Contract Deliverables

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4.4 Contract Deliverables

Contractual deliverables are defined during the preparation of the Contract (or Request for Service in the case of Specific Contracts under Framework Contracts). Following the awarding and the signature by both parties (i.e. Contractor and Contracting Authority) of the Contract, the Contracting Authority (following a prior agreement with the Contractor) **sets the effective start date** of the Contract in the system, and the implementation of the Contract begins.

OPSYS automatically updates the contractual deliverables (as defined with their indicative due dates during the contract preparation or request) with their effective due dates once the effective start date of the Contract is known.

> ⚠ Please note that the system will generate as many placeholders as deliverable types and periodicities required in the **Deliverable Submission** section of the contract preparation or request.

The Contractor uploads and submits the required contractual deliverables, by the effective due dates and following the schedule of the Contract accessible in the Funding & Tenders Portal. The deliverables can then be commented and/or validated by the Contracting Authority. The Contractor has the sole responsibility to deliver the required deliverable(s), or in the case of a Consortium, this responsibility lies with the Consortium Leader. The Contractor must also ensure a quality control of the required outputs, before delivering them.

4.4.1 Define Contract Deliverables

Deliverables are contractual, as they are defined at the level of the preparation of the Contract or Request for Service, and form an integral part of the execution of the Contract. For Framework Contracts, the required deliverables are generally identified at the level of the Framework Contract, but are distinctly detailed in the specific ToRs for the individual assignment.

Deliverables must therefore be defined for each specific assignment, are encoded in OPSYS by the Contracting Authority during the preparation of the Contract or Request for Service, and their effective management is a requirement for the good execution of the Contract.

Each assignment may require multiple deliverables, each characterised by type (e.g. report, data set, document, assessment, study, etc.), by language, by periodicity (once or intermediary – interim), period delimiter (amount of day(s), month(s) week(s), year(s)), and by defining point of implementation (start of project, end of project).

For example, Inception Report within 7 Day(s) from the project starting date.
Contractual deliverables are also closely aligned with the provisions (planning) of invoices and payments.

4.4.2 Effective Start Date of the Contract

Following the e-signatures of the Contract, the **Contracting Authority sets the effective start date of the project in OPSYS**. There is no deadline in the system to set the effective start date, and it should be done after the confirmation of the effective starting date of the project date by the Contractor.

Before entering the effective starting date in the system, a formal communication between the Contractor and the Contracting Authority is required, informing the latter of when the implementation of service(s) will effectively start. This communication is done via e-mail, and therefore outside of OPSYS. The effective start date of the Contract is also the principal reference date, from which the system can calculate the end date of the project, and schedule the deadlines and/or periodicity of the contractual deliverables set during the preparation of the Contract or Request for Service with respect to the reference date(s).

4.4.3 Upload or Revise Contractual Deliverables

Contractual deliverables are uploaded to the Contract by the Contractor – in the case of a Consortium, the Consortium Leader – via the **Funding and Tenders Portal**. The Contractor will receive a notification by e-mail of an approaching due date of a deliverable. The notification e-mail will invite the Contractor to upload the deliverable by following the link to the Contract in the notification. The Contractor can also directly access the Contract via the Funding and Tenders Portal. The Contractor will again receive a notification e-mail when the due date of the contractual deliverable has been reached.
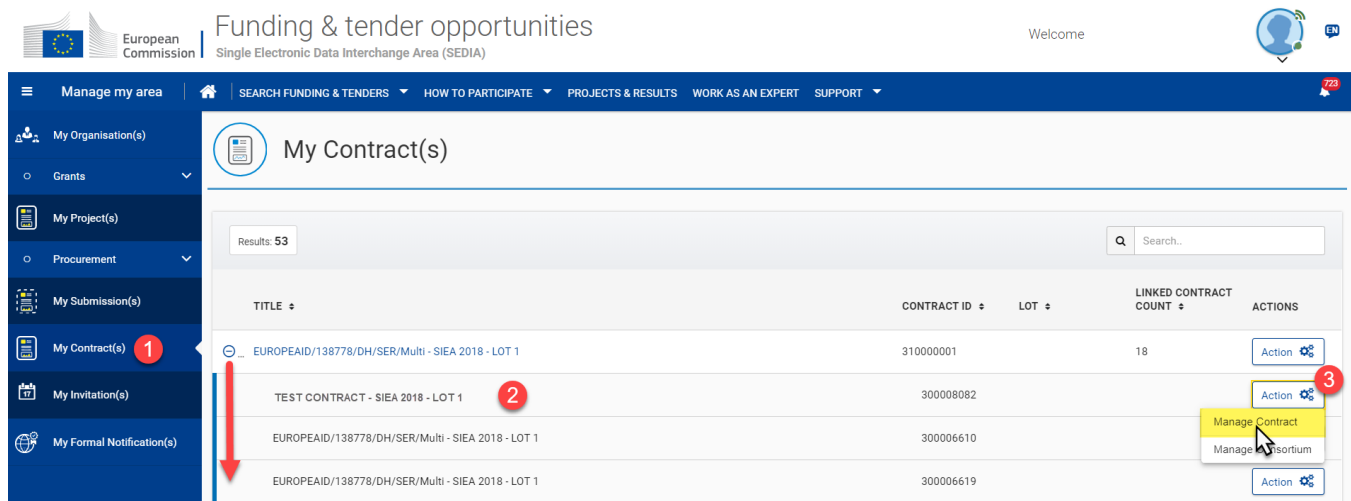
Once the deliverable has been uploaded and submitted, the status of the deliverable submission is updated, and the Contracting Authority is notified by e-mail requesting a submission approval. The Contractor may also be required to revise the deliverable submission if requested by the Contracting Authority.

ⓘ

How to upload a Contractual Deliverable to the Funding and Tenders Portal

To upload a Contractual Deliverable, as the Contractor of the Contract:

1. In the Funding and Tenders Portal > **My Contract(s)** (**1**), use the search and/or expand the list by clicking on the **plus** icon ⊕ to find the Contract (**2**);

2. Click on the "**Action**" button (**3**) and select the "**Manage Contract**" option from the drop-down list;
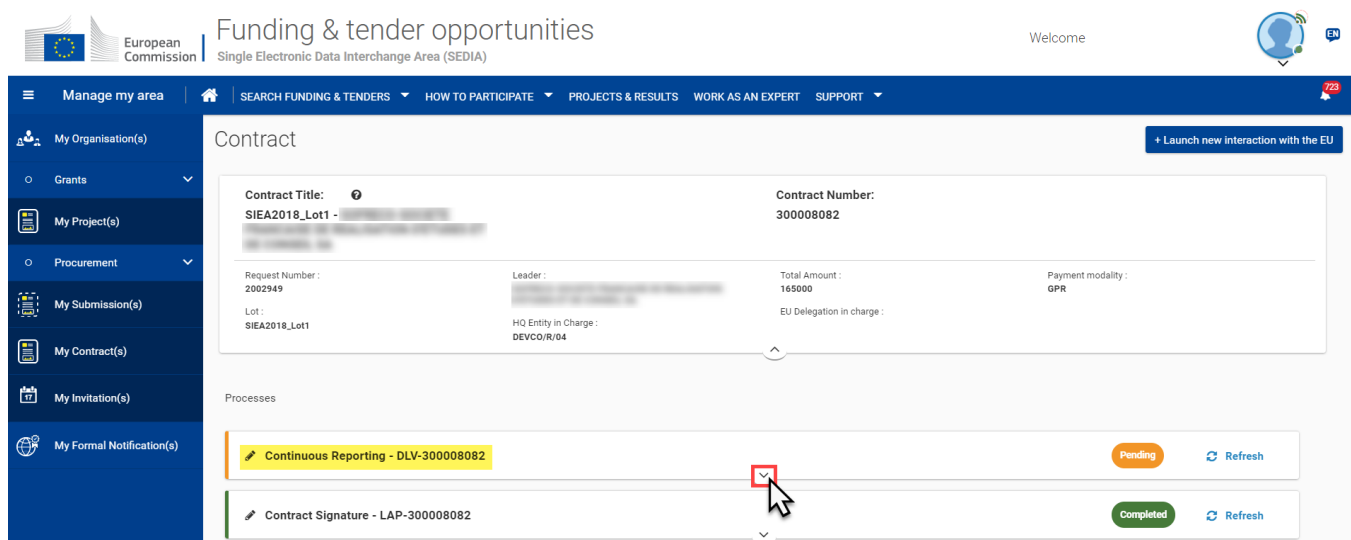
3. On the **Contract** page > **Processes** section, click on the **down arrow** icon ⌄ of the **Continuous Reporting** panel to expand the panel and view the details.

4. In the **Continuous Reporting** panel, click again on the **right arrow** icon ＞ to expand the *second-level* **Continuous Reporting** panel, and then click on the "**Manage Deliverables**" button to access the **Deliverable Submission** page.

On the **Deliverable Submission** page, notice that each required deliverable is represented by a task panel, with the system reference number, deliverable type, due date, submission date and status indicated.

Each panel also has an overall status indicator on the left represented as a colour:

- **Green** for accepted
- **Orange** for within due date **or** pending an action (upload, submission, acceptance, revision)
- **Red** for past due date **and** pending an action (upload, submission, acceptance, revision)

⚠ Please note that you may still upload a contractual deliverable even if the due date has passed. This can only be done for exceptional cases, and if the case, please provide a justification as a comment to the Contracting Authority (see point 7. below).

5. For the deliverable, click on the **right arrow** ❯ icons to expand the panels, and then click on the "**Actions**" button of the deliverable and select the "**Up load**" option.

6. *Drag-and-drop* the deliverable document (in PDF or ZIP format) to the drop zone in the **Upload your files** pop-up window, or click on the zone to select the file on your computer, and then click on the "**Upload**" button to upload the file.

Once the deliverable is uploaded (**1**), the status changes from "**Pending**" to "**Uploaded**".

7. *Optional -* You can add a comment if required by clicking on the "**Add Comment**" button (**2**), and enter your comment in the **Comment** field (**3**). Save any comments by clicking on the "**Save**" button (**4**). Edit or delete any comments by clicking on the corresponding **edit** or **delete** icons.

> ⓘ   Please note that **all deliverable submission comments** for the Contract are visible to both the Contractor and the Contracting Authority.

8. Remember to submit the deliverable to the Contracting Authority for acceptance by clicking on the "**Submit**" button (**5**) *above*.

Repeat steps 5 to 8 above *if required and if multiple deliverables are due for the current date/period.*

Following the submission of the contractual deliverable to the Contracting Authority:

- The status changes from "**Uploaded**" to "**Submitted**";
- The status colour is updated to **orange** as an action is pending, which in this case is the approval by the Contracting Authority;
- A notification e-mail is sent to the Contracting Authority, informing them that a deliverable has been submitted, and is waiting for their approval.
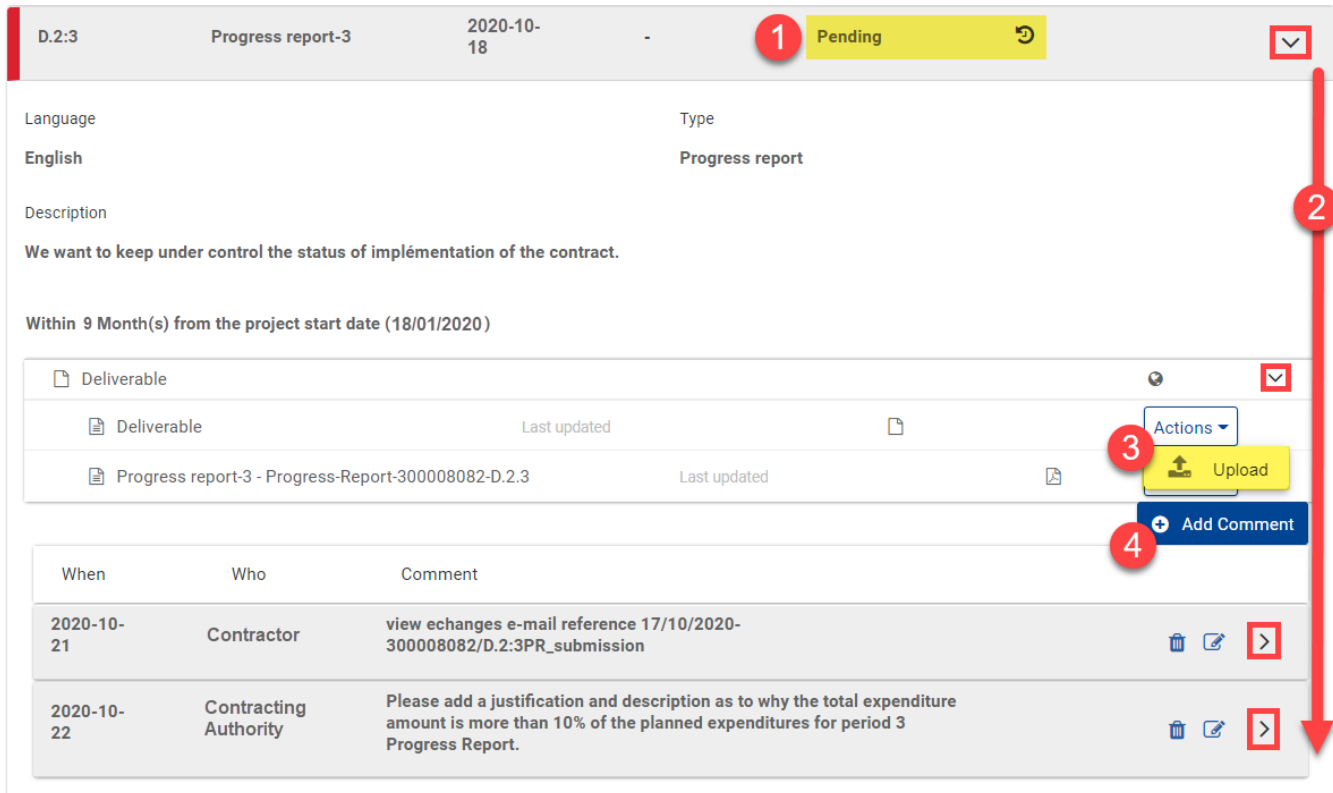
How to revise a Contractual Deliverable in the Funding and Tenders Portal

If a revision of the deliverable submission is requested by the Contracting Authority, the status will go back to "**Pending**", the panel will be indicated as **oran ge** (or **red** if the due date has passed), and a **request review** icon 🕓 is displayed (**1**) for the deliverable. A notification e-mail is sent to the Contractor requesting them to revise the deliverable submission and send it back to the Contracting Authority for approval.

As the Contractor of the Contract:

1. Find and access the "**Pending**" deliverable submission as instructed in **steps 1 to 4 above**;

2. For the deliverable, click on the **right arrow** icons ❯ to expand the panels (**2**) to view the details and comments;

3. To apply modifications for the revision:

- Click on the "**Actions**" button of the deliverable and select the "**Upload**" option (**3**) to upload a new corrected/modified version of the deliverable submission; **and**

- Add comments by clicking on the "**Add Comment**" button (**4**) for additional information and/or clarifications.

A **new version** of the deliverable submission is added to the contractual deliverable, and the status changes from "**Pending**" to "**Uploaded**".

How to submit the revised Contractual Deliverable

1. For the **revised** deliverable, click on the **right arrow** icons ❯ to expand the panel (**2**) again to view the details and comments, including the new version in the *list* of **deliverable versions** (**3**) *above*;

2. Click on the "**Submit**" button to **submit the revised deliverable** to the Contracting Authority.

Following the submission of the **revised** contractual deliverable to the Contracting Authority:

- The status changes from "**Uploaded**" to "**Submitted**";
- The status colour is updated to **orange** as an action is pending, which in this case is the approval by the Contracting Authority;
- A notification e-mail is sent to the Contracting Authority, informing them that a deliverable has been submitted, and is waiting for their approval.

4.4.4 Approval of Contractual Deliverables

The approval by the Contracting Authority of contractual deliverables forwarded by the Contractor certifies that the Contractor complies with the terms of the Contract.

In most cases, payments (interim or final) are based on the approval of the contractual deliverables. A partial payment must be determined according to the partial implementation of the outputs.

If a deliverable is to be approved by the Contracting Authority, and is subject to a request for modifications by the Contractor, the Contracting Authority must indicate the period allowed for the modifications requested.

If the Contract is performed in phases, the implementation of each phase will be subject to an interim deliverable submission and subsequent approval by the Contracting Authority of the preceding phase, except for where the phases are carried out concurrently.

The time limit allowed for the Contracting Authority to approve contractual deliverables will be considered included in the time limit allowed for the corresponding payments, unless otherwise specified in the special conditions of the Contract.

Once the deliverable has been uploaded, the status of the deliverable submission is updated, and the Contracting Authority is notified by e-mail requesting a submission approval. The Contractor may also be required to **revise the deliverable submission** if requested by the Contracting Authority.

4.4.5 Amending Contractual Deliverables

As deliverables are contractual, they form an integral part of the execution of the Contract, and are distinctly detailed in the specific ToRs for the individual assignment. Therefore, any modification to contractual deliverables require an **Amendment to the Contract** with **Amendment Type AT8**.

Examples of modifications to contractual deliverables include:

- The ToRs are correct and both parties have signed the contract, **but deliverables and dates have been wrongly encoded in the system**;
- Any modification to **deliverable submission dates**;
- Deliverables are defined in the ToRs (Part B), **but they have not been encoded in the system**;
- etc.

1. If the ToRs for the Contract are **correct**, the **Contractor** or **Contracting Authority** can initiate the Amendment process, select the **Amendment Type AT8**, and then select the **Deliverables** tab in the Amendment to apply the modifications.

2. If the ToRs for the Contract are **incorrect**, the **Contracting Authority** will need to initiate the Amendment process and select the **Amendment Type AT8**, as not only the **Deliverables** tab in the Amendment needs to be updated with any possible modifications, **and** the *corrected* ToRs will also need to be uploaded to the **Documents** tab of the Amendment.

Contract Signature
Contract Amendments