

European Parliament
Internal Market and Consumer
Protection Committee
Hearings on Public Procurement,
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Recent and current activity

- Commission Green Paper – April 2004
- Commission Staff Working Paper – May 2005
- Commission Communication – November 2005
- Impact study on legislative initiative on concessions (in progress)
- Communication on IPPP (in progress)

What are PPPs?

- PPPs are a form of public procurement
- PPPs are higher value, long term, often complex and often high profile transactions for provision of both assets and services
- PPPs take the legal form of public contracts or concessions

Fundamentals

- Use of PPPs is downstream of political choice
- PPPs matter because of legislative and budgetary pressures
- PPPs need case by case assessment
- Rising tide of ECJ cases in public procurement

Key requirements

- PPPs need legal certainty
- PPPs need transparent and competitive procurement processes

Key issues

- Inconsistency between award procedures for public contracts and concessions
- Enforcement of rules on award procedures
- Effective implementation of Competitive Dialogue

Key propositions

- Standardised award procedures for all PPPs whether public contracts or concessions
- A more prescriptive Remedies Directive
- Further guidance from the Commission on Competitive Dialogue (especially post tender period)

European PPP Forum

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www.eipa.nl training and research/topics
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