

New 2016 version of Practical Guide to contract procedures for EU external actions (PRAG)

The main changes introduced are the following:

- Adaptation to the new Early Detection and Exclusion System (EDES), replacing the Early Warning System.
- Adaptation to new definitions and terminology (such as procurement documents, irregular or unacceptable tenders, etc.).
- New terminology concerning the award criteria - “best price-quality ratio” replaces the “best value for money” award criteria

Selection and non-exclusion criteria:

- Reference period increased to 5 years for supply/service contracts and to 8 years in case of works.
- Annual turnover requested from bidders cannot exceed the double of the estimated annual budget of the contract.
- Specific criteria may be defined when a tenderer is awarded several lots.
- New declaration on honour on exclusion and selection criteria. It is compulsory for bidders, members of consortia and capacity-providing entities.
- No pre-financing to be granted when no evidence on selection criteria is provided.
- Clarification added to some relevant cases of conflict of interests.

Negotiated procedures:

- New cases added.
- Possible waiver of having an evaluation committee in some cases of negotiation.
- For extension of contracts, no more limitation to 100%, of initial amount/duration of original contract.

Additional possibilities to modify contracts by simple addendum:

- Complementary activities up to 50% of original contractual amount.
- Unforeseen circumstances up to 50% of original contractual amount.
- Non - substantial changes up to 10%-15% of the initial amount or when enforcing contractual clauses (e.g. price revision).
- New obligation to publish in the EUOJ major addenda to contracts increasing their value.

Award of contracts:

- New compulsory award decision attached to the evaluation report.
- Possibility to include maintenance or disposal costs as components of the price.
- Possibility payment to be made against invoice without prior acceptance of a tender for works less than or equal to 2 500 Euro

Electronic means:

- New models for notices developed to pave the way for electronic publication directly by the services in charge of the call for tenders.

Increased flexibility introduced for the evaluation of service contracts (this change does not stem from revised FR/RAP):

- Wider range for scoring (60%-100%).
- Open range for points given to Organisation and Methodology vs. Experts (60-40 to 40-60).
- Technical evaluation pass mark adjusted to 75 points to cater for different scenarios.

Annexes

- Tender dossier for simplified tender procedure for works added

Please use new 2016 version of PRAG in case of tender procedures launched starting from the 15th of January, 2016 and onward.

This document is not comprehensive. Each partner should be fully aware of the relevant version of PRAG.

The new version of PRAG is published at:

http://ec.europa.eu/europeaid/prag/?header_description=DEVCO+Prag+to+financial+and+contractual+pr ocedures+applicable+to+external+actions+financed+from+the+general+budget+of+the+EU+and+from+t he+11th+EDF&header_keywords=ePrag%2C+europa

PRAG 2016 - track changes version is available at: <http://ec.europa.eu/europeaid/node/101249>