
LEGAL ASPECTS OF EU CALLS SUPPORTING PCP

Lieve Bos
Innovation Policy and Access to Finance unit
DG RTD – European Commission



Public Procurement of Innovative solutions (PPI)



- **When**

- Solution is **almost** on the market or already on the market in **small quantity** but not meeting requirements for large scale deployment yet
- If **clear requirements** and **critical mass of demand** was expressed, industry would provide solutions with required quality / price
- **No need to procure R&D** (more scaling up of production, adaptation / integration with existing solutions etc.)



- **What**

- Public sector acts as **early adopter** (first 20% buyers on market) for the innovative solutions arriving on the market (not widely used yet)



- **How**

- Public sector expresses **demand** for a critical mass of solutions which triggers industry to bring products on the market with **desired quality / price** within a **specific time** (open market consultation, prior information notice)
- After the specified time, and **testing / certification / labelling (optional)**, the public sector **buys a significant volume of solutions**

Pre-Commercial Procurement (PCP)



- **When**

- R&D procurement needed to get new solutions developed, to **de-risk** tech
- Pros / cons of **# solution approaches** not compared / validated yet
- Still **too risky** to commit to go for **large scale deployment**, not possible yet to define final budget and/or final requirements
- Still **too risky** to tie your hands to **specific solutions / suppliers**
- Need to **attract new players** to tackle supplier lock-in issues



- **What**

- Public sector buys R&D to **steer development** to its needs, to collect info about pros / cons of alternative solutions to make specs for a possible follow-up PPI, to create a future competitive supply base

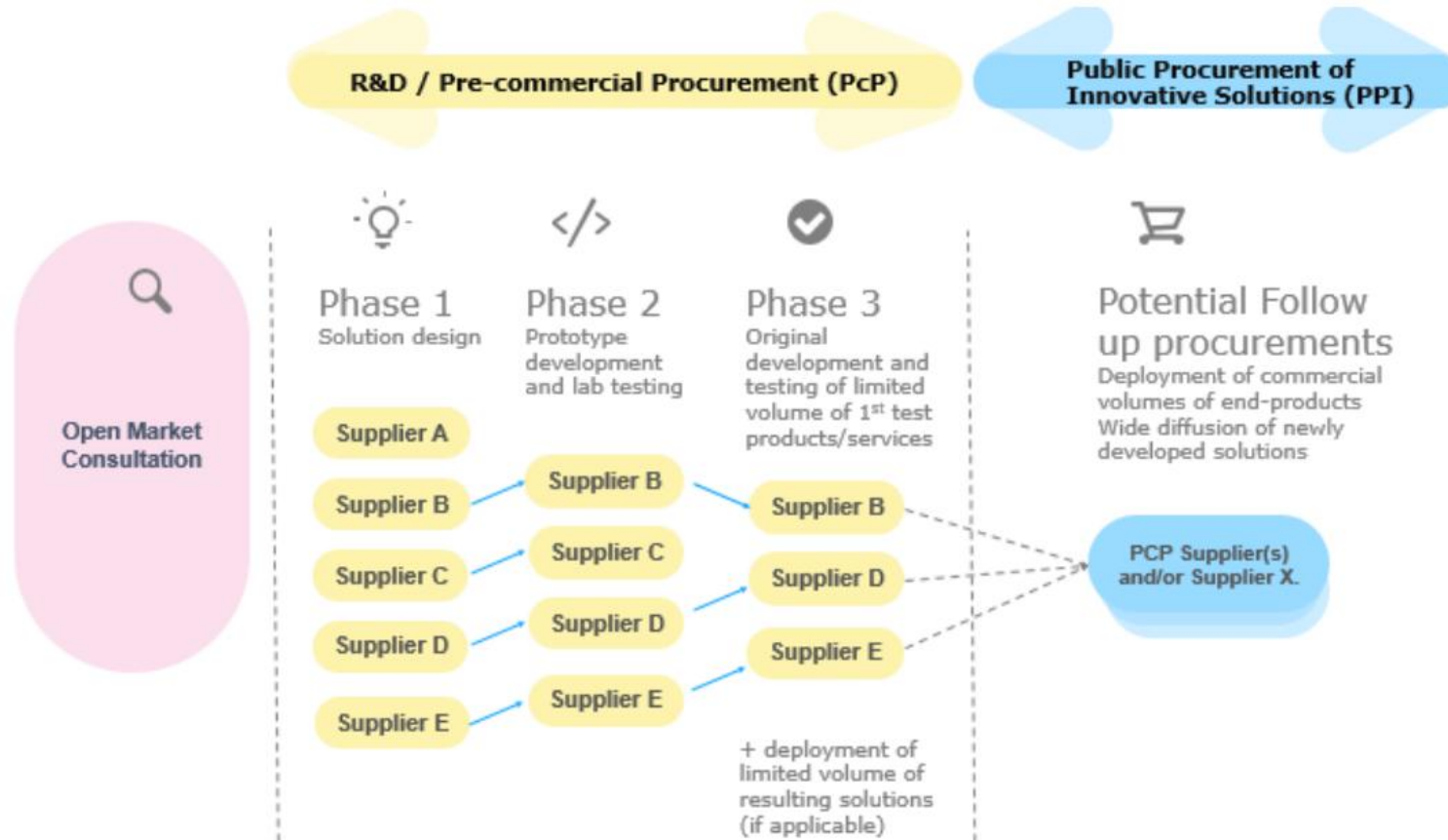


- **How**

- Public sector **buys R&D** from **several suppliers in parallel** (comparing **# solution approaches**) and **possibly also limited volume of solutions**
- and **evaluates progress** after critical milestones (design, prototyping, test)
- and **shares risks & benefits** of R&D (in particular the IPRs) with suppliers to maximise incentives for wide commercialisation

Complementarity PCP - PPI

PCP falls outside WTO GPA, PPI generally does not (open to wider competition, except if exempt)



[More than 1000 public buyers around Europe](#) have already successfully implemented PCPs
PPI uses procurement procedures defined in EU public procurement directives and national law

[Showcase examples of EU funded PCPs](#) and [Showcase examples of EU funded PPIs](#)

How are PCPs opened up to innovative solutions & small companies?

- Open market consultation
- Wide publication & promotion of OMC and call for tenders
- Sufficient time to make offers / form consortia
- No disproportionate selection criteria
- Functional or performance based requirements
- Multiple sourcing
- Phased approach
- Innovation friendly IPR conditions
- Value for money based award criteria
- Early feedback / steering from procurers
- Opportunity to test solutions in multiple countries
- Possibly also first customer reference, deploying ltd set of solutions

Immediate impacts of EU funded PCPs on supply side (132 procurers, 349 companies, 63 univs involved)

- **Opening a route-to-market for new players/SMEs**
 - 61,5% of the total value of all PCP contracts goes directly to SMEs
 - Compared to 29% average in public procurements across Europe

Mostly small young SMEs: 31% below 10 people, 48% below 50 people, 60% less than 10 years old
- **Helping also larger market players bring products to the market**
 - 16% of PCP contracts won by large companies as single bidder
 - 19% of PCP contracts won by consortia of larger companies plus SMEs
 - 73,5% of the PCP contracts won by SMEs (SMEs alone, or as lead bidder)
- **Stimulating cross-border company growth**
 - 33,1% of contracts are won by bidders that are not from a country of any of the procurers in the buyers group (e.g. DE company & ES+NL procurers)
 - Compared to 1,7% average in public procurements across Europe
- **Creating growth and jobs in Europe**
 - 99,5% of contractors do 100% of R&D activities for PCP in Europe
(2 have committed to do minimum 68% resp. 85% of R&D in Europe)

Longer term impacts 'so far' of EU funded PCPs on supply side (132 procurers, 349 companies, 63 univs involved)

- **Commercialisation of solutions (product available on the market)**
 - 86% of Ph3 contractors, 75% of Ph2 contractors and 30% of Ph1 contractors have already commercialised (part of) their solutions
 - 11% of contractors (across Ph1/2/3) still expect to commercialise within 2Y
 - 17% of contractors do not plan commercialisation of solutions
- **Business growth**
 - ~ 50% of contractors already increased their revenues thanks to the PCP solution
 - 24,2% of start-ups have secured equity investment since the PCP
 - 18% of start-ups concluded partnerships with large corporates
- **Exit strategy (62,8% of companies in the PCPs are Start-Ups)**
 - 12,1% of start-ups have undergone a merger or acquisition
 - 3% of start-ups have done an IPO since end of the PCP (1 on NASDAQ)

Examples: Impacts EU funded PCPs

- **Deployment:** 2Y after project end 55% of projects/procurers deployed solutions
- **Improved interoperability:** 60% of PCPs resulted in more interoperable solutions
- **Removing supplier lock-in:** 20% cost reduction & higher quality products
- **Strategic autonomy, security of supply chain:** Several examples for EU companies now being lead providers, not only in EU but also for Asian and US procurers



PCP by Norwegian government resulted in deployment of NO infrastructure (EFTA funding)
The world's first and largest full scale carbon capture, transport and storage facility (CCS).

Once large industry sites around Europe are connected to it (EU Innovation fund), this will reduce by 14% the CO2 emissions across the entire EU by 2030.



2014-2016: PCP by Danish regions & hospitals
Result: Blue Ocean Robotics (Danish startup) created innovative disinfection robots that kill 99% of all viruses & bacteria within 10 minutes.

2020: EU bought 300 of these 'EU made' robots for hospitals around Europe to fight COVID.
Steep worldwide growth, becoming unicorn. Strengthens European position in robotics.

Examples – PCPs and follow-up PPIs



- Supercomputing centers (DE, FR, IT, UK, FI) procured R&D that delivered improvements to make High Performance Computing more energy efficient ([PRACE3IP PCP](#), 2013-15)
- Supercomputing centers procured R&D of improved memory & interactivity capabilities ([Human Brain project PCP](#), 2014-16)
- [PPI4HPC](#) and [ICEI](#) (PPI projects) procured supercomputers with the features developed by PRACE3IP and HBP PCPs.
- This cooperation between supercomputing centers across Europe paved the way for more structural long term joint procurement of supercomputing under the [EUROPHPC Joint Undertaking](#). EuroHPC is the backbone for a € 1 billion joint procurement cooperation that underpins Europe's future HPC ecosystem. Funding for PCPs came from EU R&I programs, now also funding from Digital Europe Programme.



- H2020 funded buyers group of 11 ministries to do [BROADWAY PCP](#) which delivered the EU wide architecture and the tech solutions for today's rollout of European Critical Communication System (EUCCS). This enables EU wide cooperation in crisis situations through one interoperable, secure, modern mobile communication system for all first responders across the EU. Vendor consortia of big and small suppliers (Nokia, Airbus...).
- Internal Security Fund is coordinating roll-out to all MS: Each MS upgrades its outdated national infrastructure + EU deploys the pan-European pillar to interconnect the national systems. Some MS have already procured their national pillar ([see EUCCS deployment map](#)). France already procured it end 2022 for the Olympic games (from Airbus, see article [1](#), [2](#), [3](#)) and is continuing to upgrade it with RFF funds. Finland, Sweden and Norway also procured the national pillar ([Nokia contract Denmark](#), [Finland tests with Nokia and Elisa](#)). In total, all these EUCCS procurements are planned to be completed by 2030 and will amount to hundreds of millions of euros.

HORIZON EU SUPPORT FOR INNOVATION PROCUREMENT

Funding conditions



Types of actions



Coordination and Support Actions (max 100% funding rate)

- Can support procurers to **prepare a PCP or PPI** (e.g. define common needs, perform open market consultation, prepare PCP/PPI procurement)
- Cannot fund R&I activities
- Cannot fund the cost/price of an actual PCP or PPI procurement

Actions with as 'primary aim' the implementation of PCP/PPI procurement by a transnational buyers group (PCP/PPI procurement cost \geq 50% action budget)



PCP Actions (max 100% funding rate)

- Fund actual PCP (1 joint PCP procurement/action) + related activities*



PPI Actions (max 50% funding rate)

- Fund actual PPI (1 joint or # coordinated PPI(s)/action) + related activities*

* To prepare, manage and follow-up the PCP/PPI procurement + embed the PCP/PPI in a wider demand side context (e.g. to test / label / certify / standardise solutions, prepare follow-up procurement, awareness raising and training)

Conditions for participation

ELIGIBILITY

- Min 3 independent legal entities from 3 different Member States or Associated Countries, **min 2 of which are public procurers** from 2 different Member States or Associated Countries. Of these 2 at least 1 is established in a Member State (minimum requirement buyers group)
 - Public procurers are contracting authorities or contracting entities as defined in the EU public procurement directives (see programme guide)



Don't forget the box in the application form that asks you to confirm compliance with this

- Buyers group can contain **additional other type procurers** that are providing services of public interest and share the procurement need
 - E.g. NGOs or private procurers
- Other entities may participate in the action, on condition that they are **not potential suppliers of solutions** sought for by the PCP/PPI and they have no other type of conflict of interest with the PCP/PPI
 - E.g. Assisting buyers in preparing the PCP/PPI, dissemination activities

Role of different actors

- **Buyers group**
 - Buyers group: Procurers (beneficiaries + possibly linked 3rd parties) that provide the financial commitments to implement the PCP/PPI(s)
 - Needs to comply with minimum requirements buyers group! Eligibility!
- **Lead procurer**
 - Beneficiary appointed by buyers group to lead & coordinate the PCP/PPI(s)
- **Other beneficiaries and third parties**
 - Other entities helping the procurers in related activities
 - 3rd parties can provide in-kind contributions to the procurers to implement the PCP/PPI(s) (e.g. resources/equipment needed for testing)
 - Participants can give financial support to 3rd parties (if allowed by the call)
- **PCP/PPI providers**
 - Successful tenderers, selected by the buyers group & lead procurer as result of the PCP/PPI call for tenders, to provide the R&D services (PCP) or innovative solutions (PPI). They do 'NOT' enter the grant agreement

Applicable rules and guidance



General annexes of the work programme

In particular *Annex H: Specific conditions for actions with PCP / PPI*. It applies to all actions that support the preparation and or implementation of PCP / PPI procurements (see above)!



Model Grant Agreement (MGA) and Annotated Model Grant Agreement (AGA)

Annex 5 - Specific rules for PCP and PPI procurements (recalls main points of Annex H of WP)

Article 6.2.D.5 – PCP/PPI procurement costs (specific cost category for PCP / PPI actions)

Article 6.2.B – Subcontracting costs (cost category for R&I / I actions that involve a PCP/PPI)

AGA: Guidance & examples that clarify the obligations from the articles of the MGA



Guidance PCP tender docs, Guidance PPI tender docs

Provides guidance on how to draft the tender documents and notices in line with HE rules



FAQs about PCP actions, FAQs about PPI actions & Horizon Europe Portal replies to FAQs

You can ask more Q&A via the topic page on the Funding & Tenders Portal



Application form PCP actions, Application form PPI actions

Reminds you of what to explain at proposal stage, mandatory deliverables etc.



HorizonEU Programme guide (section on cross-cutting priority ‘innovation procurement’)

High level strategic guidance to help you find your way in how to apply + definition public buyer

Eligible activities

In the proposal, consortium shall already identify a specific challenge in the innovation plans of the procurer(s) that requires innovation + KPIs (targeted quality/efficiency improvements) for the PCP/PPI. Eligible activities:

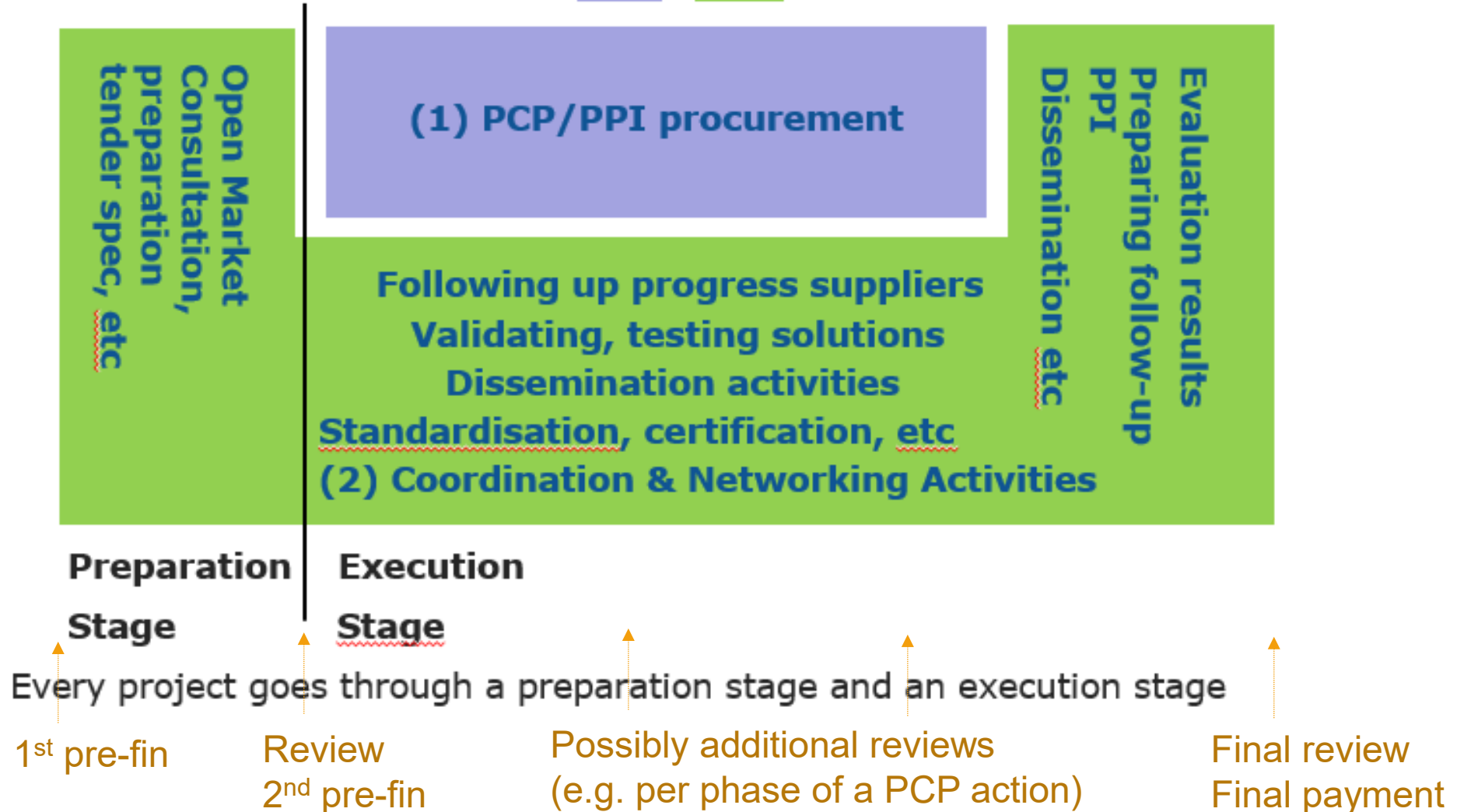
- **Preparation stage**
 - Prep **1 joint** PCP/PPI or **several coordinated** PPI(s) per **PCP/PPI action**
 - Prep **1 joint or individual** PCP/PPI per **R&I/I action**
 - Open market consultation, verifying market readiness to meet the need
 - Outcome: Tender specifications + Joint procurement agreement
 - **Execution stage**
 - Procurement of the R&D services (PCP) or innovative solutions (PPI)
 - Validating performance of solutions for sufficient duration to evaluate impact
 - Assessment & publication of the outcomes of the procurement
 - Confirmation of strategy for dissemination/exploitation of results
- + If relevant to the action, other activities (e.g. preparation of follow-up PPI, testing, contribution to standardisation / regulation / certification, training)

Horizon Europe funding Eligible activities

PCP actions: 100% funding rate*
PPI actions: 50% funding rate
(PCPs in R&I actions) also 100%

PCP / PPI
actions

PCP/PPI actions co-finance (1) + (2)



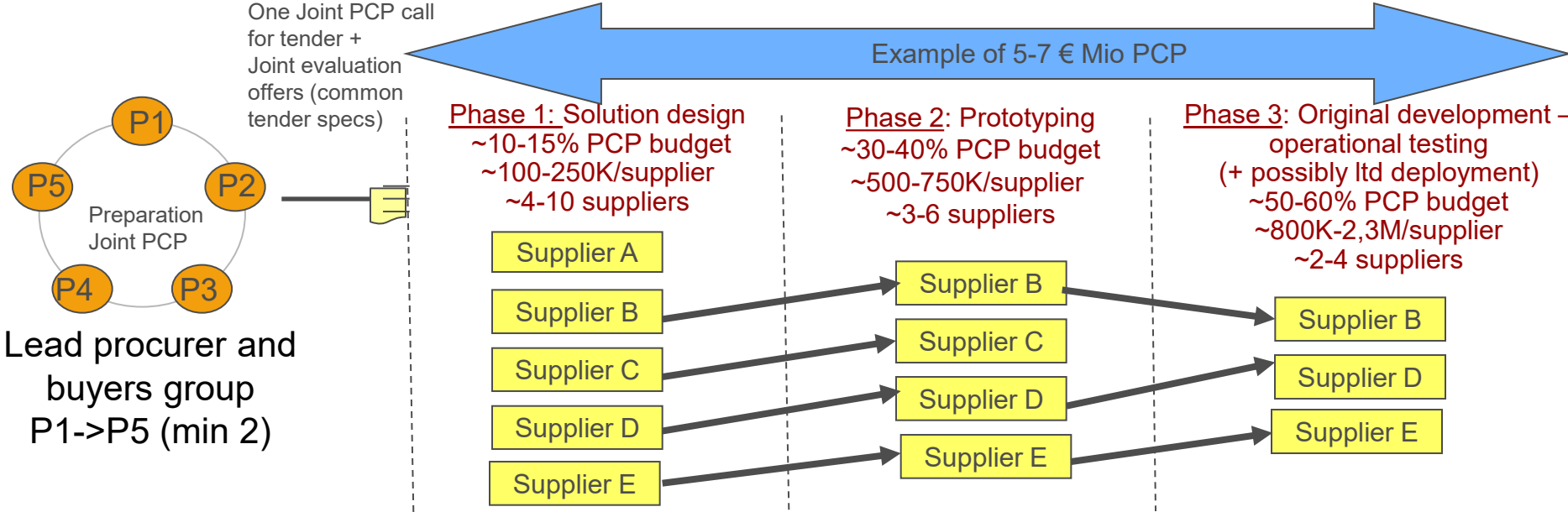
EU contribution

- **Reimbursement rate direct costs: Max 100% of eligible costs (PCP actions) versus Max 50% of eligible costs (PPI actions)**
 - Price of the R&D services (PCP) or innovative solutions (PPI) procured
 - Eligible additional activities
 - May include in-kind contributions (and financial support to 3rd parties, if allowed by call)
 - VAT is an eligible cost unless for beneficiaries that can deduct it
- Flexibility: Consortium may choose to use part of the Union contribution to increase the support to additional activities or the budget for the PCP/PPI call for tender as long as the Union contribution does not exceed the max 100% (PCP) / 50% (PPI) of the total costs.
- Requested funding for additional activities can be max 50% (for PCP and PPI actions) of total requested grant. PCP/PPI procurement cost must be min 50% of total eligible costs.
- **Plus 25% for indirect costs:** But, no indirect costs on the PCP/PPI procurement cost, nor on financial support to 3rd parties
- **Pre-financing:** Yes, 1st pre-financing at start project for costs for preparation stage, 2nd pre-financing before execution stage for costs for rest (incl. call for tender)

Example PCP action

- Example: 5 €M PCP action**

- EU contribution: e.g. 4,3 €M for PCP (procurement of min 4,3 €M) + 0,7 €M for other activities
- EU contribution: Min 2,5 €M for PCP (procurement of min 2,5 €M) + Max 2,5 €M for other activities



IPR allocation

- **PCP procurements:**

- Beneficiaries retain IPR they generate and give each other and other participants (including PCP/PPI providers) access to their background needed for project
- PCP providers retain IPR they generate and buyers group obtains:
 - License free rights to use the results *for their own use*
 - Right to require the PCP providers to grant, or to grant themselves, *non-exclusive* licenses to exploit the results *for the procurers* under *fair and reasonable conditions*, without right to sublicense
 - Call back right: If PCP provider uses results to the detriment of the public interest, including security interests, or fails to commercially exploit the results within a specified period after the contract, then - *after having consulted the PCP providers on why this happened* - the procurers can require the PCP provider to transfer the IPR ownership to the procurers

- **PPI procurements:**

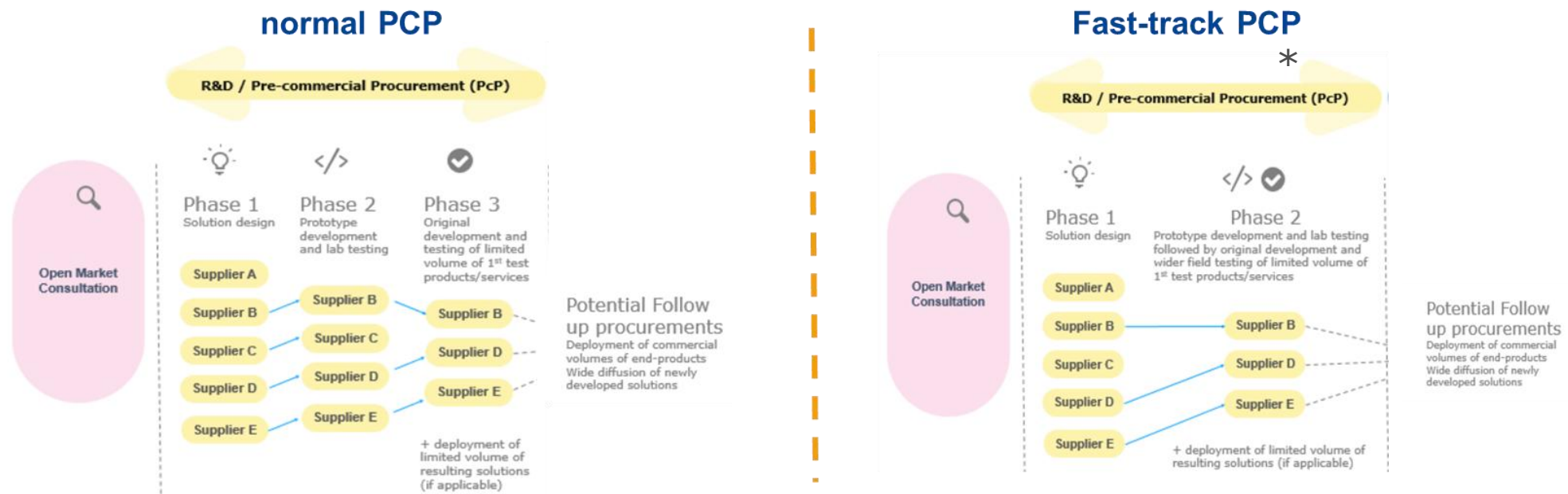
- Similar approach as in PCPs: Ownership of IPR should be allocated to the party generating it, except in duly justified cases (e.g. when party not able to exploit)

EU IPR
action plan
recommends
this for all
procurements
in Europe!

Deployment – Fast track PCP

Procurers should declare in the proposal their interest to deploy at least 1 solution resulting from the PCP (if PCP delivers successful solutions) and indicate if they will:

1. Procure the solution(s) as part of the PCP, or
2. Procure the solution(s) in a separate follow-up procurement after the PCP
3. Deploy solution(s) without procuring (e.g. adoption of open source solution)
4. Financial or regulatory incentives to encourage others to adopt solution



* **Fast-track PCP.** Possibility to combine all development and testing (phase 2 & 3) in one phase.

** If deployment happens after PCP, proposal must include a **deliverable preparing the follow-up deployment.**



Interesting links

Innovation Procurement

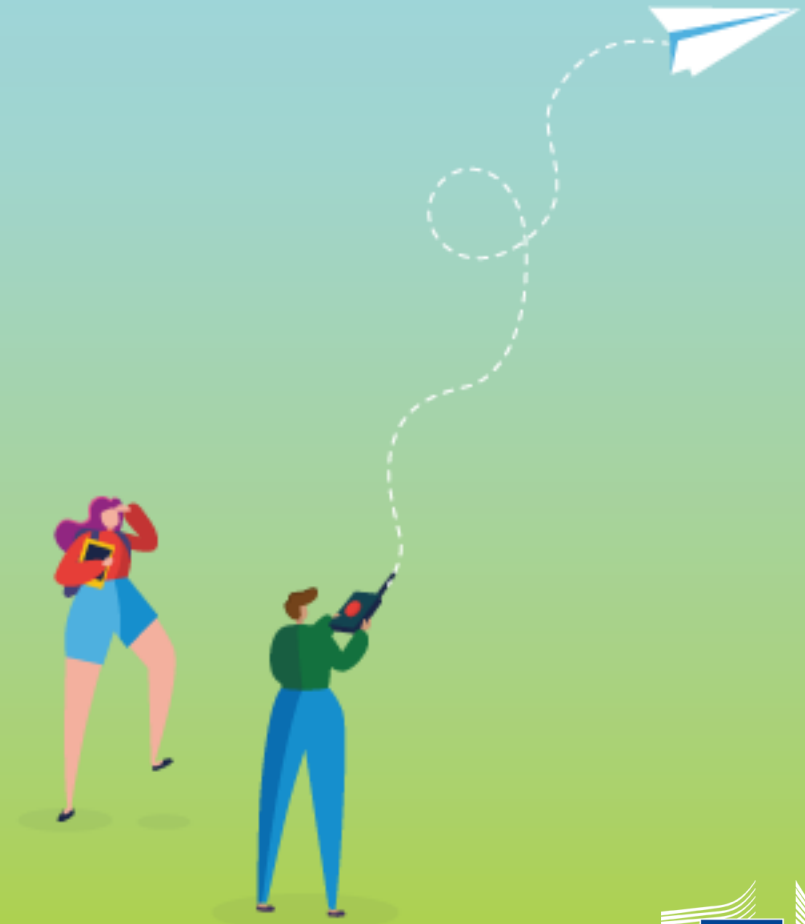
- [How to prepare a successful innovation procurement proposal in Horizon Europe](#) (video)
- Subscribe to the [EU Innovation Procurement newsletter](#) to receive regular info on calls, news etc.
- Examples, info on EU funding etc: https://research-and-innovation.ec.europa.eu/strategy/support-policy-making/shaping-eu-research-and-innovation-policy/new-european-innovation-agenda/innovation-procurement_en

Proposal preparation in general

- [How to prepare a successful proposal in Horizon Europe](#)
 - More info about RIA, IA, CSA actions, types of costs, MGA, evaluation procedure etc.
- [A successful proposal for Horizon Europe: Scientific-technical excellence is key, but don't forget the other aspects](#)
 - Info about Gender dimension, Open Science, Interdisciplinarity, DNSH principle etc.
- [Dissemination & Communication in Horizon Europe](#)
- [The Funding & Tenders Portal for beginners](#)

TOPICS IN SUPPORT OF PCP-PPI

Calls in Horizon Europe WP 2026-2027



2026-27 calls in support of PCP and PPI

Call deadlines in green
Call links underlined

CSA actions 2026 (203,8 M€)

- European network of national competence centers for innovation procurement: 4,5 M€
([HORIZON-EIE-2026-01-CONNECT-01](#); 20/01/2026)

RIA actions supporting PCP

- Innovative solutions for research infrastructures: 110 M€
([HORIZON-INFRA-2026-TECH-01-01](#); 16/06/2026)

PCP actions

- Climate neutral cities: 37 M€
([HORIZON-MISS-2026-04-PCP-CIT-01](#); 20/1/2026)
- Renewable fuels: 40M€
([HORIZON-CL5-2026-11-D3-04](#); 01/12/2026)
- Derisking wave energy technology: 20 M€
([HORIZON-CL5-2026-02-D3-13](#), 17/02/2026)
- Demand led innovation on security: 5,8 M€
([HORIZON-CL3-2026-01-SSRI-02](#); 05/11/2026)

PPI actions

- Innovative solutions for security: 2 M€
([HORIZON-CL3-2026-01-SSRI-03](#); 05/11/2026)
- Access to personalised and integrated care: 24,5 M€
([HORIZON-HLTH-2026-01-CARE-01](#); 16/04/2026)

CSA actions 2027 (110,6 M€)

- Preparing future PCPs on security technologies: 2 M€
([HORIZON-CL3-2027-01-SSRI-02](#); 04/11/2027)

PCP actions

- Climate neutral cities: 26,8 M€
([HORIZON-MISS-2027-04-CIT-05](#); 07/10/2027)
- Demand led innovation on security: 5,8 M€
([HORIZON-CL3-2027-01-SSRI-03](#); 04/11/2027)
- Health adaptation to climate change: 20 M €
([HORIZON-HLTH-2027-01-ENVHLTH-MISSCLIMA-03](#): 13/04/2027)
- Reinforcing synergies between experimentation spaces and innovation procurement (on any topic): 10 M€
([HORIZON-EIE-2027-01-CONNECT-02](#); 15/09/2027)
- Cancer technologies, devices, medicines: 26 M€
([HORIZON-MISS-2027-02-CANCER-05](#); 21/09/2027)

RIA actions supporting PCP

- Innovative solutions for research infrastructures: 30 M€
([HORIZON-INFRA-2027-TECH-01-01](#); 15/06/2027)

Info days for open 2026-27 calls in support of PCP and PPI

2026 (203,8 M€)

RIA actions supporting PCP

- Innovative solutions for research infrastructures: 110 M€ ([HORIZON-INFRA-2026-TECH-01-01](#); 16/06/2026)
-> [Link to material of March 2026 info day](#)

PCP actions

- Renewable fuels: 40M€ ([HORIZON-CL5-2026-11-D3-04](#); 01/12/2026)
-> [Link to material of January 2026 Info day](#)
-> [Extra webinar: 22 June 2026, 10h30-12h00](#)
- Demand led innovation on security: 5,8 M€ ([HORIZON-CL3-2026-01-SSRI-02](#); 05/11/2026)
-> [Link to material of March 2026 Info day](#)

PPI actions

- Innovative solutions for security: 2 M€ ([HORIZON-CL3-2026-01-SSRI-03](#); 05/11/2026)
-> [Link to material of March 2026 Info day](#)

2027 (110,6 M€)

INFO DAYS 2027 calls

- ➔ **Extra webinar upcoming: 2 September 2026** (PCP action on reinforcing synergies between experimentation spaces and innovation procurement)
- ➔ Expected to be taking place early 2027
- ➔ Subscribe to our [innovation procurement newsletter](#), check the [Horizon Europe Info Day page](#) or the [Funding Portals events page](#) (you can subscribe for personalised alerts for specific calls)

Amendment WP2027

- ➔ Expected in Autumn 2026
- ➔ May bring additional calls supporting PCP/PPI
- ➔ **New draft call in proposed WP amendment** (for R&I actions supporting PCP): [HORIZON-NATURE-2027-02-04](#): 13 M€ Innovative solutions to fight wildlife trafficking and to reduce invasion of invasive alien species, 14/01/2027



Thank you!

HorizonEU

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Split between PCP and PPI enables to



Use PPI also if no R&D needed for procurement need

Get 20% better value for money products (US defense data)



Use a small budget PCP to de-risk a large budget PPI

- PPI spec can be 'completely rephrased', benefiting from PCP lessons learnt



Use conditions to create strategic autonomy & growth/jobs 'in Europe'

- Because PCP falls outside WTO rules



Prevent foreclosing competition & crowding out other R&D investments

- Companies that are not financing their R&D via the PCP (e.g. via grants, own internal company resources, other investors, other procurements) can still bid for deployment contracts/PPIs



Facilitates access to procurement market for SMEs

- Gradually increasing contract sizes, tasks, required manpower
- Stringent financial guarantee/qualification requirements: 'no' in PCP, 'ltd' in PPI

... All the above is not the case if R&D is procured as part of/inside large deployment contract