

PUBLIC PROCUREMENT ACTION PLAN

Background - The need for coordinated action

Improving the quality and transparency of public procurement (PP) involving EU funds is a priority for the Commission. Around one fifth of EU GDP is spent on goods, works and services by different levels of government and utilities of which some 20% involves contracts with a value above the thresholds set in the PP directives¹. Efficient, effective and competitive public procurement is both a touchstone for a well-functioning internal market² and an important **opportunity for vital public sector efficiency gains**. Particularly in new Member States, a high proportion of that public expenditure is supported by grants from different EU funds.

Information and knowledge on how EU funded projects and programmes are procured, the relative performance of different Member States and initiatives to build administrative capacity related to public procurement **are highly fragmented**. There is significant room for improvement at both national and at EU-level in reporting on who is receiving funding and how contracts are being awarded. At present, there is no easy way to access EU-wide information neither on the proportion of funds procured through contracts advertised in the Official Journal of the EU nor on the different contract award procedures followed, even when the procurement funding includes EU grants. Commission led initiatives to support Member States develop their capacity in the field of public procurement are scattered across different DGs.

In order to coordinate actions more effectively between Directorate-General (DG) for Internal Market, Industry, Entrepreneurship and SMEs, (DG GROW) and the four DGs managing European Structural and Investment Funds (ESIF), a technical Working Group (WG) on "Improving Public Procurement linked to the Management of ESI Funds" was established as a sub-group of the "European Structural and Investment Funds inter-service group on reinforcing the Funds' capacity in the weaker Member States", with representatives from the four ESIF DGs: DG for Regional and Urban Policy (REGIO) (Chair) (E1, Dir C); DG Employment, Social Affairs and Inclusion (EMPL); DG for Agriculture and Rural development (AGRI); DG for Maritime Affairs and Fisheries (MARE); DG GROW (G1, G4) and the European Investment Bank (EIB).

Experiences

Contracting Authorities (in the sense of Directive 2004/17/EC) for works, services or supply contracts procured using EU funds may be Managing Authorities, Intermediate Bodies or Beneficiaries. Responsibility for checking on the regularity of that expenditure rests first of all with the Managing Authorities (management verifications) followed with Certifying Authorities and Audit Authorities for each operational programme. Errors are detected at each level, nationally, EU fund managing DG, and by the European Court of Auditors. Weaknesses in administrative capacity to manage PP processes vary between Member States and can occur at all levels, but are frequently **weakest at the level of local authorities**.

¹ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts and Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC

² Procurement chapter of the Single Market Scoreboard:
http://ec.europa.eu/internal_market/scoreboard/performance_per_policy_area/public_procurement/index_en.htm

Public procurement irregularities persist as one of the most **common causes of administrative errors and financial corrections** linked to ESI Funds, but each fund is affected differently. The European Regional Development Fund (ERDF) and the Cohesion Fund have the highest proportion of errors linked to public procurement³, up to 75% according to the European Court of Auditors (ECA). It is also the main source of errors under the European Agricultural Fund for Rural Development (EAFRD) investment operations, up to 20% according to ECA⁴. Whilst the problems are less severe for the European Social Fund (ESF) and the European Maritime and Fisheries Fund (EMFF) due to the different nature of expenditure and sectors, PP deficiencies still represents an important source of irregularities and resulting financial corrections.

Irregularities affect all stages in the procurement process including: inappropriate choice of procedures; artificial splitting of contracts; inadequate publication of the contract or award notice; non-compliance with minimum time limits; disproportionate or discriminatory selection criteria; use of subjective award criteria; poorly documented evaluation committee decisions; contract modifications; and failure to tender additional works. The resulting ex-post financial corrections can impose a heavy burden on public administrations that made procedural or judgement errors, but were acting in good faith. Guidance on how to avoid such irregularities could be derived from the collective knowledge of the relevant DG's auditors for each fund and from other key stakeholders. The challenge is how to disseminate that knowledge in a way that improves practice.

Public procurement is also a **corruption risk hotspot**⁵. With some €450 billion annually in public contracts to procure works, goods and services, the risk of corruption linked to the funding of political parties or individuals abusing public office for private gain are high well documented⁶. Both the EC and EP have highlighted public procurement as a critical area for action against fraud and corruption. Better control systems, greater transparency and more competition are critical tools for combatting such practices. A 2013 study funded by OLAF found that the overall direct costs of corruption for 5 sectors in 8 Member States was between 1.4 to 2.2 billion euro⁷.

There is strong evidence that **value for money, transparency, degree of competition, duration and quality of documentation** in public procurement could be significantly improved in some Member States, with benefits for EU funds' performance and better value-for-money to EU taxpayers. A 2011 study for DG GROW⁸ found that there is a "dismayingly small" incidence of cross border wins for publicly procured contracts and that slow procedures can add up to 140 days in some Member States compared to the EU average. In some countries, the quality and consistency of tender documents is systematically poor, with resulting difficulties during contract award and implementation. Some Member States have complicated the implementation of public procurement through additional national rules, thus placing an additional administrative burden on beneficiaries of funds. Finally, in some Member States private beneficiaries receiving support from EU Funds must systematically apply public procurement procedures for the sake of increased transparency and competition, even in cases where EU directives do not require it, which could also increase the risks of errors.

³ DG REGIO Annual Activity Report 2012 p86

⁴ ECA Special Report 23/14

⁵ Transparency International (2012). Money, Politics & Power: Corruption Risks in the EU. p39-42

⁶ See [OCED \(2007\). Bribery in Public Procurement: Methods, Actors and Counter-Measures](#) and [Transparency International \(2012\) Public procurement Topic Guide](#).

⁷ PWC (2013). Public Procurement: the costs we pay for corruption - Identifying and Reducing Corruption in Public Procurement in the EU. http://ec.europa.eu/anti_fraud/documents/anti-fraud-policy/research-and-studies/pwc_olaf_study_en.pdf

⁸ PwC/Ecorys (2011) "Public procurement in Europe: Cost and effectiveness". Study for DG GROW.

In addition to the DGs managing funds, **other stakeholders** have relevant expertise to help improve public procurement linked to EU funds. The European Court of Auditors has important knowledge related to the type, severity and frequency of PP errors. EIB finances over €50 billion worth of projects furthering EU policy objectives each year, many of which are co-financed by EU grants. Every investment appraisal includes an ex-ante assessment of the procurement practices of the promoter and, where this is considered insufficient, technical assistance is required via a project implementation unit. JASPERS is working with several new Member States to develop PP capacity. Actions include advice on specific projects and the preparation of standard procurement documents for specific countries. In several new Member States, both EBRD and the World Bank remain active lenders and follow public procurement for the projects they fund. OECD, the World Bank and Transparency International (TI) work on developing indicators and good practice guides to reduce corruption in public procurement, notably through integrity initiatives.

Public procurement is not only a source of problems, but is also an opportunity. PP is an important instrument for proactively pursuing EU 2020 policy objectives, through new approaches to improving efficiency and competition via smart **e-procurement, green procurement and public procurement that encourages innovation and greater involvement of SMEs**. Different Commission services need to take a consistent approach and learn from each other and from Member States about how to implement new approaches in practice.

Last but not least, a package of **new Directives** covering PP and Utilities has been approved by the European Parliament and entered into force in April 2014 to be transposed by the Member States by April 2016, in the middle of the programming period 2014-2020. On the one hand, this means that many contracts involving ESI Funds will be contracted under the existing rules. On the other hand, there are inevitable risks when changing rules that could lead to an increase in irregularities. The new Directives will include new possibilities to develop innovation partnerships, encourage SME participation, enlarge the scope of e-procurement. The overall aim is to simplify and shorten procedures. However, changes always present risks. Contracting authorities used to existing rules may experience an increase of irregularities in the short term unless adequate training is provided. A coordinated effort is needed to help Member States be ready to apply the new Directives.

Recent recommendation by the European Court of Auditors

The European Court of Auditors published in September 2015 a Performance Audit on Public procurement⁹. In its report, the Court acknowledges the Public Procurement Action Plan and notes positively a number of its actions. The current update of the Public Procurement Action Plan is also one of the follow-up actions on the Court's recommendation.

"The audit found that the Commission and Member States are starting to address the problem, but there is still a long way to go in terms of analysing the problem and implementing actions. Systematic analysis of public procurement errors by the Commission and Member States is very limited. The lack of sufficiently detailed, robust and coherent data on the nature and extent of public procurement errors has precluded a comprehensive analysis of the underlying causes.

The Court acknowledges that the Commission has begun to put a range of actions in place since 2010. Legislative actions included the revision of the public procurement directives and the inclusion in partnership agreements of specific conditions for public procurement systems that must be fulfilled by Member States by the end of 2016 at the latest. The Commission also established, in 2013, an internal

⁹ ECA Special Report 10/2015

technical working group and drew up an internal action plan. However, most of the actions in the plan have not yet been fully implemented. Member States only started recently to take comprehensive actions to prevent errors from occurring.

Finally, the Court recommends that the Commission:

- (a) should set up its own database on irregularities, including those arising in public procurement. It should analyse, in a comprehensive way, the frequency, seriousness and causes of public procurement errors in the area of cohesion policy, based on appropriate data, drawn both from its own databases and provided by Member States. The Commission should publish its analysis as part of the public procurement report required by the new directives;
- (b) if the ex-ante conditionality concerning public procurement is not fulfilled by the end of 2016, should use its powers consistently to suspend payments to Member States concerned, until such time as they have rectified the shortcomings;
- (c) should update and publish its internal action plan on public procurement. It should report on progress annually. To this end, the Commission should improve co-ordination across its departments;
- (d) should set up a high-level group to provide leadership in tackling the problem of public procurement errors. This group should involve relevant Commissioners or their Directors-General and include the participation of experienced, external stakeholders. The group should act as an advocate for improvements in public procurement, including, where necessary, for simplification and better regulation in this field;
- (e) should be strict in its approach to using its full range of powers with regard to public procurement. In so doing, it should continue both to pursue infringement procedures where necessary and to impose financial corrections wherever it finds that Member States' first-level checks are insufficiently effective; and
- (f) should do everything in its power to exploit further the opportunities provided by developments in information technology, including e-procurement and data-mining tools.

On-going initiatives to build capacity

There are several on-going initiatives to raise awareness and improve the quality of EU public procurement. ESI Funds are used for **training** and to fund the introduction of new **e-procurement** systems. DG GROW published a compendium of e-procurement best practices¹⁰. The European Institute of Public Administration (EIPA) and other organisations run EU-level training on public procurement and several Member States publish national PP Guidance in a variety of formats. The Public Procurement Network (PPN)¹¹ acts as an informal, European-wide co-operation network to share good practices amongst EU Member States' central public procurement bodies. DG GROW leads an initiative on public sector innovation that includes public procurement as a major theme. DG ENV has developed guidance on Green Procurement.

DG REGIO Dir C organises training sessions for national audit authorities and "train-the-trainer" events in countries with high PP related errors, often in collaboration with DG GROW. DG GROW has identified training needs linked to transposition and then implementation of the new Directives. DG AGRI launched a process with all Member States to reduce the error rate, requesting specific actions which are updated on a bi-annual basis, to address shortcomings in public procurement if necessary. In Addition it has

¹⁰ http://ec.europa.eu/internal_market/publicprocurement/e-procurement/golden-book/index_en.htm

¹¹ <http://www.publicprocurementnetwork.org/>

organised trainings for Managing Authorities and paying agencies on public procurement and the assessment of costs through the European Network for Rural Development.

On fraud and corruption, ARACHNE and other tools are being developed to assess control systems and early **detection of PP fraud risk** through "red flags"¹².

The **Ex-Ante Conditionality (EAC) on public procurement** foreseen in the Commission Provision Regulation (1303/2013) provides additional leverage to improve administrative capacity in those Member States and regions where the Commission considers administrative capacity needs strengthening. 12 Member States that have shown recurrent weaknesses in implementing public procurement rules effectively (not fulfilling all 4 sub criteria related to i) effective application of PP rules, ii) transparent contract award procedures, iii) training and dissemination and iiiii) administrative capacity) at the adoption of the Partnership Programmes (BG, CZ, EL, HU, HR, IT, LV, MT, PL, RO, SI, SK) while 3 have fulfilled the EAC in the meantime (LV, MT, PL). In full complementarity with the EAC, specific strategies, with a wider scope and a longer term perspective, have been designed in support of some Member States with identified weaknesses. Additional actions may be required to reinforce administrative capacity, ensure transparent contract award and to train staff involved in the management of the funds. Technical Assistance funding can be used for this purpose.

New actions

The WG met first on 19.09.13 and is since then regularly meeting twice per quarter. The first priorities were to exchange experiences, share knowledge on on-going initiatives and to prepare a joint action plan (see Annex 1). The Action Plan has been officially endorsed by DG REGIO and actions are implemented as set out in the Annex.

The WG has identified the need to carry out a more systematic inventory of general and country specific experiences and initiatives to evaluate **collective lessons learned** about effective tools to build PP administrative capacity linked to the management of the funds.

Whilst clearly needing to avoid overlap with existing initiatives, there is still a lot that could be done at an EU-level to help build administrative capacity to improve the performance of PP using ESI Funds in 2014-2020. Whereas DG GROW has the lead at EU-level on developing and enforcing PP policy and Member States have the primary responsibility to improve the quality of public procurement implementation, the DGs managing ESI Funds are in the front line in ensuring funds are used efficiently, effectively and in compliance with EU policies. The over-arching goal of any new PP actions should be to reduce risks, build national and local administrative capacity, improve value-for-money and boost competitiveness, whilst increasing real transparency towards citizens and the market.

The Working Group had identified 12 actions in the original Action Plan, some of which have already been completed, to help improve PP performance during the 2014-2020 period. The current update of the PP Action Plan contains now 14 actions of which two are completed, 8 ongoing and 4 in different stages of preparation, see Annex 1.

The key priorities are:

COMPLETED

¹² http://ec.europa.eu/regional_policy/what/future/pdf/preparation/guidance_fraud_risk_assessment.pdf

- The actions of compilation and analysis of PP evidence/ indicators on performance for EAC negotiations and
- Preparation of the Practical Guidance on "How to avoid common PP errors" is completed while the adequate dissemination is ongoing.

ONGOING (launched in 2013 to 2015)

- Stock-taking/analysis of MS lessons learned, dissemination tools, good practices, etc.
- Monitoring of Action Plans and Training/Guidance on how to prepare and follow-up on EAC Action Plans to address weaknesses
- Country Specific Strategies in weaker Member State (BG, CZ, EL, IT, RO, SK)
- Preparation for new PP Directives (by 2016) – training, dissemination, specific actions about new elements
- A new transparency initiative against corruption in PP (e.g. TI integrity pacts, use of "red-flags")
- Targeted support to specific MS of to assist Contracting Authorities "learning by doing", e.g. through "TAIEX REGIO PEER2PEER"
- Assessment of current practices and scope to improve PP professionalisation linked to funds
- Study on PP as a strategic tool for Cohesion Policy (e.g. e-procurement, Green PP, Innovation)

SHORT TERM PRIORITY (launch in 2015)

- Developing an index for rating Contracting Authorities according to their performance ("Trip advisor")

MID TERM PRIORITY (launch in 2016)

- Update of Auditor's checklists for public procurement errors based on changes introduced by the new PP Directives
- Scoping of the potential for database of irregularities in public procurement and exploitation of the currently existing ones
- Actions to increase the quality of procurement processes, to achieve more value for money through overall procurement processes

Monitoring Indicators

Progress of the Action Plan will be monitored through both action specific output indicators and overall results indicators. Most important overall result indicator will be to bring the error rate linked to public procurement irregularities down for ESI funded projects and programmes. For the specific actions under the Action Plan the objectives include achievement of specific deliverables for each action (e.g. Production of the Guidance on how to avoid errors & dissemination strategy; pilot integrity pacts launched covering PP; finalisation and dissemination of indicators for EAC assessments) and results indicators for the overall Action Plan, such as a measurable improvement in PP related error rates during 2014-20. The Action Plan and progress will visible on a Sharepoint web-page and will be published on DG REGIO's website.

Next steps

In 2015, actions that already started are still ongoing or will be completed as well as new ones launched depending on internal capacity to manage multiple assignments. Geographical Units (GU) in DG REGIO and in other DGs alike are kept updated on progress and how they can contribute to and benefit from specific actions via enlarged Working Group meetings as well as the regular extended matrix meeting of the Administrative Capacity chaired by REGIO E1.

PP ACTION PLAN (update 01.11.2015)

ID	Action	Priority	Lead / Partners	Output(s)	Targets and milestones	Status 01.11.2015	Delivery	Comments
1	Stock-taking/analysis of current MS performance in PP and past capacity building initiatives and efforts, including: examples of what has worked & what hasn't in building capacity, good practices, training, schemes for professionalisation/qualifications of procurers, use of control systems and red-flags, existing guidance.	ONGOING	REGIO / GROW / AGRI / MARE / EMPL	Report – Inception report, Progress report; 28 Country Profiles 15 Field visit takeaways 2 Case Studies Draft Final report including results of online survey Workshop in Brussels Final Report	Study launched through FW consultants. Contract signed with PwC in December 2014 for 12 months	under implementation Report to be finalised in December 2015..	Consultants PwC	Overview of PP performance and experiences in MS, with emphasis on ways in which capacity, including control functions, has been built up. Recommendations are formulated per MS and the EC. The report will build the basis for further follow-up actions.
2	Compilation & analysis of evidence/ indicators on PP performance linked to funds management as input to EAC negotiations for weaker MS. Information sharing and harmonisation for MS, MAs, IBs, etc. (linked to ex ante conditionalities (EAC)) for error rates, severity, duration, infringements etc. reported at different levels (MS, Funds, ECA, OLAF).	COMPLETED	REGIO / GROW / AGRI / MARE / EMPL	EAC assessment & evidence based reasoning in case of disagreement with MS self-assessment	Adhoc deliverables to GUs on PP EACs	Completed	WG PP	GROW shared readiness assessment and individual country fiches – other DGs gave input on specific implementation issues related to funds management. Cases of difference of opinion on EACs between EC and MS solved. Action Plans have been negotiated and agreed with MS based on the input of GROW and ESIF Fund DGs.
3	Country specific Strategies for Member States with identified weaknesses – RO, BG, IT, EL (underway) and CZ, SK (under preparation).	ONGOING	GROW / REGIO	Strategies tailored to MS needs, endorsed by the MS. These country strategies are initiated by GROW and implemented by the MS to achieve reforms for more effective, efficient and accountable public procurement.	Adhoc deliverables, based on the implementation status of each MS	PP strategies for BG and RO under implementation; MoU with EL and PP strategy for IT to be agreed by end 2015.	MS administration with the support of GROW and REGIO	GROW is in lead for the country specific strategies. Regular information about progress to Members of the Working Group.
4	Prepare and appropriately disseminate Practical Guidance on "How to avoid common errors" based on Audit and other sources when applying current Directives' rules	COMPLETED and dissemination ONGOING	REGIO	Guidance document	Guidance Report, translation dissemination	Expert contract finalised, consultation finalised, translations. all 23 official	Expert, Translation and dissemination by EC services	To address irregularities under current Directives. Update will be prepared for new Directives in 2016. Wide dissemination of the guidance to external stakeholders and practitioners on the ground, for example via ESIF managing and audit authorities/ paying agencies, to GROW Expert Groups and PP agencies and through ad hoc seminars, e.g. on MS

						languages available, dissemination ongoing		request.
5	Training/Guidance on how to prepare and follow-up on Action Plans to improve public procurement capacity linked to funds management (linked to ESIF EAC). Focused on diagnosis and capacity building/training.	ONGOI NG	REGIO	Regular presentations	Internal trainings: 1 per semester	Ongoing internal trainings on EAC	REGIO / other ESIF DGs	Next to internal trainings on EAC, also trainings and administrative capacity building initiatives in MS are taking place through for example TAIEX REGIO PEER2PEER and ad hoc presentations on request of Member States by REGIO and other ESIF DGs. Also cooperation with OECD on administrative capacity initiatives.
6	Monitoring of Action Plans for non-fulfilled ex-ante conditionalities in 8 MS. Information sharing and developing indicators and benchmarks providing a basis for decision on suspension of funds in 2017.	ONGOI NG	REGIO / GROW / AGRI / MARE / EMPL	Development of benchmarks, minimum exit points,	consistent exit strategies by end 2016	Ongoing, regular monitoring of EAC Action Plans by GU	WG PP	12 MS did not fulfil the EAC on PP and agreed on an Action Plan. 4 have in the meantime completed the actions. Objective of equal and consistent treatment of all Member States having an action plan for decision whether action were correctly implemented or whether funds may be suspended. GROW to share knowledge on benchmarks – other DGs to give input on specific implementation issues related to funds management.
7	Preparation for new PP Directives (2016) – training, dissemination on state of progress of transposition. Specific actions to inform key ESIF Authorities about new elements of the PP Directives.	ONGOI NG	GROW / REGIO	ad hoc presentations on request of MS and regular information to the expert group on PP I	Dissemination completed, exchanges on wiki platform are ongoing	Ongoing	In-house + consultants as required	Awareness raising is needed on potential impact on irregularities, financial corrections etc. due to changes in PP legislation halfway during programming period 2014-2020.. On the new element of anti-fraud and anti-corruption: DG REGIO organised 12 anti-fraud and anticorruption seminars in MS. The 28 members of the expert group have discussed specific topics and have been given access to an online wiki platform where good practices and documents can be shared.
7a	Update of Auditor's checklists for public procurement errors based on changes introduced by the new PP Directives	MID TERM	GROW / REGIO	updated checklists	Mid 2016	In preparation	In-house	To be shared with EMPL, AGRI, MARE and made available to ESIF authorities,
8	New pilot initiative against corruption in PP for ESIF projects "Integrity Pacts - Civil control mechanisms for safeguarding EU funds" in cooperation with Transparency International.	ONGOI NG	REGIO / GROW	<ul style="list-style-type: none"> • Learning from global Integrity Pacts (IP) experience; • Development of materials adapted to the ESI Funds • Targeted outreach in MSs to raise interest in piloting IPs 	Preparatory phase (Phase 1 project) to result with identification of 15 potential IPs for piloting	Phase 1 ongoing: to secure participation of public bodies and Civil society organisations in Phase 2 and identification of ERDF or CF (ESIF) projects for IP piloting in	In-house + Transparency International	<p><u>Overall objective:</u> to explore and promote the use of Integrity Pacts (IP) for safeguarding EU funds against fraud and corruption, and as a tool to increase transparency and accountability, enhance trust in authorities and government contracting, contribute to a good reputation of contracting authorities, bring cost savings and improve competition through better procurement</p> <p>The initiative is divided in 2 phases: Phase 1 and Phase 2 projects.</p> <p>Phase 1 on-going: 01/01/2015 - 31/12/2015 International Conference in Brussels on 5 May 2015; Phase 2; implementation of IPs 01/01/2016 - 31/12/2019: 15 -18 pilot projects identified</p>

						different MSs		
9	Assessment of current practices and need for EU-level standards in professional training and qualifications	ONGOI NG	REGIO / GROW	Report	Launch of expert assessment in 2016	first brainstorming and concept paper in Working Group Mid 2015	Consultants	Partially covered under stock-taking Action 1, specific action identified as a recommendation. Possible collaboration with PPN , CIPS , IFPSM or other networks
10	Targeted support to specific MS of to assist Contracting Authorities "learning by doing", e.g. through "TAIEX REGIO PEER2PEER" (study visits, expert missions, workshops)	ONGOI NG	REGIO	Improved capacity, systems and procedures	Service level agreement with TAIEX / DG NEAR	80-100 exchanges until Mid 2016	Experts identified via TAIEX REGIO PEER2PEER	Demand analysis by EIPA finalised in October 2014. Service level agreement with TAIEX / DG NEAR signed in January 2015. REGIO PEER2PEER For example, expert mission of PT and PL experts to SK and workshop in BG on centralised and cooperative procurement, study visit of authorities from Croatia.
11	Study on PP as a strategic tool , Green, social, Innovation, SMEs. Study includes economic analysis to quantify the level of take up of green, socially responsible and innovative public procurement in ten selected Member States	ONGOI NG	REGIO / GROW	Report In depth country reports Case studies	Inception report, Interim report final report	Contract signed, final report expected in Nov 2015	Consultants PwC	EU analysis along lines of US NIGP Strategic PP Survey , but with clear cohesion policy and action orientation
12	Developing an index for rating Contracting Authorities according to their performance ("Trip advisor")	SHORT TERM	REGIO / GROW	Scoping paper, Pilot of Index, Index	Launch expert assessment in 2016	Internal discussion paper prepared	Consultants / researchers	Performance in public procurement can be measured at several levels, action to focus on the level of contracting authorities and develop an index for assessing and benchmarking their performance. To prepare terms of reference for developing the index and contract this task. Piloting of the Index if appropriate.
13	Scoping of the potential for database of irregularities in public procurement and exploitation of the currently existing ones	MID TERM	GROW / REGIO / AGRI / MARE / EMPL / OLAF	Scoping paper(s) for specific projects, contract registers	tbd	Internal consultations started	PP WG	Work together on priorities set e.g. in the Single Market Strategy (SMS) and ECA report concerning better public procurement governance through data. Objectives to improve the general quality of data in MS, linking procurement data and data on EU projects, support the usage of data analysis in MS, support contract registers in MS. Such a database should cover information available from existing databases at National and EU level, and also from structured audit reports, national remedy systems, complaints, infringements and courts.
14	Actions to increase the quality of procurement processes , to achieve more value for money through overall procurement processes, planning of e.g. of timelines for preparation of bids and evaluation, procurement strategy, market research	MID- LONG TERM	GROW / REGIO / AGRI / MARE / EMPL / EIB	Guidelines, dissemination of good practices, specific recommendation to MS,	tbd	Not started	PP WG consultants	Actions to increase value for money as the ability of the Contracting Authority to obtain from the market, through efficient and well run competition, the best bidder having the required expertise and with best economic offer, in order to implement in good conditions (time, quality and budget) the procured project. Also as follow-up to stock taking study (action 1). Dissemination of guidelines, recommendations, good practices and corresponding examples, also of institutional mechanisms for effective reinforcement (e.g. through quality check mechanisms). Best practices/ recommendations relate to topics like quality tender documents anticipating implementation

								risks, reasonable contractual obligations and balanced share of responsibilities, pertinent procurement strategy (organisation of contracts, split into lots) to mitigate possible cartels / market failures; efficient and transparent selection and award.
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PRIORITIES:

ONGOING – launched in 2013 and 2014

SHORT TERM – launch in 2015

MID TERM – launch in 2016

LONG TERM – launch in 2017 and after