

The CNMC publishes a guide to improve the preparation and design of public tenders

- It is the third phase of the project to update the [Guide on Public Procurement and Competition](#) (2011).
- Proper preparation and correct design of tender procedures are crucial to improving the efficiency of public spending and promoting competition.
- The new guide proposes specific measures to facilitate the participation of SMEs in public procurement processes.

Madrid, May 23, 2025. The National Commission on Markets and Competition (CNMC) has published a new guide on the preparation and design of public tenders. ([G-2023-01](#))

This is the third phase of the project to update the 2011 [Guide on Public Procurement and Competition](#). The first two addressed [public procurement planning](#) (2020) and the use of [in-house procurement and horizontal cooperation](#) (2023).

This [new Guidelines](#) focuses on how to correctly structure public procurement procedures to ensure greater competition and maximize the efficiency of public spending. Among other advantages, greater competition reduces the risk of collusion and promotes better prices, greater variety, and more quality and innovation.

The CNMC reminds contracting authorities that, although they have leeway to design tenders, they must act objectively, justify their decisions, and ensure their control, guided not only by public procurement principles but also by better regulation and administration principles.

A practical tool to improve public procurement

[This guide](#) offers practical guidelines to public entities, from the first steps of the tender to the design of the specifications:

- It provides tools for the preparatory phase, including market studies, the use of artificial intelligence, and the development of preliminary market consultations with maximum transparency and respect for the principle of free competition.

- It offers numerous recommendations on essential elements of the design of the specifications, such as defining the object focused on results, dividing into lots that favor participation, or introducing social, environmental, and innovation clauses coherently with competition.
- It contains specific guidelines to promote the participation of SMEs in tenders, such as expanding the dissemination of calls, dividing into heterogeneous lots, and adapting the design to their capabilities and specializations.
- It includes guidelines on how to avoid technological capture in strategic purchases, recommendations to support local contracting authorities, and a checklist to self-assess compliance with the recommendations.

For the preparation of the document, the conclusions gathered from the [public consultation](#) carried out by the CNMC at the end of 2023 on the obstacles faced by SMEs to participate in the public procurement market have been considered.

Advice and training

The CNMC offers specialized [training](#) and [technical advice](#) to public administrations to improve the quality of procurement processes and prevent anti-competitive practices.

The CNMC is an independent market regulator that guarantees and promotes effective competition. Pursuant to the provisions of Law 3/2013, of June 4, on the creation of the CNMC, its functions include promoting effective competition in the markets by, among others, conducting studies and research on competition matters.

Related content:

- [G-2023-01](#) (2025)
- [Guide on in-house procurement and horizontal cooperation](#) (2023)
- [Guide on Public Procurement Planning](#) (2020)
- [Guide on Public Procurement and Competition](#) (2011)
- [Public Procurement \(CNMC website\)](#)