

New Developments in Public Procurement – will life become easier for cross border participation

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Implementation

Aim of new directives to clarify, simplify and modernise

- helpful for purchasers and suppliers

Clear & timely implementation important

Ability to use new approaches important:

- framework agreements – public sector
- electronic systems
 - e-auctions
- competitive dialogue

New developments: PPPs thresholds & remedies

Thresholds

- simplified, but not radically different
- cross-border interest for above threshold, important to have proportionate approach for other contracts

Remedies

- effective policy & best practice approaches help to reduce problems
- Wood Report (2004) showed that UK suppliers were preferred informal remedies
- but, legal remedies still important, & periodic revisions needed to provide common approaches to outcome of ECJ cases, such as Alcatel

New developments: continued

PPPs

- UK experience has shown significant cross border involvement
- new competitive dialogue procedure designed for complex contracts
- important not to inhibit use of PPPs

Evidence base for effectiveness of directives

- cross-border measurement difficult
- Commission studies on effectiveness of directives very important