

Open Market Consultations – a way to successful Innovation Procurement

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The National Centre for Research and Development

- An **executive agency** of the Ministry of Science and Higher Education of Poland,
- Supporting the development of **innovative technological and social solutions**,
- **Ecosystem** of knowledge and information on **innovations**,
- The largest **support centre for the creation of innovative solutions** in Central and Eastern Europe



The future is happening with us

The National Centre for Research and Development



An Intermediate Body for 2 Programs:

- European Funds for Smart Economy 2021-2027
- European Funds for Social Development 2021-2027



- **National** and **international** Programs
- Programs for **national security and defense**



Support **commercialization**



Our experience in Innovation Procurement

Our experience in Innovation Procurement:

- 12 Pre-commercial procurements
- 2 Innovation partnership procurements
- 1 Grand-challenge competition

Areas of interest:

- **Green and Energy transition**
- **Digital transition**



Pre-commercial Procurements in NCBR

Energy generation and storage

- Innovative biomethane plant,
- Heating plant of the future,
- Combined heat and power plant in the local energy system,
- Hydrogen storage.

Technologies for buildings

- Process and energy efficient building construction,
- HVAC for schools and houses,
- Micro-retention systems,
- Heat and cold storage,
- Electric power storage
- *Domestic wind power plant.

Sustainability

- Sewage treatment plant of the future,
- E-Van - universal delivery vehicle with electric drive.

These projects were funded by the European Funds

*Grand Challenge Competiton

Open Market Consultations in NCBR



NCBR's Open Market Consultation Basics

- **Legal basis:** Article 84 of Polish Public Procurement Law
- Official way to **discuss with the market**
- **Flexibility in terms of organising OMC, including:**
 - the scope of OMC,
 - the rules for conducting OMC (participants, admission criteria, selection criteria, application period etc.),
 - the form of OMC e.g. group meetings, individual meetings, correspondence, video conferences, etc.



Why you shouldn't skip OMC

OMC is crucial for the preparation on innovation Procurement in terms of i.a.:

- clarification of the **scope** of future procurement,
- determination of the **feasibility** of the solution,
- identification of the **capabilities** of potential contractors in terms of developing the solution,
- determination of preliminary assumptions regarding the **budget** and **schedule**,
- raising **market awareness** of future procurement.



Do not forget...

- Contracting Authority is obliged to ensure:
 - that advice obtained under OMC **does not distort competition** or **violate the principles of equal treatment** of contractors,
 - **non-discrimination** and **transparency**.

Market consultations do not necessarily lead to the initiation of proceedings (public procurement).

OMC Case Studies

Market consultation
over several months



OMC based on EAFIP
methodology

Case I – Market consultation over several months

- **OMC** conducted before pre-commercial procurement for Green Deal technologies
- **Goals of OMC:**



Clarification of the subject of the future procurement



Revision of the assumptions for the future procurement



Verification of scale of the market

Case I – Market consultation over several months

- **Duration:** usually 5-6 months with several rounds of meetings with Participants
- **OMC form:** direct face-to-face meetings, video-conferences, telephone conversations
- **Participants:** entities with **experience and expertise in a given subject area** (research institutes, academia, SMEs, startups, inventors, other stakeholders)



Case I – Market consultation over several months

- **OMC Documentation published in the Bulletin of Public Information:**

- Announcement of the OMC,
- Application for admission to participate in OMC,
- Description of the subject of future procurement,
- Information on the Completion of OMC.

OMC report – internal document



Case I – OMC over several months

During the OMC, we discussed in particular:

- solutions available on the market,
- the subject of the future procurement,
- innovations or innovative functionalities that could be developed as part of the expected solution,
- the schedule and costs of R&D works,
- key terms of the contract,
- evaluation criteria,
- other aspects crucial to solving the challenge.



Case I – Market consultation over several months

- **Average number of OMC participants:** 6 – 20 depending on the subject of future procurement.
- Our OMCs let us to **precise the scope and the subject** of future procurement.
- We ended OMC **shortly before launching the procurement.**



Case II – OMC based on EAFIP methodology

European Assistance for Innovation Procurement

- supports public procurers across Europe in developing and implementing innovation Procurement,
- promote good practices in the field of innovation Procurement
- webinars, workshops, toolkits.



NCBR is a beneficiary of EAFIP support

Case II – OMC based on EAFIP methodology

- **OMC** conducted before potential pre-commercial Procurement
- **Goals of OMC:**



Validation of the results of SOTA analysis and technical and financial provisions.



Insights from the industry and stakeholders to fine-tune tender specifications.



Raise awareness in scope of the future PCP.

Case II – OMC based on EAFIP methodology

- **Duration:** 2 months
- **OMC form:**
 - **Questionnaire for Participants** (EU Survey),
 - **2 Webinars** – NCBR and EAFIP Team presentations, Q&A sessions,
 - **E-pitching sessions** – 10-minutes long presentations of participants,
 - **OMC report.**
- **Participants:** all interested parties were invited – i.a. SMEs, startups, end-users, cities and other stakeholders and potential contractors.

Case II – OMC based on EAFIP methodology

- **OMC Documentation published in TED, and the Bulletin of Public Information:**
 - Prior Information Notice – TED
 - Announcement of the OMC – BPI,
 - Registration form,
 - Request for Information – questionnaire,
 - Challenge brief and use cases description,
 - OMC report,
 - Information on the Completion of OMC.



Case II – OMC based on EAFIP methodology

During the OMC:

- We presented our goal, challenge, use cases, PCP approach,
- Participants submitted detailed information on the subject of OMC via questionnaires,
- Participants, who were willing to present their entities and solutions, took part in e-pitching sessions,
- Information collected via questionnaire were summarised in OMC report.



Case II – OMC based on EAFIP methodology

Number of OMC participants: 4

Our OMCs let us to:

- verify defined use cases,
- verify ability of the market to address our challenge,
- deepen state of the art analysis.



Our lessons learnt for OMC



Think which information you would like to get through OMC



Think who may give you such information



Adjust the form of OMC to your needs



Promote your OMC



Act proactively



OMC is not an obligation to launch the procurement

Public Procurement Office support

Polish Public Procurement Office published templates of OMC documentation:

Materialy



REGULAMIN WSTĘPNYCH KONSULTACJI RYNKOWYCH

REGULAMIN-WSTePNYCH-KONSULTACJI-RYNKOWYCH.docx 0.11MB



OGŁOSZENIE O WSTĘPNYCH KONSULTACJACH RYNKOWYCH

OGIOSZENIE-O-WSTePNYCH-KONSULTACJACH-RYNKOWYCH.docx 0.10MB



ZGŁOSZENIE DO UDZIAŁU WE WSTĘPNYCH KONSULTACJACH RYNKOWYCH

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Urząd Zamówień
Publicznych

<https://www.gov.pl/web/uzp/dokumenty-wzorcowe--wstepne-konsultacje-rynkowe>



What's next?

Innovative Public Procurement Project

Project's budget: **113 mln EUR (505 mln PLN)**

Source of financing: **The European Funds for Smart Economy 2021-2027, Measure 2.13 „Innovative public procurement”**

Project implementation period: **1.01.2024 – 31.12.2029**

- Key actions:
- **Launching, in cooperation with public sector institutions min. 15 PCPs** aimed at developing solutions related to the transformation of the European Green Deal and digitization.
 - **Educational activities** in the area of Innovation Procurement dedicated to public sector institutions

Innovation Procurement

NCBR 

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