

**PUBLIC-PRIVATE PARTNERSHIPS
IN THE EUROPEAN UNION
- COMPETITIVE DIALOGUE PROCEDURE -**

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LEGAL BASIS & USEFUL MATERIALS

- ❖ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement
- ❖ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts
- ❖ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013
- ❖ National legislation

- *Procurement of PPP and the use of Competitive Dialogue in Europe. A review of public sector practices across the EU*, European PPP Expertise Centre (www.eib.org/epec)
- *Competitive dialogue - A practical guide*, European Institute of Public Administration (www.eipa.eu)
- *Competitive Dialogue. How to undertake a Competitive Dialogue Procurement Process*, The World Bank (www.worldbank.org)
- APMG courses (www.ppp-certification.com)

PPP DEFINITION

Public private partnerships' (PPPs) means forms of cooperation between public bodies and the private sector, which aim to improve the delivery of investments in infrastructure projects or other types of operations, delivering public services through risk sharing, pooling of private sector expertise or additional sources of capital

Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006

PPP - REVIEW OF PROCEDURES

PUBLIC-PRIVATE PARTNERSHIP

Public procurement law

Law on concessions
for works and services

Other
regulations

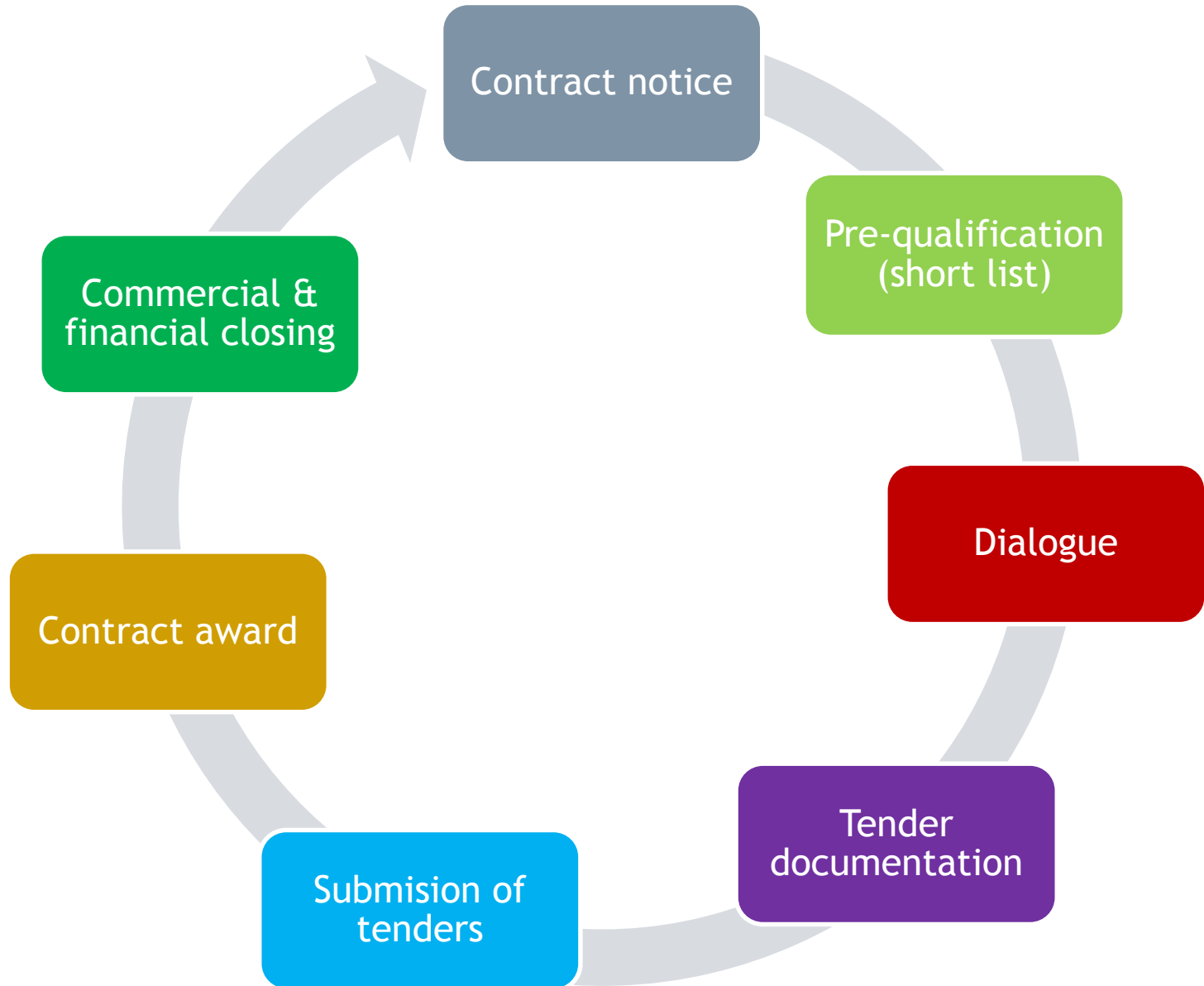
PROCUREMENT PROCEDURES

- Open procedure
- Restricted procedure
- Competitive procedure with negotiations
- **Competitive dialogue**
- Innovation Partnership
- Negotiated procedure without prior publication

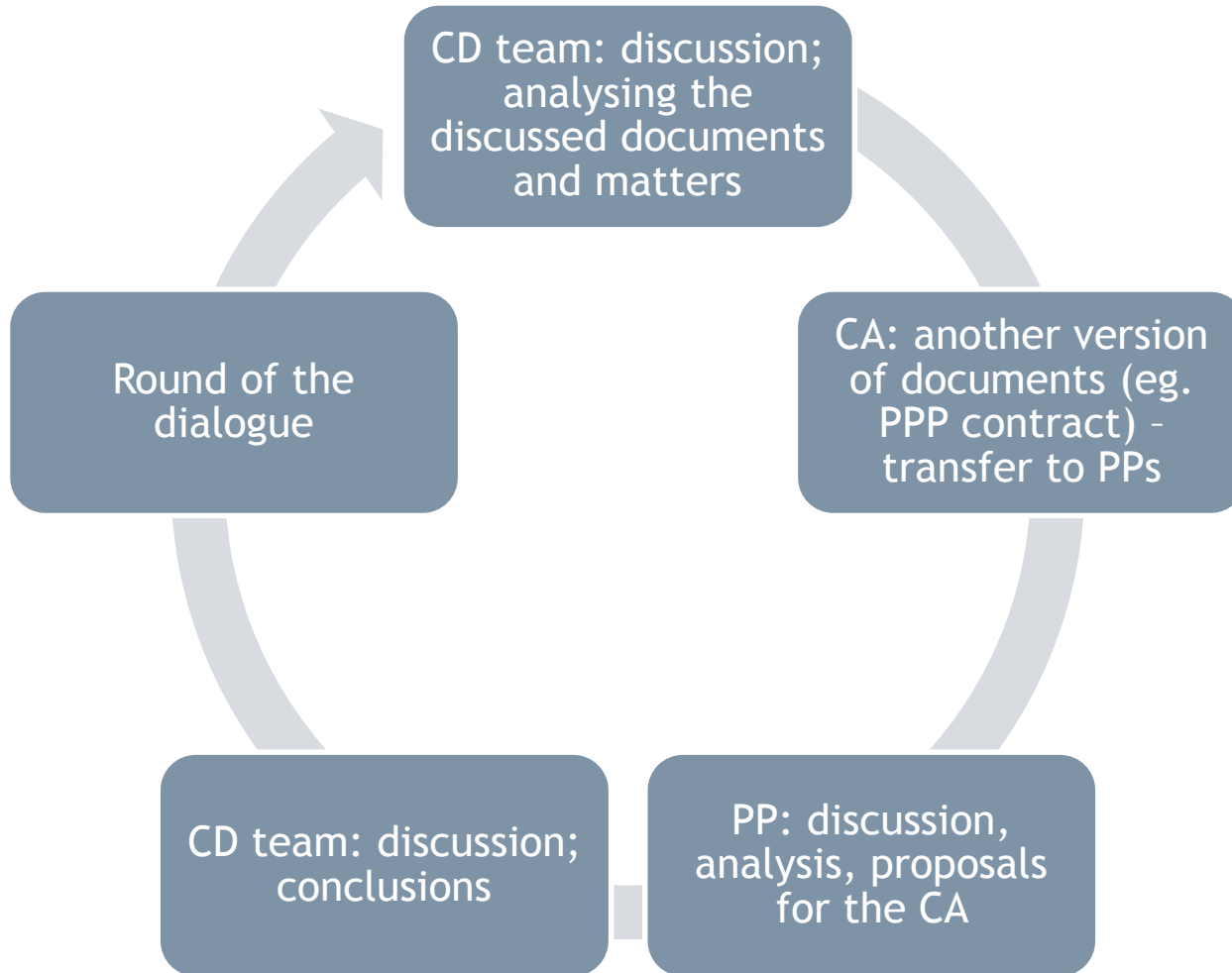
COMPETITIVE DIALOGUE - KEY FEATURES

- ✓ CD is an interactive multistage procurement selection arrangement
- ✓ The aim of the dialogue is to identify and define the means best suited to satisfying the needs of the Contracting Authority
- ✓ The Contracting Authority may discuss all aspects of the procurement with the chosen participants during the dialogue
- ✓ During the dialogue, Contracting Authorities shall ensure equality of treatment among all participants. To that end, they shall not provide information in a discriminatory manner which may give some participants an advantage over others

PROCESS OF THE DIALOGUE



SESSIONS OF THE DIALOGUE (EXAMPLE)



PPP PROCEDURE - SUCCESS FACTORS

- 1) High quality analysis and market-testing (project structure)
- 2) Project-oriented tender committee and experienced advisors
- 3) Efficient organization and implementation of the procedures
- 4) High quality of tender documentation
- 5) Private partners who guarantee best solutions

THANK YOU!



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