In the context of the procurement process for the delivery of a study on ‘the Commission assessment of future market entry, expansion and imports in EU merger decisions’ the committee evaluating the tenders assessed the received offers against the selection criteria specified in the procurement documents. In line with the above, the committee considered all the information available to them and concluded that RBB Economics (RBB) possessed the required professional capacity to perform the contract to an appropriate quality standard.

Following the opening of an inquiry by the European Ombudsman into how the Commission assessed the risk of potential professional conflicting interest in this procurement, the Commission has informed RBB on 27 July 2023 of its intention to terminate such procurement contract. The Commission considers that the study may be perceived as biased by certain stakeholders and would therefore not have the value which the Commission was seeking to obtain.

The termination of the contract will allow the Commission to conclude the study, either with the help of a different contractor or exclusively with own resources, in a way that avoids any perception of lack of independence and objectivity.