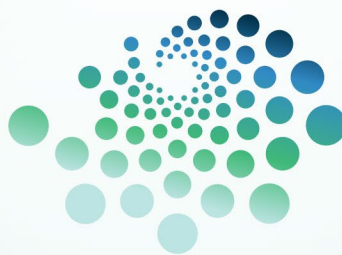


# EuropeWave PCP

Questions and Answers



EUROPEWAVE



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1.0	12/05/21	Responses to queries raised at the market consultation webinar and on PCS prior the webinar	WES
2.0	17/05/21	Incorporating responses to queries raised on PCS following the market consultation webinar. Minor amendments to previous responses.	WES
3.0	29/06/21	Eligibility: Response to PCS1 modified. Proportion of activities to be performed in EU altered to 70% (from 50%) in each phase. PCP budget: Response to PCS5 modified: Phase budgets amended.	



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## Eligibility

PCS 1	We are a Wave Energy Converter system developer/operator in Scotland, but we are a full subsidiary of non-British/non-EU technology in terms of technology-patents-ownership and the R&D resources at the moment. As a "subsidiary" of the international WEC technology company, can we apply for this tender? In other words, 1) Is this tender only for the Scottish company originated WEC technology? 2) Our R&D resources should be located in Scotland or EU countries only? As a subsidiary we do not have much R&D presence in Scotland yet but will organise more resources to develop localisation of the device. Can we still apply this tender? Thanks,	<p>The EuropeWave PCP is part-funded by the EU Horizon 2020 Framework Program for Research and Innovation and as such the request for tenders must comply with the H2020 rules for PCP actions.</p> <p>The EuropeWave PCP is open to all operators on equal terms, regardless of the size, geographical location or governance structure of the operator.</p> <p>However, it is mandated that the majority of the contracted R&amp;D services, including in particular the principal researcher(s) working for the PCP contract, be located in the Member States of the EU or countries associated to Horizon 2020 (an "Associated Country" as defined in Regulation 1290/2013 Article 2.1(3)). This includes the UK.</p> <p>Tenders must satisfy the following requirements relating to the place of performance of the PCP contract:</p> <ul style="list-style-type: none"> <li>• The principal R&amp;D staff working on a PCP contract must be located in the EU Member States or an Associated Country (this includes the UK).</li> <li>• At least 70% of the total value of activities in each call-off contract for PCP must be performed in the EU Member States or an Associated Country (this includes the UK).</li> </ul>
PCS 8	I am a Mexican company, and Mexico has many international commercial treaties including EU, can we participate on the Tender? We have several Pending Patents, and we will fill another one for this specific matter, and we will start with phase one on this tender, if possible.	
PCS 9	We are Russian company with headquarter in Moscow. Can we participate in this call and apply for funding our wave energy conversion project?	
PCS 6	Can UK based entities lead bids (re Brexit)?	
PCS 12	Does the WEC developer leading the bid need to be a limited company, or can it be sole proprietor.	
15.1	Can a company from India participate in the EuropeWave PCP or are there any special requirements?	
70.5	Does a consortium have to involve Scottish, Spanish or European Union partners?	

84.1	Will bespoke remote community systems be considered or will the call be for [larger] utility scale oriented systems?	The EuropeWave PCP is to develop designs that yield a levelized cost of energy (LCOE) that is competitive in the design's target market. The European Commission's Strategic Energy Technology (SET) Plan indicates a progression of LCOE targets over the next fifteen years for utility-scale wave energy projects. Other commercial markets exist that have different price points for a competitive LCOE.
24.1	Is the process open to combined wave/ wind integrated solutions?	The EuropeWave PCP challenge is to develop and demonstrate designs for wave energy converter technology that provide cost-effective electrical power production in the target market, advancing promising designs to a point from which they can be developed to commercial exploitation. The R&D service contracts issued through the EuropeWave PCP will relate to the development of designs for wave energy converter technology. The culmination of the EuropeWave PCP programme will see prototype 'whole systems' deployed at the open-water facilities of the European Marine Energy Centre (EMEC) in Scotland and the Biscay Marine Energy Platform (BiMEP) in the Basque Country.
84.2	Should WEC design proposals be 'stand-alone' systems, or can modular 'integratable' designs be pitched also?	
PCS 20b	Can nearshore/shoreline WEC also participate to the selection?	
50.2	What is the posture on upper TRL level like 5	The meaning of this question is unclear.
PCS 16	Can a company participate with its patented WEC?	Yes.
<b>Consortia</b>		
50.1	Can we have an idea on the ideal consortia for the projects?	Tenders may be submitted by a single entity (with or without subcontractors) or by a consortium or group of entities collaborating in a joint tender (with or without subcontractors).
PCS 21	Are there any special conditions on the composition of the consortium? Number of partners, number of countries, roles ...?	The assembly of a project team (that is, a single entity [with or without subcontractors], or, a consortium / group of entities [with or without subcontractors]) should consider the capabilities required to progress the design of the proposed wave energy converter system to the state specified in the request for tenders.

PCS 2	Is it assumed that a WEC technology developer will lead the bid?	Tenders may be submitted by a single entity (with or without subcontractors) or by a consortium or group of entities collaborating in a joint tender (with or without subcontractors).  A joint tender submission must indicate the role, qualification and experience of each member of the consortium or group, the proportion of the services to be delivered by each member, and, how the consortium or group will operate in respect of the tender.  The consortium or group must select a 'Lead Contractor' who will have the power to sign the Framework Agreement and call-off contracts in the name and on behalf of the consortium or group and will be responsible for the contracts. It is up to the consortium or group to determine the most appropriate entity to act as the "Lead Contractor"  All members of a consortium or group shall be jointly and separately bound to fulfil the terms of the contracts.
PCS 10	We are an installation/O&M engineering consultancy and offshore contractor are we able to provide joint bids to this call with a technology developer?	
48.1	Can you clarify if the awarding contract will be with the Consortium or with the WEC developer?	
8.5	Can we get data on the performance of the device independent PTOs developed in the WES programme, so we might consider using them?	Public information regarding projects in Wave Energy Scotland's power take-off programme is available on Wave Energy Scotland's website [ <a href="https://www.waveenergyscotland.co.uk/programmes/details/power-take-off/">https://www.waveenergyscotland.co.uk/programmes/details/power-take-off/</a> ] and knowledge library. For further details, interested parties should contact the project lead directly.
41.1	Can new members be added to a consortium in later phases?	Where a group (consortium) of operators agree to work together to submit a joint tender, and are successful in being awarded a framework agreement, the composition of the group (consortium) signing the framework agreement cannot be altered.  A joint tender may also include the use of subcontractors, in addition to the operators that form the group (consortium). The group (consortium) may replace or introduce new subcontractors as required, subject to the terms and conditions of the framework agreement. Further details will be published with the request for tenders documentation pack.
PCS 15	Are the members of a consortium expected to be the same during the 3 stages or they can change from one stage to another?	

Entry requirements		
PCS 3	Is it assumed that only novel WECs (at TRL 3-4) can join apply to Phase 1? Or are adaptation to existing WEC technologies, that would require conceptual studies, be eligible for Phase 1 applications?	<p>A design whose state of development already exceeds that anticipated in the final phase of the EuropeWave PCP will be considered where a robust justification exists for returning to a less developed state. For example, where substantial adaptations of the design have been identified that warrant further R&amp;D activities at the concept development stage and have the potential to provide significant improvements.</p> <p>PCP addresses mid- to long-term public procurement needs for which either no commercially stable solutions yet exist on the market, or existing solutions exhibit structural shortcomings that require further R&amp;D activity to resolve. A definition of what constitutes R&amp;D activity is provided in General Annex E of the Horizon 2020 work programme. This definition excludes commercial development activities such as incremental adaptations or routine or periodic changes to existing products even if such changes may represent improvements.</p> <p>Details of the evaluation criteria will be published in the request for tender documentation pack.</p> <p>A certain minimum state of development is expected to be required at the time of submitting a tender, however, it is not possible to indicate what that minimum will be at this time. Feedback obtained during the open market consultation will inform the definition of evaluation criteria that will assess whether a suitable minimum state of development has been demonstrated. The criteria will be published in the request for tender documentation pack.</p>
51.2	It seems as though it is specially focussing new ideas, not so much existing technologies that already have been prototyped and/or demonstrated?	
82.2	Is a technology developer eligible with a new version of device if a first version already has been tested in open sea?	
PCS 19	Assume there is a technology currently at TRL6; a major innovation is proposed, effectively reducing the TRL; if such an innovation has never been directly tested, but it is installed on an otherwise tested device, is the device eligible for EuropeWave?	
6.1	Is the TRL required to participate 3-4?	
78.1	Is completed small-scale testing a requirement to enter phase 1? If so, would a plan to undertake such testing during Q3/Q4 of 2021 be acceptable?	
112.1	Is Proof of Concept a prequalification for phase 1	
113.2	Are there requirements on TRL? Do you have a specific reference for TRL scale?	

Evaluation		
8.1	How and who will decide selection of tenders	An Evaluation Panel will assess tenders against criteria that will be published in the request for tenders documentation pack. The Evaluation Panel will comprise internal assessors, selected from the procurers of the buyers group, and external assessors, independent experts selected through an open procurement procedure.
109.1	How will the evaluation be conducted?	
42.1	How will cost and finance assumptions be verified, as these may have a large impact on LCOE estimates?	The sensitivity of LCOE estimates to the underlying modelling assumptions is appreciated. Assessing the justification of underlying modelling assumptions will be an integral part of the evaluation process.
109.2	The gaps between stages are short. How will the competition for staged progression between stages 1 and 2 and between 2 and 3 be conducted?	Contractors satisfactorily and successfully completing a phase will be invited to submit an offer for the following phase in a call-off competition. The Evaluation Panel will assess the offer against criteria published in the call-off competition.
126.1	How will the weighting of the criteria be in the evaluation of the applications? One may be at TRL 4 but the efficiency and scaling potential is low – or you are at TRL 3 with a large total potential?	The detail of criteria and weightings that will be used to assess the tenders will be published in the request for tender documentation pack.
153.2	Will the call for independent assessors also come out via PCS?	The request for tenders (RfT) for the independent external assessors will be published through the Public Contracts Scotland (PCS) portal. Parties with an interest in bidding for the role should register as a supplier on PCS. Publication of the RfT will be advertised on the EuropeWave website and through EuropeWave's social media accounts.
PCS 14	What are the steps to be taken for a company to participate as an external assessor?	



Intellectual Property		
8.6	Can existing IP be used by the Procurers?	<p>The ownership of pre-existing intellectual property rights (i.e. background) remains unchanged.</p> <p>To distinguish clearly between results generated in the PCP (including the associated intellectual property rights) and background, the contractor will be required to prepare and maintain a list of the background upon which the results generated in the PCP rely.</p> <p>The procurers will have a right to access the contractor's background, under fair and reasonable conditions and on non-exclusive basis, for the exploitation of results generated in the PCP.</p>
47.2	Would the Procurers have a royalty paid, or, a royalty free, licence to foreground IP?	<p>The contractor retains the ownership of results generated in the PCP, including the associated intellectual property rights (i.e. foreground).</p> <p>The procurers will have a right to access the contractor's foreground for their own use on a royalty-free basis.</p> <p>The framework agreement, which will be published with the request for tenders documentation pack, will describe in more detail the rights and obligations of the different parties regarding pre-existing rights (background) and results (foreground).</p>
50.3	If we fully exploit the IPR and develop commercially, will we still be potentially forced to share licencing to 3rd parties if asked by the program?	<p>A contractor will be required to grant non-exclusive licences to third parties to exploit results generated in the PCP under fair and reasonable conditions and without the right to sublicense.</p> <p>The framework agreement, which will be published with the request for tenders documentation pack, will describe in more detail the rights and obligations of the different parties regarding pre-existing rights (background) and results (foreground).</p>

51.3	IP will not be transferred to procurers when technologies are not selected for a next phase?	<p>The Contractor will keep ownership of the results generated in the PCP and of the intellectual property rights (IPRs) attached to them. The Contractor will be responsible for the management and protection of its IPRs at its cost.</p> <p>The Procurers have the right to access the results generated in the PCP, on a royalty-free basis, for their own use.</p> <p>Under the terms and conditions of the PCP framework agreement, the Contractor will have an obligation to take measures to commercially exploit its results for a defined minimum period of time after the end of its final call-off contract. If the Contractor fails to take measures to commercially exploit the results during this period, the Procurers have the right to require that ownership of the results be transferred to them. The duration of this period is envisaged as being four (4) years.</p> <p>The framework agreement, which will be published with the request for tenders documentation pack, will describe in more detail the rights and obligations of the different parties regarding pre-existing rights (background) and results (foreground).</p>
70.4	For our technology 4 years is too much, the worst case scenario is 2 years to get commercial, does it work to get into the project?	<p>Under the terms and conditions of the PCP framework agreement, a Contractor will have an obligation to take measures to commercially exploit the results generated in the PCP for a defined minimum period of time after the end of its final call-off contract. The duration of this period is envisaged as being four (4) years.</p>
78.2	Would IP sensitive information in applications be treated confidentially?	<p>Yes. Internal and external assessors will be bound by confidentiality clauses.</p> <p>However, as public bodies, the procurers are subject to their respective national freedom of information legislation and may be required to disclose and/or publish any information submitted in a tender. Details of the procurers' obligations regarding the handling of commercially sensitive or confidential information will be described in the request for tender documentation pack.</p>

115.1	<p>If IP is not commercially used within 4 years, IP goes to the Procurer. Does this mean that the contractor will then lose rights to the IP generated by themselves? E.g. if they need 5 or 6 years for the commercialisation, they have to ""buy back"" IP from the procurer after 4 years?</p>	<p>Under the terms and conditions of the PCP framework agreement, the Contractor will have an obligation to take measures to commercially exploit its results for a defined minimum period after the end of its final call-off contract. If the Contractor fails to take measures to commercially exploit the results during this period, the Procurers have the right to require that ownership of the results be transferred to them. The duration of this period is envisaged as being four (4) years.</p> <p>The framework agreement, which will be published with the request for tenders documentation pack, will describe in more detail the rights and obligations of the different parties regarding pre-existing rights (background) and results (foreground).</p>
47.2b	<p>Where the Procurers grant licences to 3rd parties, would the 3rd parties pay a royalty for the benefit of the applicant?</p>	<p>The terms of the framework agreement will require the contractor to grant non-exclusive licences to third parties under fair and reasonable conditions, and without the right to sublicense, to exploit the results generated in the PCP. The Procurers will not have the right to grant such licences to third parties directly.</p> <p>The framework agreement, which will be published with the request for tenders documentation pack, will describe in more detail the rights and obligations of the different parties regarding pre-existing rights (background) and results (foreground).</p>
<p><b>Scope</b></p>		
PCS 4a	<p>What conceptual design activities are envisaged in Phase 1?</p>	<p>An overview of the anticipated scope of work was presented at the EuropeWave market consultation webinar. A recording of the webinar is accessible from the project website (<a href="http://www.europewave.eu">www.europewave.eu</a>). Feedback from the webinar may alter this anticipated scope of work. Firm details of the phase 1 requirements will be published with the request for tenders documentation pack.</p>

8.2	Will the design reviews be done by the same party for all participants?	The procurers are considering various approaches regarding the proposed design reviews. Details will be published with the request for tenders documentation pack.
8.3	How and when can we get test site data / wave data?	Details will be published with the request for tenders documentation pack.
8.4	Is there any idea about the aimed for output of the scaled down prototype?	The requirements for the scaled whole-system prototype to be deployed phase 3 will be published in the request for tenders documentation pack.
103.1	Are you focusing mainly on the WEC device or will you require a full wave farm with all infrastructure? In terms of the technical design as well as the LCoE modelling.	The objective of the EuropeWave PCP is to develop designs for a wave energy converter system that will be deployed as a single scaled prototype in phase 3. Economic modelling is expected to consider multiple scenarios on the path to commercial deployments.
21.1	Do you have an idea of economic ranges targeted in terms of MWh production costs?	The EuropeWave PCP is to develop designs that yield a levelized cost of energy (LCOE) that is competitive in the design's target market. The European Commission's Strategic Energy Technology (SET) Plan indicates a progression of LCOE targets over the next fifteen years for utility-scale wave energy projects. Other commercial markets exist that have different price points for a competitive LCOE.
122.2	If an applicant has identified a commercial application that is viable today at > 25 c/kWh will this still be in scope with regards to the 'challenge'?	
70.3	In order to get the cost per kWh, what is the time that you set for amortization of the investment?	The intended project lifetime is commonly used in the calculation of the levelized cost of energy for that project.
122.1	Is 10 euro cents / kWh by 2035 realistically an attractive commercial proposition given offshore wind and solar cost projections?	The target of 10 euro cents / kWh is stated in the European Commission's Strategic Energy Technology (SET) Plan.
8.8	If simulation is extremely difficult can small scale testing replace that?	Small-scale physical model testing and numerical simulation are both important tools in the design development process. It is anticipated that both will be necessary during the EuropeWave PCP.
PCS 17	Will the cost of access to the test sites be determined according to a price list?	Contractors should obtain prices from the test facilities directly.

16.1	Do developers need to select the target test site (BiMEP or EMEC) at initial application (Phase 1)? Or, could this decision be postponed to latter phases?	It is anticipated that the conceptual designs proposed in the tender and developed during phase 1 will be appropriate for both target test sites.
PCS 18	Is it possible to target only one test site, or is it absolutely necessary to prepare an application file integrating the two possible sites?	
103.2	What is your view of numerical tank testing (CFD) as an option to small scale water laboratory testing? I.e. to validate simulation models for performance assessments and load case etc.	It is anticipated that physical model testing will be a requirement in phase 1. Details of the requirements will be published in the RfT.
116.1	Will there be any restrictions for the locations of the model testing proposed in the earlier phases or would any wave basin be eligible for the hydrodynamic behaviour investigation?	The requirements regarding physical model testing, including any restrictions on location, will be published with the request for tenders documentation pack.
PCS 23a	For earlier Phase 1 & 2 where laboratory - pool testing will be done: 1) Are there pre-selected laboratories? In the affirmative case, which would them be?	
PCS 23b	For earlier Phase 1 & 2 where laboratory - pool testing will be done: 2) Are there planned of pre-selected range of scale sizes for such testing?	
<b>PCP structure</b>		
PCS 7	Does an entity need to enter the programme in Phase 1? Or will it be possible for more advanced technologies to enter in e.g. Phase 3?	The selection of contractors is carried out through an open procurement exercise. Contractors whose tenders are successful are awarded a Framework Agreement and a separate call-off contract for the execution of their proposed scope of work for Phase 1.  Thereafter, the award of call-off contracts for subsequent phases is a closed competitive process involving only those contractors participating in the preceding phase and subject to the successful evaluation of the contractor's offer for the subsequent phase.
6.2	Will all the selected projects start with phase 1 independently from their TRL?	

PCS 4b	Will there be calls per topic, as in the WES programme; or is EuropeWave more alike the 'Novel WEC' track of the WES programme?	The EuropeWave PCP is a single joint procurement for research and development (R&D) services to address a single common challenge. In this respect, it is the equivalent of one of the 'tracks' in the WES programme.
70.1	If my technology is easy and simple to implement, can we cut the timeframe of the 3 phases to 18 months?	The duration and timing of each phase will be the same for all contractors.
<b>PCP budget</b>		
PCS 5	Can you please clarify the level of funding that projects will be eligible for?	<p>The EuropeWave PCP is the joint procurement of research and development (R&amp;D) services to address a single common challenge. Contracts are awarded through an open competitive tendering process with tenders evaluated against quality and price award criteria. Tenders are expected to include a technical offer and a financial offer. The technical offer must provide a detailed offer for phase 1 together with proposed plans for and objectives of phases 2 and 3 and beyond. The financial offer must specify a fixed price for carrying out phase 1.</p> <p>The budgeted price (including VAT) and expected number of contracts for each phase are:  Phase 1: €350,000 (seven call-off contracts)  Phase 2: €730,000 (five call-off contracts)  Phase 3: €4,500,000 (three call-off contracts).</p> <p>These details are subject to change and will be confirmed in the request for tender documentation.</p>
47.3	Under PCP there is a 100% funding target. Would applicants be permitted to fund themselves in excess of PCP funding if project costs exceed the PCP cap?	Yes. PCP is the purchase of research and development (R&D) services through an open competitive tendering process. Tenders must provide a technical offer setting out the proposed scope of work and a financial offer setting out the price for delivering that scope of work. The technical and financial offer are evaluated against quality and price award criteria to ensure the procurer obtains value for money. A bidder may prepare its financial offer as it sees fit.

## Request for Tender

67.1	When will the call documents be available?	The publication of the request for tenders is scheduled for the end of June 2021. The precise date will be advertised on the EuropeWave website ( <a href="http://www.europewave.eu">www.europewave.eu</a> ), on the Public Contracts Scotland portal, and various social media channels. Organisations registering an interest in the Prior Information Notice on the Public Contracts Scotland portal ( <a href="http://www.publiccontractsscotland.gov.uk">www.publiccontractsscotland.gov.uk</a> , PCS reference: FEB408104) will be notified of the publication of the request for tenders automatically.
67.2	Shall we be asked to determine in our bid a budget for each of the 3 phases?	The tender's financial offer must specify a fixed total price for executing the phase 1 scope of work and is expected to provide estimated prices for phases 2 and 3. Further details will be published with the request for tenders documentation pack.
PCS 13	Will we be asked to determine in our application file a budget for each of the 3 phases?	
84.4	Can an applicant (or consortium) submit more than one proposal?	There are no restrictions regarding the number of tenders an organisation may submit or be a party to.
126.2	Can you say anything on how extensive the application will be? E.g. any limit of number of pages? Can you compare it with any other "typical" EU call?	Not at this time.

General		
PCS 11	How will the EuropeWave project support the WEC developers? With grants or services? Will you select a pool of engineering companies to provide these services?	The EuropeWave PCP is the joint procurement of research and development (R&D) services to address a single common challenge. Contracts are awarded through an open competitive tendering process with tenders evaluated against quality and price award criteria. Tenders are expected to include a technical offer and a financial offer. The technical offer must provide a detailed offer for phase 1 together with proposed plans for and objectives of phases 2 and 3 and beyond. The financial offer must specify a fixed price for carrying out phase 1.
30.1	What are the distinctive features sought in EuropeWave that have not been met by the successful applicants of the WES NWEK calls?	The EuropeWave PCP challenge is to develop and demonstrate designs for wave energy converter technology providing cost-effective electrical power production in the target market, advancing promising designs to a point from which they can be developed to commercial exploitation. The R&D service contracts issued through the EuropeWave PCP will relate to the development of designs for wave energy converter technology.
47.1	Is this program in addition to the €15M Horizon Europe facility in which one single amount would be allocated to 1 project?	Yes. The EuropeWave project is funded through the European Commission's Horizon 2020 Programme under the topic LC-SC3-JA-3-2019 [European Pre-Commercial Procurement Programme for Wave Energy Research & Development]. This is distinct from the topic HORIZON-CL5-2021-D3-01-01 [Demonstration of wave energy devices to increase experience in real sea condition] in the European Commission's draft work programme for the Horizon Europe Programme.
51.4	We would like to discuss our plans with the EuropeWave consortium, how do get in contact with you directly?	Organisations had the opportunity to comment on the proposed scope of the EuropeWave PCP using the questionnaire circulated after the market consultation webinar. While the deadline for responding to the questionnaire has expired, further questions may be submitted via the Public Contract Scotland portal's Q&A facility once the Contract Notice is published.



89.1	If we want to stimulate next generation innovation, especially from lessons learned in current and prior WES projects, there may be some new projects coming through at TRL 1-2 that could be ground-breaking, it feels like the TRL4 cut-off inhibits fresh ideas from coming through (although I understand that there may be H2020 constraints)	The EuropeWave project is funded through the European Commission's Horizon 2020 Programme under the topic LC-SC3-JA-3-2019 [European Pre-Commercial Procurement Programme for Wave Energy Research & Development]. The objectives of this topic have influenced the proposed structure for the EuropeWave PCP and achieving a minimum state of development prior to entry is considered necessary. Other European and national programmes exist for supporting earlier stage technology development.
PCS 20a	Will the organization of the call also provide scientific/technological staff or support to the selected projects?	No.
PCS 20c	Who are the public entities involved in the call?	The EuropeWave buyers group consists of Wave Energy Scotland and Ente Vasco de la Energía (the Basque Energy Agency).
PCS 22	Will the buyers provide coaching to the suppliers during phases 1&2?	No.
<b>Business to business networking</b>		
48.2	Will the EuropeWave consortium be providing opportunities to encourage networking before the tender submission deadline, e.g. a brokerage event?	A business-to-business networking facility will be established to assist the formation of consortia. This is expected to 'go live' prior to the publication of the request for tenders and will be advertised on the EuropeWave website ( <a href="http://www.europewave.eu">www.europewave.eu</a> ) and various social media channels.
58.1	How does one get involved as a designer/manufacture of a subassembly (and not the overall WEC)?	
153.1	Are any Business-to-Business sessions being planned to assist the formation of consortia?	