



# The Modernisation of EU public procurement policy

Single Market Act for a highly competitive social market economy





# The Single Market Act commitment

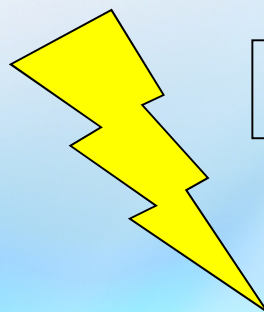
*“Revised and modernised public procurement legislative framework, with a view to underpinning a balanced policy which fosters demand for environmentally sustainable, socially responsible and innovative goods, services and works. This revision should also result in simpler and more flexible procurement procedures for contracting authorities and provide easier access for companies, especially SMEs.”*





# Trade-offs

Simpler/ more  
flexible procedures



Strategic use

Sound procedures

Better access (SMEs, cross-  
border trade)

Governance / professionalization of procurement





# Preparatory works

- Comprehensive **evaluation** of the impact and effectiveness of EU public procurement legislation (published 24.06.2011)
- Public **consultation** by Green Paper on the modernisation of EU public procurement policy, (synthesis of replies published 24.06.2011)
- **Conference** on the modernisation of EU public procurement policy (30.06.2011)



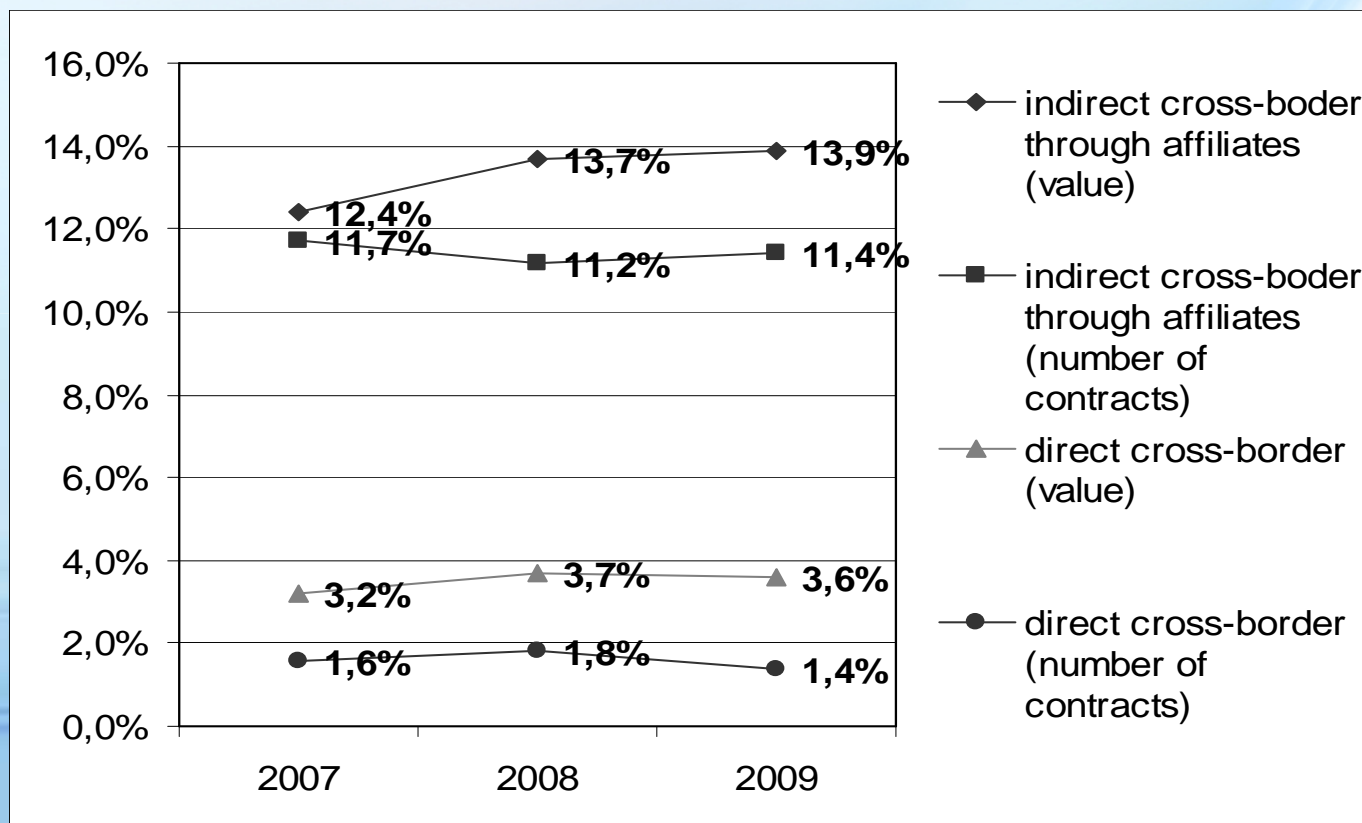


# Simplification = priority n° 1



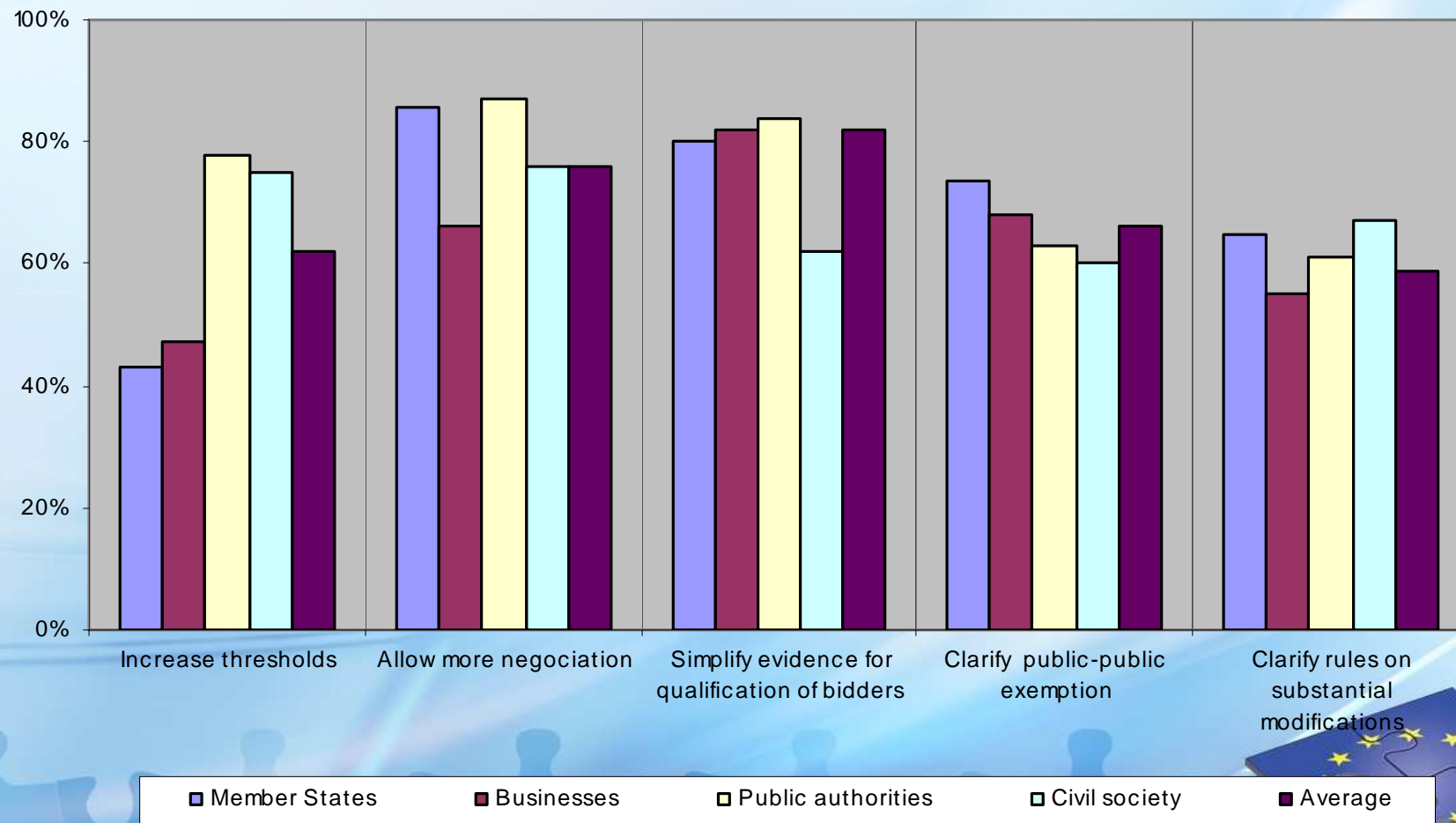


# Evaluation results – cross border





# Simplification - Green Paper replies





# Simplification – possible measures

- Generalized use of negotiated procedure with prior publication
- Alleviations for small contracting authorities (PIN, flexible deadlines)
- Reduce documentation: self-declarations; European procurement passport
- Step up e-procurement: simplify DPS, fully electronic communications 2 years after the transposition deadline
- General shortening of deadlines







# Strategic use of public procurement

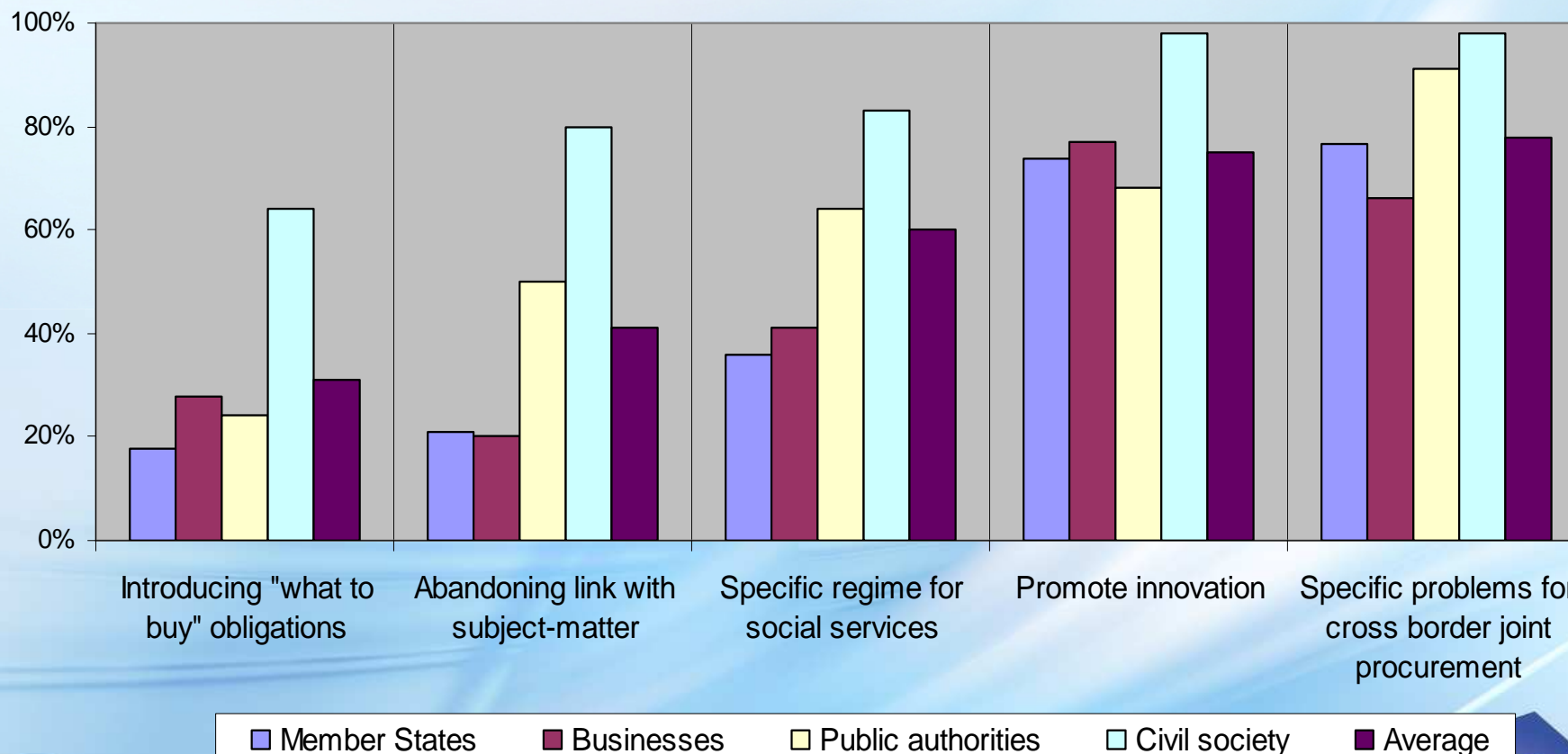


**Single Market Act for a highly competitive social market economy**





# Strategic use – Green Paper replies





# Strategic use – possible measures

- No obligations on “what to buy” at EU level
- No abandoning of link to the subject matter
- Enabling measures: LCC, production process
- Innovation: new partnership procedure; facilitate cross-border joint procurement
- Lighter regime for social services: higher threshold, focus on quality





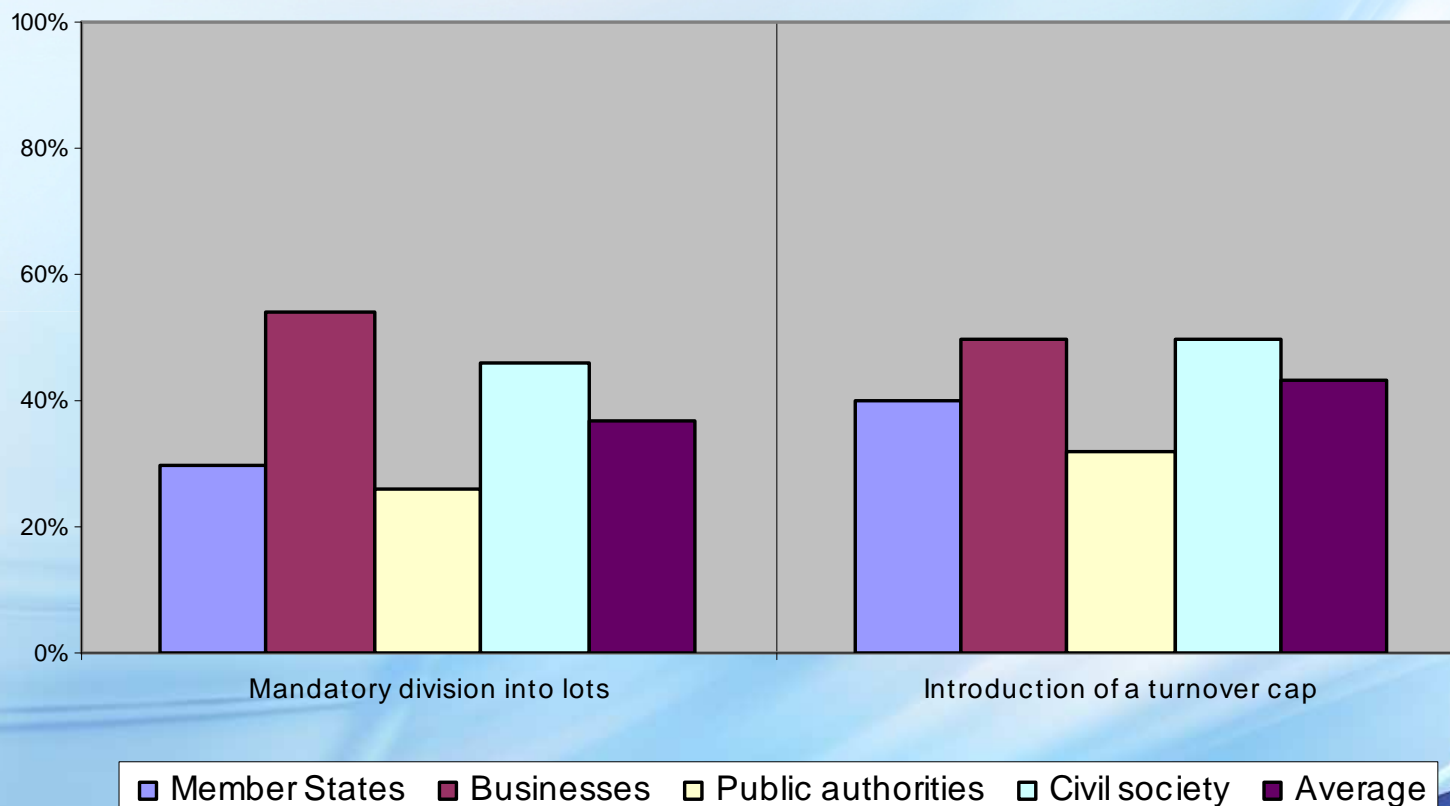
# Better access

– in particular for SMEs and start-ups





# SMEs - Green Paper replies





# SMEs and start-ups – Possible measures

- Exhaustive list of requirements for selection criteria
- Turnover cap
- Mandatory splitting into lots?
- Measures on subcontracting (e.g. direct payments)?





# Sound procedures



**Single Market Act for a highly competitive social market economy**





# Sound procedures

- Conflicts of interest and other illicit behaviour
- Unfair advantages (prior association)







# Governance

## Professionalization of procurement



Single Market Act for a highly competitive social market economy





## Divergences in application Results from the evaluation

<b>Costs (person-days)</b>	<b>Best</b>	<b>Worst</b>	<b>Difference</b>
Authorities	11	68	57
Firms	10	43	33
Duration of procedure (authorities + firms)	22	93	71

**Duration** of procurement procedures (dispatch of contract notice to the award)

- Average EEA 30: 108 days
- Very large differences between countries:  
61 - 241 days





# Possible solutions

- Knowledge centers
- Administrative cooperation
- National oversight





## Further information

[http://ec.europa.eu/internal\\_market/  
publicprocurement/index\\_en.htm](http://ec.europa.eu/internal_market/publicprocurement/index_en.htm)

