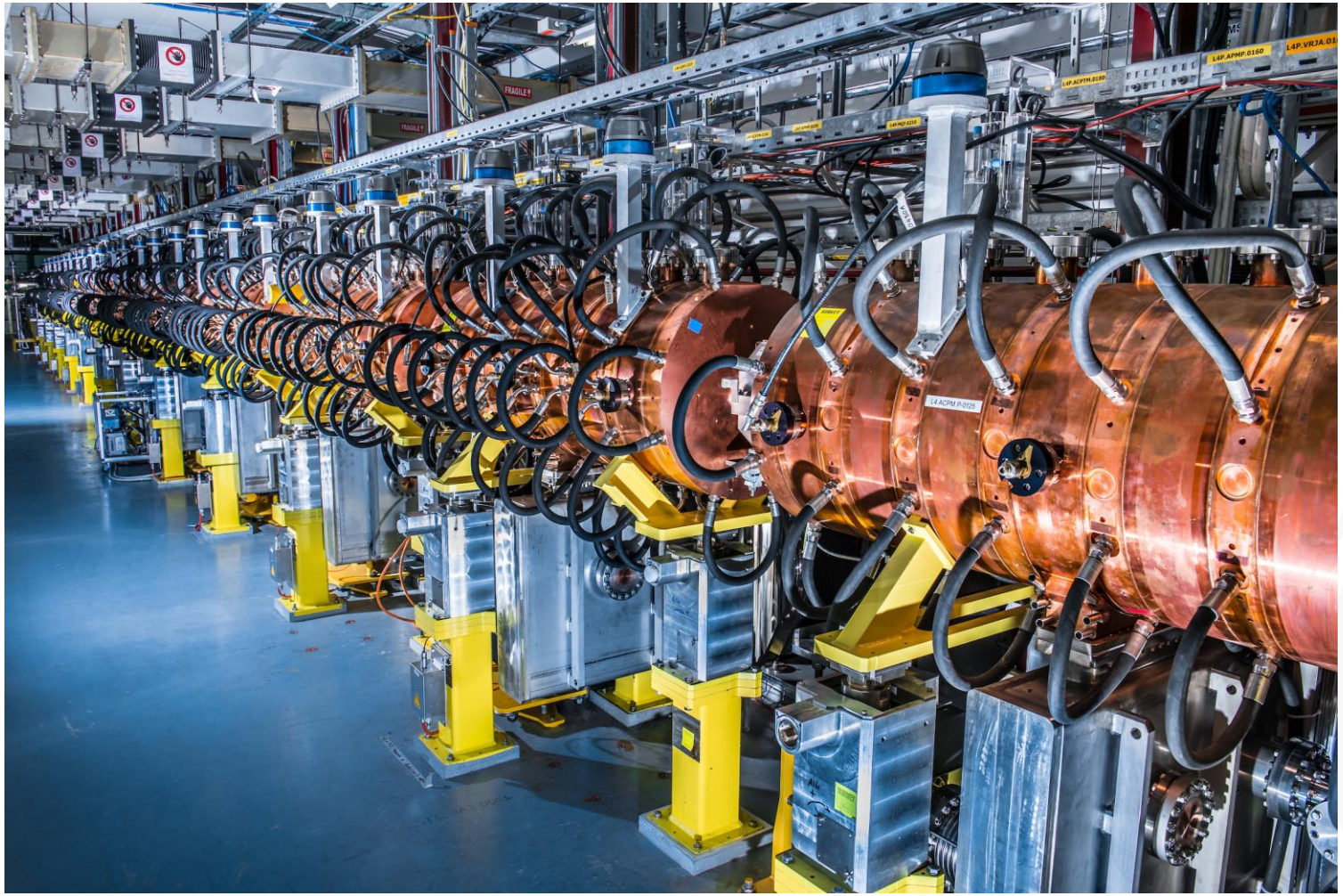


12:20–12:30 | Q&A and next steps



QUESTIONS?

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Delivery plan of trainings

- webinars 2025–2026, hybrid events, on-site intensive training
- Learning journey:
  - pre and post assessments
  - hands-on exercises,
  - Sharing of real cases examples,
  - networking
- Access: INPROCAP website Knowledge section and online toolbox; recordings available

	Date	Format	Title	Priority Audience
1	17th October 2025	webinar	General introduction to innovation procurement + presentation of training manual	All stakeholders
2	Last week of November 2025	webinar	Needs Assessment/Analysis of Unmet Needs	All stakeholders
3	9th December 2025	Hybrid training	Market analysis in the context of innovation procurement	BSO + ILO
4	February 2026	webinar	Preliminary market consultation/Open market consultation	All stakeholders
5	March 2026	On-site session	Practical training on innovation procurement for ILOs and Big Science organisations	BSO + ILO
6	April 2026	webinar	Pre-commercial procurement and public procurement of innovative solution	BSO Priority + companies
7	May 2026	webinar	Innovation partnership	BSO Priority + companies
8	June 2026	webinar	Methods and approaches for the procurement process to promote innovation	BSO Priority + companies
9	September 2026	webinar	Competitive dialogue	BSO Priority
10	October 2026	webinar	Competitive procedure with negotiation	BSO Priority
11	November 2026	webinar	Management of Intellectual Property Rights	BSO Priority

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