

# Public procurement in project management

---

10 October 2019

Nicosia, Cyprus

Florin Neculcea, Interact programme



# Regulatory framework and guidance

## New EU directive on public procurement

- Directive 2014/24/EU on public procurement

## Public procurement guidance for practitioners (updated 2018)

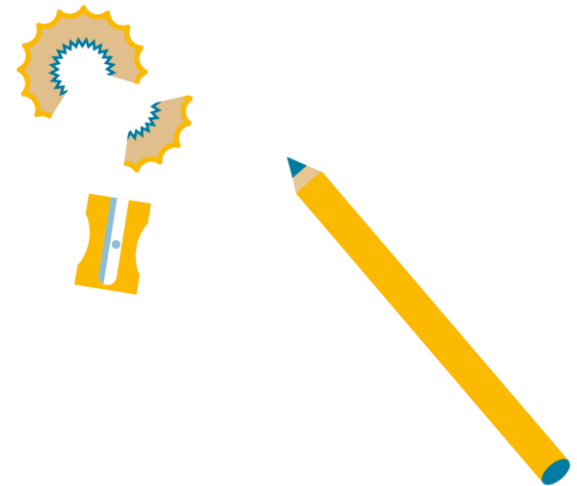
## National legislation on public procurement

- Make sure to check the public procurement laws in your country

# Rationale

## EU Directives on public procurement:

- Create the legal framework for acquiring goods, services and works
- Ensure value for money and competition on the procurement market
- Provide an adequate level of transparency
- Promote economy and efficiency of the public contracts
- Increase efficiency and performance



# Aplicability

## Directive 24/2014/EU:

- Only apply to contracts of a value exceeding the EU threshold
- Does not apply to public service contracts awarded by a contracting authority to another contracting authority
- Does not cover contracts below EU threshold, but provisions of the EU Directives might have an impact on these contracts



# Principles

Major principles should be observed:

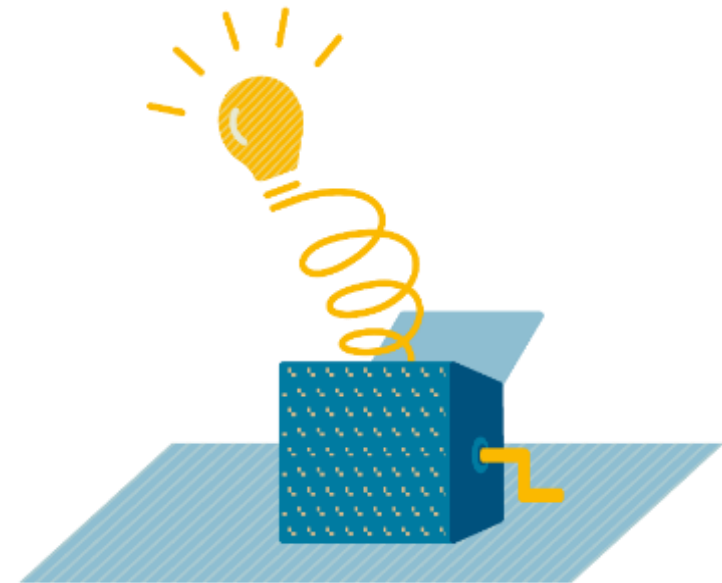
- Non-discrimination
- Equal treatment
- Transparency
- Confidentiality
- Conflict of interest



# Take-home message

## We must ensure:

- Free competition between economic operators and freedom to provide work, services, and supplies
- Consistency with the fundamental principles of non-discrimination, equal treatment, transparency and publicity
- Co-funded operations must be in line with the applicable public procurement rules on National and EU level



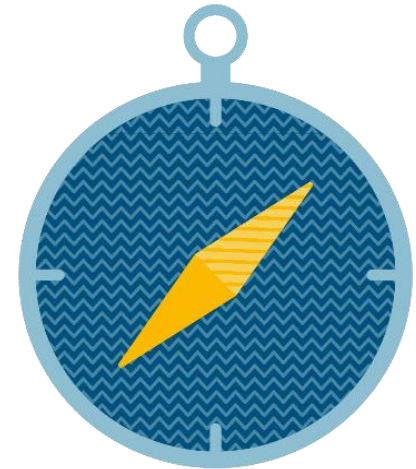
# Step-by-step

- **Planning** : identify your needs and market opportunities
- **Preparation**: ensure equal access and fair conditions
- **Publication**: optimise communication channels and timing
- **Selection**: check which offers meet all the criteria
- **Awarding**: choose the offer meeting the award criteria in the best way
- **Implementation**: ensure delivery and payment



# Planning

- Essential influence on activities implemented in the further development and implementation of the process
- It consists of preliminary activities when identifying the needs and opportunities, and
- A decision-making stage when choosing the applicable procedure





# Tender preparation

- Provide equal opportunities for any economic operator
- Equal access to the relevant information
- Open, fair, transparent and non-discriminatory competition



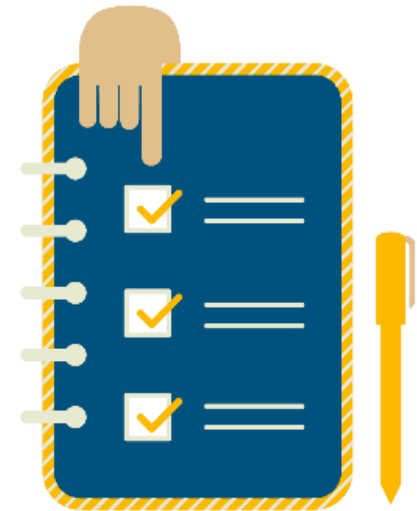
# Publication

- Formal public procedures for publicity depending on the level of publicity requirements
- Relevant provisions of national legislation and EU Directives on public procurement should be considered
- It can increase the number of potential participants but also avoid the risk of irregularities, but
- lack of publicity and insufficient transparency is seen as a sign of limited competition



# Selection

- The economic operator must be qualified and must have the professional and technical, ability, economic stability and financial capacity to implement the contract
- Qualification and experience of the staff of the economic operator have a significant impact on the quality of delivering the procurement outcomes



# Awarding

- Tender complies with the requirements, conditions, and criteria set in the procurement documents
- Products, services and works meet the criteria for:

Lowest price

Lowest cost

Best quality-price ratio

Best quality-cost ratio

Best value for money

MEAT



# Implementation

- Public procurement scope is met when the products, services and works are delivered and reception and payment made according to the conditions stated in the public contract, concerning specifications, features, functionality, quality, quantity, timing.
- Contracting authorities should secure the best value for public funds concerning economy and quality, outputs delivered against those expected.



# Publications (1)

- Directive 2014/24/EU on public procurement:  
[https://ec.europa.eu/growth/single-market/public-procurement/rules-implementation\\_en](https://ec.europa.eu/growth/single-market/public-procurement/rules-implementation_en)
- Guidance on public procurement – revision 2018:  
[https://ec.europa.eu/regional\\_policy/en/information/publications/guidelines/2018/public-procurement-guidance-for-practitioners-2018](https://ec.europa.eu/regional_policy/en/information/publications/guidelines/2018/public-procurement-guidance-for-practitioners-2018)
- Practical guide on identifying conflict of interest in public procurement procedures  
[https://ec.europa.eu/sfc/sites/sfc2014/files/sfc-files/2013\\_11\\_12-Final-guide-on-conflict-of-interests-EN.pdf](https://ec.europa.eu/sfc/sites/sfc2014/files/sfc-files/2013_11_12-Final-guide-on-conflict-of-interests-EN.pdf)

# **Publications (2)**

## **Interact website –Library - Publications**

- Roadmap for public procurement  
<http://www.interact-eu.net/library#2669-publication-roadmap-public-procurement>

# Questions





# Thank you



# Cooperation works

---

All materials will be available on:

[www.interact-eu.net](http://www.interact-eu.net)

