



# Planning of Public Procurement: EU perspective

Conference on Public Procurement Planning:  
A must for strengthening competition and efficiency  
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# Preparation and planning

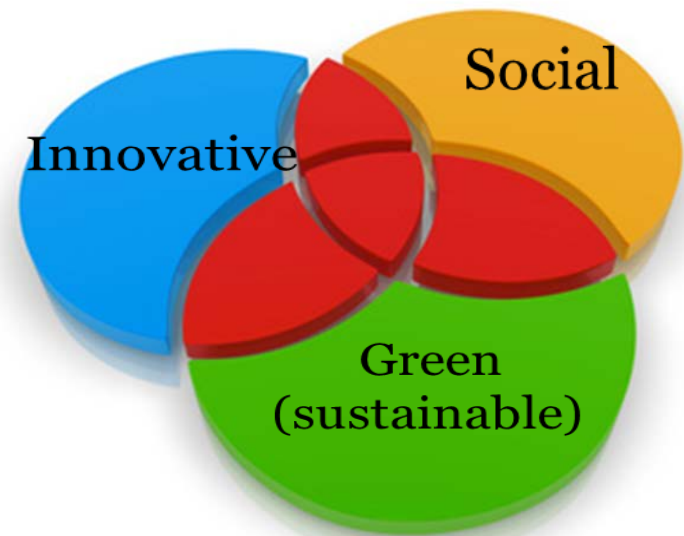
- Preparatory phase is crucial for the success of the whole procedure
- Requires time and expertise
- Size and complexity to be taken into account
- Opportunity to introduce strategic objectives (social, green, innovative procurement)
- Professionalisation, knowledge sharing and retention

# Strategic procurement

- 2014 reform: use of PP to meet strategic objectives
- 2017 Commission Communication: Making PP work in and for Europe

## “Change of culture”

- Simple purchasing -> strategic policy instrument
- Lowest price -> cost effectiveness - quality-based criteria (social, green, innovative aspects)



# Consequences of lack of planning

- Unjustified use of less competitive procedures
- Insufficient time for preparation of offers → fewer competitors or single bids
- Increased prices or decreased quality of acquisitions  
-> financial and budgetary implications
- Problems in implementing the contract  
(modifications, early terminations of contracts...)
- Deviations from strategic plans

# To-dos in the preparatory phase

- Detect needs
- Engage stakeholders
- Analyse the market
- Define the subject matter
- Choose the procedure



# Regulation of planning

- Regulated in a very limited way in public procurement legislation
- At **EU level** only a few elements:
  - Preliminary market consultations (Art. 40 of Directive 2014/24/EU, Art. 58 of Directive 2014/25/EU)
  - Prior involvement of candidates or tenderers (Art. 41 of Directive 2014/24/EU, Art. 59 of Directive 2014/25/EU)
  - Prior information notices (Art. 48 of Directive 2014/24/EU), periodic indicative notices (Art. 67 of Directive 2014/25/EU)
- In some Member States: obligation to publish (annual) procurement



# Preliminary market consultations

- Twofold purpose: (1) gathering information from market suppliers and (2) informing economic operators of procurement plans
- Suitable for complex procurement (framework agreements and procurement of innovative solutions)
- Helps to:
  - assess technical, financial and operational feasibility
  - assess the level of competition on the market
  - prepare tender specifications, choose the procedure and timing
- Must be conducted in a transparent manner and avoid unequal treatment of economic operators

# Preliminary market consultations

## - Methods used:

- Desk-based contact
- Telephone contact
- Web-based contact
- Open days



## - Examples of best practices:

- Slovakia – web-based prior market consultation for medical equipment; benchmarking
- Croatia – obligation to put draft documents up online in the e-procurement platform for comments by economic operators before publication







# Annual procurement plans

- Part of regular procurement activity
- Strategic approach (needs and budget assessed)
- Increased transparency
- Easier access for economic operators, in particular SMEs
- Improved accountability of contracting authorities
- Need of regular updates and visibility (online access)