

OPEN MARKET CONSULTATION TERMS

MIREO Project

“Integrated Methodology for Energy Optimized Retrofitting”.

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1. Introduction

The Housing and Rehabilitation Agency of Andalusia (AVRA) is a public business agency of the Regional Government of Andalusia, attached to the Regional Ministry of Development, Infrastructures and Territorial Planning, established in 1985 to implement regional housing and land policies. The original name of this corporation, which was born as “Empresa Pública de Suelo de Andalucía”, became history with the approval of Law 4/2013 of 1 October, on measures to ensure the fulfilment of the social function of housing, whose first final provision makes it the Housing and Rehabilitation Agency of Andalusia.

In this context, the MIREO Project “*Integral Methodology for Energy Optimised Refurbishment*” addresses several key challenges for energy improvement in buildings through industrialised and scalable processes. Among the challenges that require solutions with an innovative approach, the following stand out.

AVRA's project seeks to develop innovative tools to accelerate and optimise the energy refurbishment of residential buildings, addressing the technological gaps that currently limit the efficiency of these processes. It aims to bridge the gap between emerging technological advances and their practical application, facilitating operational solutions for the entire ecosystem of public and private actors involved.

To this end, work will be carried out on the development of advanced tools in various key phases of the process: diagnosis and planning with predictive models, automation in the drafting of projects through artificial intelligence and advanced data capture, industrialised and sustainable construction solutions, optimisation of work control with computer vision and artificial intelligence, and efficient monitoring of the impact of interventions. These solutions will reduce costs and execution times, improve sustainability and guarantee the quality and durability of refurbishments, in line with the principles of the New European Bauhaus and promoting an inclusive and collaborative approach.

Considering these unresolved problems, it is crucial to explore the market for innovative and sustainable solutions. It is imperative to develop innovative and sustainable solutions to address the identified challenges.

2. About the body convening the Open market consultation

The Housing and Rehabilitation Agency has incorporated the promotion of innovation as a strategic activity. This initiative is supported by the competence framework set out in Decree 160/2022 of 9 August, which establishes the organic structure of the Regional Ministry of Development, Territorial Planning and Housing (CFATV), as well as the President's Decree 10/22 of 25 July, which confirms the maintenance of the competences of the previous Regional Ministry, then called the Regional Ministry of Development, Infrastructures and Territorial Planning.

It is responsible for the competences attributed to the Regional Government of Andalusia, in matters of:

1. Housing, land, architecture and housing inspection, including the management, control and registration of bonds for rental contracts for housing and use other than housing, and for water, gas and electricity supplies, as well as the development and coordination of assistance policies for people at risk of losing their habitual dwelling in cases of eviction.

2. Mobility and road and transport infrastructures.

3. Research, development and innovation and the higher inspection and control of the quality of building, construction and public works.

4. Territorial and coastal planning, urban planning and territorial and urban planning inspection.

Decree 160/22 also establishes the entities attached to the CFATV, including the Andalusian Housing and Rehabilitation Agency (AVRA). AVRA is a public business agency of the Regional Government of Andalusia, set up in 1985 to implement regional housing and land policies. Its Statutes (Decree 174/2016 of 15 November) describe as functions of the agency, among others, the following:

- The administration and management of the Autonomous Community's housing stock.
- The execution as a public promoter of protected housing actions, both for the promotion of new housing and for rehabilitation.
- The execution of intervention programmes entrusted to it in the field of rehabilitation, renovation or urban recovery.
- The management of the real estate assets owned by the agency, and of those others whose management has been entrusted to it by the Autonomous Administration.
- To carry out activities related to the management of rental guarantees.
- The development of the activities entrusted to it in the field of energy efficiency in building and the promotion of rental housing.

Likewise, it is worth highlighting article 1, section c) of the 2019 Decree originating the competences of the Regional Ministry of Public Works, which includes as its competence, “(...) research, development and innovation and the superior inspection and control of the quality of building, construction and public works”.

In recent years, and especially since the approval of the Europe 2020 strategy, innovation has become a fundamental axis of the activity of all the administrations of the EU member states. In the case of the Autonomous Administration of Andalusia, this new paradigm takes on special relevance due to the direct link between the European Funds and the achievement of the objectives related to making knowledge and innovation the basis of sustainable economic and social growth.

Within the financial framework of the ERDF funds 2014-2020, the Thematic Objective 1 of the Europe 2020 Strategy “*Strengthening research, technological development and innovation*” was framed. The Andalusian Innovation Strategies 2014-2020 (RIS3 Andalusia), approved by the Governing Council on 18 December 2012, aimed to promote excellence in the provision of public services through the incorporation of innovative and sustainable solutions, boost business innovation, strengthen the positioning of Andalusia's innovative solutions using the Andalusian public market as an international launch customer, and make progress in improving Andalusian public spending.

AVRA's objectives

The mission of the Housing and Rehabilitation Agency of Andalusia (AVRA) is *“to implement the land, housing, rehabilitation and sustainable urban development policies of the Autonomous Community, through housing and land development, residential rehabilitation and urban regeneration, management of public housing stock, improvement of energy efficiency, public spaces and facilities and management of rental bonds, with criteria of public interest, innovation, transparency, quality of service, territorial balance, sustainability, social cohesion and priority attention to people in situations of residential vulnerability, in order to make the right to decent and adequate housing real and effective, guarantee a suitable and more sustainable urban environment and correct market deficiencies, in collaboration with local entities, other public bodies and private operators” (Advance of AVRA's Strategic Plan 2023-2027).*

To carry out its mission, AVRA carries out the following lines of action:

- Land promotion. Its basic objectives are to intervene in the land market, to support the processes of execution of urban and territorial planning and to meet the demands of the sectoral policies of the Regional Government of Andalusia. The programme is developed through the promotion of urban development actions and the acquisition and preparation of land for different uses, for sale or for the development of housing by the Agency itself.
- Housing development. Its purpose is to support the development of the Autonomous Community's Housing Plans, focusing on the schemes with the greatest social scope and encouraging the participation of town councils and other public institutions in housing policy.
- Urban and building refurbishment. The purpose of urban rehabilitation is to meet the demand for housing, while at the same time recovering and consolidating the residential and urban heritage; to make more rational use of the current housing stock, incorporating sustainable parameters in housing policy; to defend traditional forms of urban life and to stop the process of eviction of modest economies, reinforcing them with new social fabrics in a balanced composition and, in short, contributing to the recovery of cities.

- Management of the Public Housing Stock. Programme that integrates all activity related to the PPV, management and administration and housing maintenance and conservation interventions, through comprehensive plans that reconcile physical and administrative intervention with social integration.
- Management of Bonds. Management, control and registration of bonds for housing rental and non-housing use and supply contracts for properties located in the Autonomous Community.
- Singular actions. Programme for the promotion and execution of actions of special regional relevance, characterised by the fact that their urban development objectives are associated with other specific requirements of the sectoral policies of the Autonomous Community.

Since its constitution in 1985, and throughout its 40 years of history, the Housing and Rehabilitation Agency of Andalusia has consolidated itself as a key instrument for the execution of the land and housing policies of the Regional Government of Andalusia. In addition, the Agency has contributed to the policies of welfare, integration and social cohesion, to the territorial and urban planning policy, to the economic development of Andalusia and to the policy of innovation, research and environmental sustainability.

3. Public Procurement of Innovation

PPI is a demand-driven innovation promotion instrument. These are tendering procedures governed by the public procurement Directive 2014/24/EU which defines innovation in recital 47: *“The procurement of innovative products, works and services plays a key role in improving the efficiency and quality of public services and at the same time addressing major societal challenges. This contributes to achieving value for money as well as greater economic, environmental and societal economic, environmental and societal benefits through the generation of new ideas and their translation into innovative products and services, thereby promoting sustainable economic growth”.*

This instrument should allow innovative companies to see the public administration as a potential client to which they can offer their innovative solutions through public procurement. It is, therefore, a powerful tool that favours the growth of innovative companies, given that it provides a boost and stimulus to the private sector to make proposals that generate impact and value for the strategic projects of public sector entities. In short, it is a question of achieving a marketable product, of opening up a market for companies, of bringing innovation closer to citizens through public procurement.

The Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement regulates the purchasing procedures for public sector buyers and includes provisions for PPI. The European Directive outlines the following three procedures for PPI:

- a. Competitive procedure with negotiation (art. 29)
- b. Innovation partnership (art.30)
- c. Competitive dialogue (art. 31)

a) Competitive procedure with negotiation and b) Competitive Dialogue

The two procedures are very similar in the process phase: Selection phase, dialogue/negotiation phase/award phase. The main difference between them are as follows:

- Competitive dialogue is used when contracting authorities do not know the technical specifications of what they wish to purchase, and a dialogue phase is needed to develop a technical specification.
- In the competitive procedure with negotiation, technical specifications are already set, but the offer can be negotiated until the final submission.
- Another difference is that in the competitive dialogue is mandatory the use of the most economically advantageous offer criterion.

c) Innovation partnership

The innovation partnership established in the art. 31 of the Directive 2014/24/EU (Article 177 of the Public Sector Contracts Law in Spain) and It includes in a single procedure a contract for R&D services for aims to develop innovative products, services or works and to subsequently purchase the supplies, services or works that operate therefrom, if they correspond to the performance levels and maximum costs agreed between the contracting authorities and the participants to the procedure.

PRE-COMMERCIAL PROCUREMENT

Pre-commercial procurement is excluded from the scope of the EU Public Procurement Directives.

This consists of the purchase of R&D services aimed at achieving a new or significantly improved future product or service. The fundamental objective of the contract is to provide research and development services in a process that allows filtering the technological risks of solutions that do not exist on the market before purchasing them. The R&D services covering activities such as solution exploration and design, prototyping, up to a test phase of a limited volume of first products or services.

4. OPEN MARKET CONSULTATION

4.1. Legal Framework

The Directive n. 2014/24/EU of the Parliament and of the Council, of 26 February 2014, expressly recognises in its article 40, the figure of Open market consultation, with a view to preparing the procurement and informing economic operators about their plans and procurement requirements, prior to the start of the procedure.

The Spanish legal system transposes the Directives of the European Parliament and of the Council 2014/23/EU and 2014/24/EU of 26 February 2014 by Law 9/2017 of 8 November on

public procurement (hereinafter, 'LCSP'). In particular, following the transposition of the aforementioned directive, Article 115 of the LCSP allows contracting authorities to conduct market consultations "for the purpose of properly preparing the tender and informing said economic operators of their projects and the requirements they will require to compete in the procedure".

4.2. Objectives of the Open market consultation

AVRA will review the submitted proposals and may use them, in accordance with the provisions of Article 126 of LCSP, to define detailed functional or technical specifications that may be employed by AVRA in the framework of future procurement procedures.

This OMC (Open Market Consultation) aims to define the specifications for the development of a project that AVRA may submit under Order CIN/676/2023 of the Ministry of Science and Innovation, dated 16 June, which grants public funding under the Innovation Promotion from Demand Line (FID Line) for Public Procurement of Innovation.

AVRA will prepare an Activity Report on the OMC, detailing the actions undertaken. The Activity Report will include the studies carried out and their authors, the entities consulted, the questions posed to them, and their responses, within the limits permitted by the confidentiality requirements of each proposal. The Activity Report will be duly justified, will form part of the OMC dossier, and will be subject to the same publicity obligations, in any case being published on the Contracting Platform of the Regional Government of Andalusia.

In this regard, AVRA has decided to launch this Open market consultation (hereinafter, "OMC") so that, if appropriate and as a preliminary phase before the tendering process for the Project proposed later in this document, the contributions of the various participants in this consultation can be taken into account in the design and preparation of the future tender.

The main objectives of this OMC are:

- a. To identify potential candidates interested in the development of the Project and verify that there is sufficient competitive pressure during the tendering process.
- b. To compare the current state of the art in the market regarding the subject matter of the Project, with the aim of adequately preparing the corresponding tender procedure and considering the responses received.
- c. To clarify to the participants in the consultation the most appropriate Innovation public procurement procedure to address the technical challenges presented.
- d. To verify with potentially interested candidates whether the scope, deadlines, and budgets proposed in this OMC are appropriate for the successful achievement of the expected results.

4.3. Procedure for Participation in the OMC

A virtual session will be held to provide context for the project, during which the Housing and Rehabilitation Agency of Andalusia (AVRA) will discuss the actions carried out in relation to completed projects and other topics related to the "MIREO" Project.

The session will be announced via the procurement platform. It will be recorded and published on AVRA's website, where it will be available for consultation from the day after the session until the deadline for proposal submission. By staying connected to the session, participants express their consent to the recording. Anyone who does not wish to give their consent must disconnect from the session.

The OMC call is open to individuals and legal entities interested in collaborating with AVRA by providing information that improves the definition and scope of the project to be tendered. However, participation does not imply any commitment regarding a potential Public Procurement of Innovation (PPI) or Pre-commercial procurement (PCP).

4.3.1. Submission of Proposals

To standardize and facilitate the development of the consultation, *the "Annex II – Application Form for Participation in the Open market consultation of the 'MIREO' Project"* has been developed. This form will be available at this [link](#) along with this call document.

The submission of proposals must comply with the following basic rules:

I. Participating entities must submit their proposals by completing the application form available in Annex II of this call, which is also accessible on the Public Procurement Platform of the Junta de Andalucía at this [link](#).

II. The documentation must be submitted via email to presenta.mireo.avra@juntadeandalucia.es, with the subject line formatted as ACRONYM_ENTITY_NAME_OMC_AVRA. If the same entity submits multiple proposals, each must be sent separately via email, in accordance with the provisions of this call.

III. Additional supporting documentation may accompany the form to provide more detailed information about the proposal. Such documentation must be limited to a single PDF document with a maximum of 20 A4-sized pages, numbered and including the cover page and index.

IV. The additional supporting documentation submitted by an entity may be fully or partially confidential; however, participants are encouraged to adhere to the provided form to facilitate analysis. AVRA may publish confidential information and documentation only with prior authorization from the entity that submitted the proposal.

V. The maximum file size allowed for the attached proposal document is 10 MB.

VI. Proposals may be submitted from the start date indicated in this call and only while the submission period remains open.

VII. Each proposal must be identified with an acronym, which must be clearly included in the email subject line. Updated versions of a proposal may be submitted using the same acronym, but each new submission will fully replace the previous one (e.g., “projectacronym_v2 (3,4...n)”). Therefore, the new proposal must include all relevant content from previous versions.

VIII. If a proposal is submitted jointly by a group of individuals or entities, this must be indicated in the proposal form. A single representative must be designated to complete the form and act as the point of contact with the contracting authority.

IX. To address any questions from participants in preparation for their proposals, Annex III – Questions Form will be available on the Contracting Authority Profile of the Junta de Andalucía.

X. Participants must submit their questions via email to consultas.mireo.avra@juntadeandalucia.es , using the subject format OMC - QUESTION - ENTITY NAME. Any messages that do not follow this format will not be considered for response.

XI. Responses to OMC-related inquiries will be compiled in a "Questions and Answers" document, which will be made available and periodically updated on the Public Procurement Platform of the Junta de Andalucía.

XII. The question submission period will remain open until three days before the consultation closes.

XIII. To ensure transparency and equal opportunities among participants in a potential subsequent procurement procedure, and in compliance with the LCSP, AVRA may publish relevant information from the proposals not designated as confidential by their submitters in the OMC Project Conclusions Report.

XIV. AVRA is not obligated to finance or accept the proposals submitted in this call. Any costs incurred by participants in preparing and submitting proposals will be borne by them.

XV. Based on the proposals received, AVRA may request clarifications from the participating entities. These clarifications may take place in online or in-person meetings, with a written record of discussions maintained while ensuring confidentiality.

XVI. Once the clarification meetings have concluded, a report summarizing the consultation results will be prepared, detailing the proposals submitted by each participant, the clarifications requested, and any responses received. AVRA is not obligated to accept any proposals submitted through this call.

XVII. This document will be included in the procurement dossier and will be subject to the same publication requirements as the tender documents, being published in any case on the Contracting Authority Profile.

XVIII. Under no circumstances shall the contracting authority disclose the solutions proposed by one participant to others. Only the contracting authority will have full access to all proposals.

4.3.2. Deadline

The period for submitting proposals will begin the day after the publication of this call on the procurement platform of the Junta de Andalucía and will end 30 days after its publication.

This period may be extended if deemed appropriate, in which case all participants in the consultation up to that point will be notified via the email address provided, and the extension will be publicly announced on the contracting authority's profile. Additionally, during the consultation process, updates on its progress may be published.

The consultation will be closed when AVRA determines that:

1. It has gathered sufficient information on innovative solution proposals to launch a potential procurement process.
2. It considers that the challenge has not generated sufficient interest in the market to keep the consultation open.
3. It considers that the opportunity to raise the challenge is no longer relevant.

4.3.3. Publicity and Information

Participants shall provide explicit consent for AVRA to present the conclusions drawn from the analysis of the proposals received in a final consultation results report, ensuring that any issues designated as confidential by each participant are safeguarded.

During the course of this OMC, and with the aim of ensuring transparency and equal opportunities among participants, informative sessions, meetings with participants, and other communication and dissemination activities deemed appropriate may be held.

Participation in this consultation or the exchange of information must not lead to breaches of EU principles regarding transparency, equal treatment, and non-discrimination. Additionally, it must not restrict or limit competition, nor grant exclusive advantages or rights. Furthermore, participation does not grant any right or preference in the awarding of any contracts that may be subsequently concluded. AVRA will take appropriate measures to uphold these principles throughout both this consultation and any potential subsequent procurement procedure.

The Contracting Authority Profile of the Junta de Andalucía will be the primary and main platform for the publication, management, and consultation of the procedure. Additionally, if deemed necessary, AVRA may also use other appropriate and commonly used means of publicity in its procurement procedures.

No financial compensation will be provided to participants for their involvement in this OMC.

4.3.4. Language

The official language of this OMC is Spanish. Likewise, communication with participants during the consultation process, including responses to any questions they may raise, will be conducted in Spanish. However, this document and the *"description of the challenge"* annex have been translated in English.

4.3.5. Personal Data Protection

In compliance with the provisions of the General Data Protection EU Regulation (GDPR) n. 2016/679, AVRA informs participants that:

1. AVRA will be responsible for processing the personal contact data of participants in the process, with the sole purpose of establishing a communication channel with proposers during the OMC process.
 2. The personal data requested will be strictly necessary for the management of contacts with the companies participating in the OMC process.
 3. Participants may contact AVRA's Data Protection Officer at dpd.avra@juntadeandalucia.es
 4. The legal basis for processing personal data is Article 6.1(b) of the GDPR, which states that *"processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract."*
 5. Interested parties may exercise their rights of access, rectification, erasure, data portability, and restriction or objection to processing as detailed in the additional information, which can be found—along with the claim and/or rights exercise form—at dpd.avra@juntadeandalucia.es, specifying *"Exercise of Data Protection Rights"* in the subject line.
 6. AVRA will not transfer personal data to third parties unless legally required to do so.
- [7.] AVRA will store participants' contact details. By submitting and signing the proposal, the proposer expressly consents to AVRA's ability to publicize their participation in the consultation, use the information provided in submitted proposals, and keep it accessible and updated. AVRA will only use the provided information for the purposes stated in point 32.

7.[8.] As a rule, AVRA may use, disclose, and process the information provided by proposers. However, AVRA shall not disclose any technical or commercial information that participants have explicitly designated as confidential.

4.3.6. Confidentiality

To ensure transparency in the process, the availability of as much information as possible, and an effective exchange of experiences and opinions, participants shall expressly consent to AVRA keeping necessary information about their proposals accessible and updated, except for those parts that have been explicitly marked as confidential.

Under no circumstances, during the consultation process, shall the contracting authority or any member of the Technical Group (as defined in Section 6 of this document) disclose to participants the solutions proposed by other participants. Such proposals will only be known by the contracting authority.

To this end, participants must clearly indicate which documentation or technical/commercial information in their proposal is confidential. A general confidentiality declaration or a claim that all information is confidential will not be accepted. This confidentiality protection applies to trade secrets, technical secrets, and confidential aspects of the proposed solutions. However, the content of the information included in the online form cannot be classified as confidential, and only attachments to that form may be designated as such.

AVRA will treat all received data as confidential and undertakes to:

- Use Confidential Information exclusively for the purpose of preparing the OMC conclusions report and, if applicable, for the subsequent development of the procurement procedure, in accordance with Section 8.
- Not disclose Confidential Information to other participants or third parties, nor use it for any other purposes.
- Store Confidential Information separately from any other data.
- Implement internal control procedures to ensure the proper use of Confidential Information.
- Restrict access to Confidential Information only to personnel and/or external consultants who need access for the preparation of the OMC conclusions report and, if applicable, the subsequent development of the procurement procedure.
- Ensure that all personnel and/or external consultants with access to Confidential Information are aware of their confidentiality obligations under this statement.

However, AVRA will not consider the following as confidential:

- Information that was already known before being subject to confidentiality.
- Information disclosed in published materials.
- Information that is generally known to the public.
- Information that must be disclosed by law, court order, or mandate from a competent authority.
- Information for which the bidder has expressly waived confidentiality protection.

The Andalusian Housing and Rehabilitation Agency (AVRA) and any collaborating entities providing technical assistance in procurement procedures resulting from this OMC shall have freedom of use over the content of the proposals submitted for the preparation of the conclusions report and the preparation of the tendering procedure, respecting the confidentiality of any information that has been expressly designated as confidential by the participants and ensuring compliance with the regulations on intellectual and industrial property.

4.3.7. Application of the Principles of Transparency, Equal Treatment, and Non-Discrimination, and Prevention of Market Distortion

Participation in the Open market consultation (OMC), the contacts maintained with participants, and the exchange of information shall be governed by the EU principles of transparency, equal treatment, and non-discrimination. Under no circumstances may these interactions restrict or limit competition or grant exclusive advantages or rights in a potential subsequent procurement process. Failure to comply with these principles may be considered a violation. To this end, AVRA will take appropriate measures to ensure adherence to these principles both during the implementation of this consultation and in any future procurement procedure.

Participation in the OMC does not grant any rights or preferences regarding the award of any contracts that may be concluded following this call. As a result, participation does not entail any obligation for AVRA to finance or accept the submitted proposals. If necessary, AVRA may contact specific participants to gather additional information about their proposals, clarify doubts, or request demonstrations. Additionally, informative sessions, meetings with participants, and other communication and dissemination activities deemed appropriate may be conducted.

Without prejudice to the use of other channels, all updated information regarding the consultation will be available on the Contracting Authority Profile of the Junta de Andalucía/Open market consultations. Any doubts or questions raised by economic operators during the Open market consultation process will be addressed in the Frequently Asked Questions (FAQ) document, which will be published on both the Contracting Authority

Profile and the aforementioned website. This ensures that all interested participants have access to the same information. Any information exchanged with participants within the framework of this consultation that ensures compliance with the principles of transparency, equal treatment, and non-discrimination will be made public. Such information will be published at least through the Public Procurement Platform of the Junta de Andalucía.

Once the consultation has concluded, the OMC Conclusions Report will be published in the Official Journal of the European Union (OJEU) and on the Contracting Authority Profile of the Public Procurement Platform of the Junta de Andalucía, in order to inform the market.

5. Proposed Project: MIREO

To standardize and facilitate the development of the consultation, Annex I has been prepared, which contains the description of the challenges proposed within the "MIREO" Project. This document will be available at [this link](#) along with this call for consultation document.

5.1 Technology Readiness Level of the Project

The solutions that are ultimately awarded under the procurement procedure that may be launched must be based on previous research that is sufficiently advanced to allow for a solid defence of the proposed solution.

In this regard, the TRL (Technology Readiness Level) model will be used as a reference. This model defines different levels of technological maturity, distinguishing the following stages:



5.2 Budget

AVRA intends to define and submit a project under Order CIN/676/2023 of the Ministry of Science and Innovation, dated June 16, which grants public funding under the Innovation Promotion from Demand Line (FID Line) for Public Procurement of Innovation.

The estimated investment for the project is at least €6,000,000 for the following phases:

- Phase 1: Prototype Development
- Phase 2: Internal Piloting and Scaling
- Phase 3: Validation Phase

The commercial deployment phase (Phase 4) is excluded from this budget.

This budget is an estimate and may be expanded based on market responses obtained through this preliminary consultation.

5.3 Project Duration

The project will be executed over multiple years, with a maximum duration of 30 months for:

- Phase 1: Prototype Development
- Phase 2: Internal Piloting and Scaling
- Phase 3: Validation Phase

6. Technical Group

AVRA may rely on other entities deemed appropriate to ensure the proper execution of the OMC and to address any questions or issues that may arise during the process.

For the analysis of the proposals submitted, a Technical Committee may be appointed, composed of personnel from the proposing body and/or other relevant public institutions. This Committee may also seek the opinions of external experts, who may participate in discussions but will not have voting rights in deliberations.

This project is receiving assistance from the SPIN4EIC initiative.

In the Final Conclusions Report, the names of all individuals and entities that have provided technical support to the promoter will be explicitly listed.

7. Outcome of the OMC

AVRA will review the proposed solutions submitted and may use them, in accordance with Article 126 of LCSP, to define the detailed functional or technical specifications that may be used in future procurement procedures for goods or services.

AVRA will document the actions taken within the OMC framework in a Conclusions Report. This report will include a list of entities that participated in the consultation and will become part of the procurement files derived from this process.

8. Potential Tendering of the Project

Based on the contributions made by participants in the consultation, which AVRA decides to consider, the agency may define the technical and/or functional specifications that will serve as the foundation for detailing the contracting object with the necessary level of precision in any subsequent public procurement procedure.

This potential procurement procedure will be open to all offers that meet the requirements of the tender, whether or not the bidder participated in this Open market consultation (OMC).

This information, or part of it, will be published in the final conclusions report of the Open market consultation, to facilitate collaboration between participants as well as with interested parties that did not take part in the consultation.

9. Contract Execution

The awarded offer in the Procurement Procedure will be responsible for executing the contract for applied research and experimental development projects, in accordance with the terms, budget, and deadlines established in the tender documents and the awarded proposals.

During the contract execution, if the contractor fails to meet the established intermediate results, the contract may be terminated. However, the contractor will receive payment for the work completed up to that point.

9.1 Intellectual and Industrial Property Rights

In Annex II – Application Form for Participation in the Open market consultation (OMC) of the MIREO Project, within the designated field, participants must declare any solutions, technologies, processes, or procedures submitted within the OMC framework that are subject to practical or legal restrictions regarding their ownership, availability, or use, due to existing proprietary or industrial and intellectual exploitation rights (such as trademarks, patents, designs, copyrights, or others).

In any case, the use of the content of such proposals will be strictly limited to assessing their functional feasibility for a potential subsequent procurement procedure. Under no circumstances may the contracting object be defined in such a specific and restricted manner that it solely conforms to the technical characteristics of one of the consulted participants, in accordance with Article 115.2 LCSP.

9.2 Dissemination of Results

Both AVRA and the awarded contractors commit to making every effort to promote the results of the project, generating interest among other public authorities and purchasing entities. The objective is to maximize the impact and commercial success of the obtained results, facilitating their adoption and application across different sectors.

This will include the strategic dissemination of the project's progress and achievements, ensuring visibility and utilization in both public and private sectors.