Public procurement: simplification of the regulatory framework, follow-up of the green paper COM(1996)0583

1998/2062(COS) - 11/03/1998 - Non-legislative basic document

PURPOSE: to reinvigorate public procurement policy and define its direction in the European Union over the next five years. CONTENT: the Commission proposes to do this by : - creating a legal framework where rules, policy and enforcement should follow reality rather than the other way round ; - simplifying the legal framework by clarifying existing rules or, where clarification is not sufficient, by proposing amendments through a legislative package which will cover the following areas : 1) exclusion from the field of application of Directive 93/38/EEC, the sectors or services to which it currently applies (water, energy, transport and telecommunications) that operate, in each of the Member States, under conditions of effective competition ; 2) introduction of more flexible procedures, namely a competitive negotiated procedure and framework contracts, to prevent procedures from being excessively rigid and formalistic and, where complied with strictly, leading to malfunctioning in the award of contracts ; 3) adoption of rules to take account of certain trends, such as concessions and other forms of partnership between the public and private sectors and privatisation, to ensure that their proper functioning is compatible with that of the single market ; 4) introduction of fully-fledged electronic procurement to allow the public procurement process to take place much more rapidly and significantly reduce transaction costs over the entire lifecycle of the goods or services purchased. - providing training for operators in public procurement which focusses on how to use the legal provisions effectively day-to-day procurement and how to develop new ways of working in a changing market environment; - combatting the relatively low response from suppliers to the enormous volume of contract opportunities by raising awareness of what is at stake, improving transparency of, and access to, information on contract opportunities, general market monitoring and other useful information; - taking specific action in favour of the participation of SMEs, as sought by the European Parliament; - taking measures in connection with the general problems of supplier participation.