

< Letterhead of the Contracting Authority >

NEGOTIATION REPORT FOR NEGOTIATED PROCEDURES, (PROCUREMENT) AND DIRECT AWARD (GRANTS)

REFERENCE NUMBER: <...>

<Contract title>

Maximum budget: <...>

Contents: Legal basis for the negotiation (or direct award)
Selection of participants
Timetable of meetings/negotiation rounds
List of participants to each of the meetings/negotiating rounds
Description of the negotiation process
Negotiation result
Signatures
Approval by authorising officer

Annex: Correspondence concerning the negotiation letters, e-mail, faxes, proof documents etc.

Deleted: (

Deleted:)

1 Legal basis for the negotiation (or direct award)

<Please indicate the legal basis.

Describe the circumstances justifying the use of that procedure in light of the applicable provisions of the Rules of Application of the EU Financial Regulation (Article 190 RAP for grants, or 134 and 266 RAP for procurement).>

Deleted: to 270

2 Selection of participants

Please indicate the basis for the selection of the participant(s) chosen to negotiate a contract with the Contracting Authority. In particular:

- Criteria/rationale and means used for selecting potential participants
- Number of potential participants contacted
- Participant(s)' compliance of applicable eligibility criteria (e.g. rules of nationality)
- Verification of compliance with the selection criteria
- Verification that the participants are not in a situation for rejection under Section 2.3.3.2. PRAG (to be done before launching the negotiation)
- Number of participants actually selected and consequently invited to negotiations.

Deleted: |

Deleted: |

Deleted: |

Deleted: of exclusion

Deleted: Negotiation report

3 Timetable of meetings/negotiation rounds

	DATE	TIME	VENUE
< Meeting 1 >			
<Etc.>			

4 List of participants to each of the meetings/negotiation rounds mentioned above

Name	Representing

5 Description of the negotiation process

<Describe how the negotiation was conducted, including financial details and possible problems related to such negotiations.

In case of participants beings discarded from the negotiations (e.g. meetings/negotiating rounds), please explain the reason for their rejection, eg. non-compliance with the minimum requirements or with the minimum quality levels specified in the procurement documents, or abnormally low tender.

Deleted: exclusion

In case of indirect management, explain the involvement of the EU Delegation. >

6 Negotiation result

<Describe precisely the outcome of the negotiation. Justify in particular the choice of the successful participant to whom the contract may be awarded including the verification that it does not fall into any of the exclusion situations.>

The signatories have ensured that neither the successful tenderer nor the members of his consortium are listed in the early detection and exclusion system as being in an exclusion situation.

Deleted: warning

In indirect management this has to be verified with the representative of the European Commission.

Deleted: {

Deleted: }

7 Signatures¹

	Name	Signature
Chairperson		
Secretary		

¹ In the case of direct award of low value grants and procurement cases listed in PRAG 2.4.8 where an evaluation committee was not used, or under direct management when a simplified evaluation committee was appointed, this report should be signed by the persons having negotiated the contract. Please adapt signatures accordingly.

Evaluators

Observers

Deleted: Negotiation report

8 Approval by Authorising Officer

Name & Signature:

Date:

[Endorsed by the European Commission only in the case of ex-ante control if the Commission makes the payments under the contract]

Deleted: {

Deleted: }

Name:

Title:

Signature:

Date:]

Not to be used for grants, and for negotiated procedures where an evaluation committee was not appointed according to PRAG 2.4.8.

PUBLICATION REF: <Ref>

<Contract title>

[Lot number and lot title: <number and title>]

Maximum budget: <amount and currency>

The Contracting Authority, having examined the negotiation report prepared by the Evaluation Committee on the <date>, acknowledges that the Evaluation Committee recommends that <tenderer name> is awarded the contract with a contract value of [EUR] [<ISO code of the country of the Contracting Authority> only for indirect management] <amount>.

The Contracting Authority

[approves the negotiation report.

Choose an option:

[Following the Evaluation Committee's recommendation, the Contracting Authority takes the decision to award the contract to <tenderer name>, the latter being the tenderer who provides the most economically advantageous tender while meeting the selection criteria.]

Or: [However, the Contracting Authority cannot follow the Evaluation Committee's recommendation for the following reason(s): <explain>. Therefore, the Contracting Authority takes the decision to award the contract to <tenderer name> which, while meeting the selection criteria <insert the reasons>.]

The recourse to the negotiated procedure was justified by the following circumstances <insert>.]

[has decided not to award the contract for the following reason(s): <explain>.]

Name and signature:

Date:

[Approved by the European Commission only in the event of ex-ante control by the European Commission

Name:

Title:

Signature: