

Innovation Procurement Checklist

	☰ Do's	☰ Dont's
1	Follow a step-by-step methodology- Such as the EAFIP methodology	Fail to comply with the principles of transparency, equal treatment and non-discriminatory
2	Have a proper needs assessment and SOTA-End-user involvement is crucial to the successful identification and assessment of genuine common needs based on use cases	Lack of proper preparation (e.g., EAFIP methodology), needs assessment, SOTA, OMA and business/value case
3	Validate your business/value case	Fall in vendor lock-in: Mistakes in the dissemination strategy (i.e., too restrictive/disproportionate requirements in your tender documents that lead to insufficient numbers of providers)
4	Crosscheck your findings with the market- Key role of the OMC	Fall in prohibitions of state aid (i.e., due to lack of transparency)
5	Mitigate the risk in phases- Recommended PCP approach when TRL of the technology is low	Lack of innovation, green and monitoring clauses
6	Share benefit and risk- Leave the IPR to the contractor for commercial exploitation	
7	Establish clear IPR regime and FRAND: 1) Irrevocable, worldwide, free and non-exclusive license to use the IPRs, the relevant background IP and the results related to the design specifications; 2) Call back clause; 3) Right to ask the contractor to grant licenses to third parties on FRAND terms	
8	Use contract exit clauses (e.g., non-compliance with set KPIs) and VE clauses	
9	Establish governance and monitoring system for the execution of the contract	
10	Foster the participation of SMEs and Start-ups- Be proportional in your requirements	
11	Make sure that the subject matter of the contract refers to innovation and green procurement. Good practice is to mention this aspect in the title of your project.	