1. Strategic public procurement in the EU: a new policy context
Public procurement’s impact is huge

- Public procurement is a **powerful market force**
- Accounts for **14% of EU GDP**
- Public buyers buy a wide range of products, services and works: can **stimulate responsible & sustainable market**
- Shift in EU PP policy: from ensuring legal compliance to **strategic policy tool**
- Foster **cultural change** in the Member States: from a purchasing tool to a policy tool
Is Sustainable public procurement compulsory?

NOT YET (in most cases)

BUT:

National authorities must ensure compliance with environmental, social and labour law obligations enshrined in EU, national, international provisions and collective agreements in the performance of the contract

Article 18(2) Directive 2014/24/EU
EU Legal framework for public procurement

Directives 2014/24 on PP, 2014/25 on utilities PP, 2014/23 on concessions; Remedies Directives

CJEU case-law

WTO Government Procurement Agreement

EU sectorial legislation

Upcoming EU sectorial legislation (proposal for new batteries regulation)
Sustainable Procurement: the “green arm”

European Green Deal (12/2019)
- EC will propose guidance on investing in sustainable procurement of infrastructure

Circular Economy Action Plan (3/2020)
- make sustainable products the norm in the EU
- EC will propose mandatory green PP criteria/targets in sectorial legislation:
  - Farm 2 Fork strategy
  - Sustainable Products Initiative
  - Batteries Regulation
  - Energy Efficiency Directive
Sustainable Procurement: the “social arm”

**European Pillar of Social Rights Action Plan (3/2021)**
- Guide on socially responsible procurement
- Updated guide on innovation procurement

**Social Economy action plan (12/2021)**
- Concrete measures to help mobilise the full potential of the social economy
- European Competence Centre for Social Innovation

**Procurement in social/labour law proposals (ongoing)**
- Minimum Wage directive
- Pay Transparency directive
2. Strategic public procurement in cohesion policy
Why SPP in Cohesion Policy?

• Cohesion Policy targets **all regions and cities** in the European Union

• **To implement EU policies**: job creation, business competitiveness, economic growth, sustainable development, and improve citizens’ quality of life.

• Historical funding: close to **400 billion euros in programming period 2021-2027** – almost a third of the total EU budget

• Around to **48% of EU structural funds** spent through Public procurement

• Cohesion policy is implemented via **shared management** (*i.e. investment decisions to fund projects are taken by MS*)
What do we want to achieve (in practice)?

One step forward to more strategic approach in the Member States:

- Achieve **better value for money and impact** on the ground
- Consider **quality** and shift away from “lowest price”
- Consider **social, innovative and environmental aspects** to support Cohesion policy goals
- Strengthen **professionalisation** and **administrative capacity**
How we are doing it?

• **Action Plan on Public Procurement** – since 2014, currently 4\textsuperscript{th} action plan, together with ESIF DGs and DG GROW, and the EIB
  
  ✓ **42 actions** initiated since the beginning
  ✓ The current PP Action Plan contains **20 on-going** actions

• During operational programme **negotiations** for 2021-2027
  
  ➢ We ask for **MS commitment** to promote strategic use of PP

• **Building** necessary **capacity**, raising the awareness and piloting some concrete cases
  
  ✓ **Training** for Managing Authorities and for Auditors, on strategic PP
  ✓ **TAIEX REGIO PEER2PEER** and community of PP practitioners
The Action Plan on Public Procurement: Examples of on-going actions

• Guidance: Overview of PP errors
• Contribution to “Green deal” by promoting strategic procurement – new line to take!
• Pilot on promotion of the strategic use of procurement with OECD
• Good practices in the field of socially responsible public procurement
• Guidance on the application of the collusion-related exclusion ground
• Integrity pacts: to fight corruption and foster trust in public procurement projects
• ProcurCompEU: Competency Framework for public buyers
• REGIO Competency Framework for Managing Authorities
• Open PP data pilots with EBRD
New line-to-take on strategic use of public procurement in ERDF/CF programmes

To incorporate in the text of the Programme in part “1. Programme strategy: main development challenges and policy responses”:

“During the implementation of the Programme the Managing Authority will promote the strategic use of public procurement to support Policy Objectives (including professionalization efforts to address capacity gaps). Beneficiaries should be encouraged to use more quality-related and lifecycle cost criteria. When feasible, environmental (e.g. green public procurement criteria) and social considerations as well as innovation incentives should be incorporated into public procurement procedures.”
3. Support tools for public buyers
Pilot action on strategic public procurement with the OECD in 2019: 5 pilot projects

- Athens Urban Transport Organisation OASA (Greece)
  Procurement of electric buses
  ➔ Increase clean urban mobility

- Asopos River, Sterea Ellada (Greece)
  Decontamination of the Asopos River, implementation of a rehabilitation programme
  ➔ Reduce water pollution and floods

- Rodopi Mountains, Eastern Macedonia and Thrace (Greece)
  Procure technical studies for municipalities
  ➔ Improving competitiveness

- Centro Region (Italy)
  Introduce circular economy strategies in tenders
  ➔ Promote circular economy

- Puglia Region (Italy)
  Procure innovative solutions for water management systems
  ➔ Improve wastewater management

Pilot action on strategic public procurement with the OECD in 2019: lessons learnt

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<thead>
<tr>
<th>No strategic procurement is an island</th>
<th>Provide greater agility</th>
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<tr>
<td>Active engagement of various stakeholders</td>
<td>Informed decision making</td>
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<td>Create a shared understanding in pre-tendering phase</td>
<td>Structured assessments to adapt to changing conditions</td>
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<td>Risk and opportunity based approach</td>
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<tr>
<th>Capable institutions and skilled people</th>
<th>More risks and long term benefits</th>
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<tr>
<td>Institutional and individual learning</td>
<td>Greater risks and opportunities</td>
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<tr>
<td>Extract lessons from previous projects</td>
<td>Proactive management of risks</td>
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<td>Build communities of practice</td>
<td>Shape markets in the long run</td>
</tr>
<tr>
<td>Need support of decision makers</td>
<td>Greater initial costs, long term societal benefits</td>
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Support to public buyers on Green public procurement

**GPP Training**
- 14 training programs in 11 countries (HR, CY, HU, LV, PL, PT, RO, BG, EE, LI, MT)
- [GPP Training toolkit](#) updated in 2019, sectorial modules

**GPP Criteria**
- **GPP Criteria** for 20 product groups
- Just published: [Computers, monitors, tablets and smartphones](#)

**GPP & Life Cycle Costing**
- Study to map national rules and practices
- 5 GPP life-cycle costing tools available online:
  - Computers and monitors
  - Indoor lighting
  - Outdoor lighting
  - Imaging equipment
  - Vending machines

**GPP Guidance**
- **Buying Green**
- Circular Procurement Guidance
- EU GPP Helpdesk – (SPP Helpdesk from 2022)
Support tools for socially responsible procurement

**Buying social**

- #WeBuySocialEU (2020-2021)
- Making SRPP Work – 71 good practices
- Promotional videos and interviews
- Social Media campaign

Want to know more?
→ Check out these videos on SRPP good practices!
→ Check out our #WeBuySocialEU talks on our YouTube channel!
Big Buyers for climate & environment

Promoting collaboration between big public buyers in implementing strategic public procurement for sustainable solutions.

4 working groups:
- Electric heavy-duty vehicles
- Circular construction materials
- Zero emissions construction sites
- Digital solutions for healthcare

Big Buyers for climate and environment
Urban Agenda Partnership on Innovative and Responsible Public Procurement

Urban Agenda to address problems cities are facing by setting up Partnerships between:

- the Commission,
- EU organisations,
- national governments,
- city authorities and
- other stakeholders such as non-governmental organisations

2nd Action Plan being consulted currently (11/2/2022)

More on public procurement in the EU

- InfoREGIO on cohesion policy
  

- DG GROW on PP policy
  
  e-competence centre