

Public Procurement Act

2026/0265(COD) - 09/09/2026 - Legislative proposal

PURPOSE: to modernise and simplify the EU's public procurement framework (Public Procurement Act).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: every day, across the EU, public authorities award contracts for goods, services and works that shape the daily lives of citizens. With public procurement accounting for around 15% of the EU's GDP, public procurement is a powerful policy lever at the Union's disposal.

This new Public Procurement Act simplifies the existing procurement legal framework. It replaces three existing procurement Directives (Directive 2014/23/EU on the award of concession contracts, Directive 2014/24/EU on public procurement and Directive 2014/25/EU on procurement by entities operating in the water, energy, transport, and postal services sectors) with a **single Regulation**. This intends to create a simplified, coherent, and harmonised framework, reducing fragmentation, limiting gold-plating, and increasing legal certainty. A **single rulebook** creates common legal standards and procedural guarantees while allowing public buyers more freedom to meet their needs.

The radically simplified procedures and conditions for their use will save public buyers valuable time and resources and enable better value for money.

CONTENT: the proposal's general objective is to make public procurement a **more efficient public investment instrument**, supporting policy objectives, in particular single market integration, strategic economic autonomy, social and ecological sustainability and innovation.

Simplification and flexibility of procedural rules

The proposal addresses public procurement procedures and incorporates provisions relating to planning, market consultations, choice of procedures, estimation of the contract value, and the conduct of **negotiations**, which are allowed in all procedures. The procedures include the open procedure, the dynamic procedure, the **innovation procedure**, and contracts requiring only publication of public summary of result such as in emergencies and crises.

One single platform for all procurement in the EU

The proposal establishes an **EU digital ecosystem** to reduce fragmentation, administrative burden and costs by mandating the interconnection of Member States' eProcurement systems into a **single integrated EU public procurement marketplace**, thereby also reducing compliance costs and facilitating cross-border participation and enhancing overall market efficiency.

The digital marketplace will simplify and facilitate procurement for public buyers (for example, through the automatic verification of exclusion criteria). It will allow companies to take part in procurement procedures and submit tenders across the EU through any of the connected eProcurement platforms applying the '**once-only**' **principle**, avoiding repeated requests for information and documentation requirements. This will promote access to new business opportunities and increase the number of offers public buyers receive, maximising the potential of the single market.

The digital marketplace will moreover streamline data exchanges between Member States' eProcurement systems through the creation of a unified framework for data management, thereby strengthening transparency, accountability, and anti-fraud capabilities.

Increasing the uptake of strategic procurement

The proposal establishes a coherent architecture for integrating strategic policy objectives into procurement design, award and contract performance. It makes the **Best Price-Quality Ratio** the standard award method, with quality criteria accounting for at least **30% (50% for labour-intensive contracts)**, subject to a 'comply or explain' mechanism. It promotes **ecolabels**, life cycle costing and performance standards, frames innovation procurement, limits full subcontracting, and clarifies the link between working conditions and the contract subject-matter.

Public buyers will thus have to systematically consider not only price, but also quality, including environmental, social, innovation, security and resilience, and '**European preference**' considerations. Public buyers will have full discretion over which quality criteria to apply and in which proportion in individual procurement procedures, with the proposal offering practical tools to support public buyers in this.

Improving EU economic security and strategic autonomy

The proposal responds to the growing geopolitical significance of public procurement. It provides a non-exhaustive list of the security and public safety interests to be considered, and it regulates the termination of contracts and the exclusion of operators during contract implementation for security reasons. It also seeks to ensure compliance with cybersecurity requirements and defines resilience and security of supply for critical entities and infrastructures.

Governance

The proposal strengthens governance, monitoring and professionalisation. Integrity governance is reinforced through measures addressing fraud, collusion, corruption, favouritism and conflicts of interest, ensuring that the simplification and strategic ambitions of this Regulation are matched by stronger implementation capacity on the ground.

For economic operators, the new requirements entail recurring costs of EUR 477 million, which are more than offset by recurring savings of EUR 1 billion from the digital ecosystem and other simplifications. For contracting authorities, the new recurring costs amount to EUR 141 million, while the digital ecosystem yields annual savings of EUR 220 million.