

Public Procurement As A Demand Side Innovation Policy In

Socially responsible public procurement (SRPP) is about achieving positive social outcomes in public contracts. Procurement affects a large number of people, whether as users of public services, those involved in production and delivery, or staff of the buying organisation. Beyond those directly affected, SRPP has the potential to influence the broader market on both the demand and supply sides. By purchasing wisely, public buyers can promote employment opportunities, decent work, social inclusion, accessibility, design for all, ethical trade, and seek to achieve wider compliance with social standards. For some products, works and services, the impact can be particularly significant, as public purchasers command a large share of the market in sectors such as construction, healthcare and transport. Public buyers are major investors in Europe, spending 14% of the EU's gross domestic product. By using their purchasing power to opt for goods and services that deliver positive social outcomes, they can make a major contribution to sustainable development. Increasingly, the need to address all three pillars of sustainability (social, environmental and economic) in procurement is recognised by both the public and private sectors. The 2014 Public Procurement Directives¹ make it clear that social aspects can be taken into account throughout the procurement cycle, from preliminary market consultation, through to the use of reservations and the light regime, and to social award criteria and contract performance conditions. Public buyers across Europe are starting to take advantage of these opportunities and demonstrate real social impact in their purchasing. Despite this, Member States are not yet fully exploiting the possibilities of public procurement as a strategic tool to support social policy objectives.

This paper provides first empirical insights on the relationship between green public procurement (GPP) and firms' innovation activities. Considering that the public sector is a large buyer in the economy, public procurement is able to work as demand-pull factor for new products and thus innovations - given that the procurement is aimed at such objectives. GPP is specifically implemented to contribute to more sustainable production and consumption. Using a novel firm-level dataset, this paper analyses whether GPP is able to trigger innovation activities within firms, and if so, whether these innovations are environmental innovations or not. The results show some support for a demand-pull effect of GPP on the probability of general product innovations but no conclusive evidence is found for environmental innovations.

Appropriate laws and regulations are an essential tool to direct the action of procurers toward the public good and avoid corruption and misallocation of resources. Common laws and regulations across regions, nations and continents potentially allow for the further opening of markets and ventures to newcomers and new ideas to satisfy public demand. This book collects original contributions, from both economists and lawyers, related to the new European Union Directives just approved in 2014 by the EU Parliament. Uniquely, this book combines juridical and technical expertise so as to find a common terrain and language to debate the specific issues that a Public Administration in need of advancing and modernizing has to face. This format features, for each section, an introductory exchange between two experts of different disciplines, made of a series of sequential interactions between an economist and a lawyer that write and follow-up on one another. This is to enrich the liveliness of the debate and improve the mutual understanding between the two professions. There are four sections characterized in this book: supporting social considerations via public procurement; green public procurement; innovation through innovative partnerships; and Lots - the Economic and Legal Challenges of Centralized Procurement. This book will be of interest to policy-makers, practitioners working in the field of EU public procurement as well as academics.

This book maps the latest developments in public procurement of innovation policy in various contexts and analyzes the evolution and development of the various policy solutions in broader institutional contexts. In doing so, it addresses significant theoretical and practical gaps: On the one hand, there is an emerging interest in public procurement as a policy tool for spurring innovation; yet on the other hand, the current theory, with some notable exceptions, is guided and often constrained by historical applications, above all in the defence industries. By carefully examining the cases of eleven countries, the book points to the existence of much more nuanced public procurement on the innovation policy landscape than has been acknowledged in the academic and policy debates to date.

This report focuses on the use of innovative procurement in the health sector in the Nordic countries. It presents six Nordic cases demonstrating best practice within innovative procurement. The report argues that despite challenges particularly relating to navigating the legal framework, there are benefits associated with the use of innovative procurement. The use of dialogue between procurers and suppliers is highlighted as a key benefit in innovative procurement as it leads to increased knowledge of possibilities available in the market and hence better solutions. As innovative procurement practice is still relatively new across the Nordic countries, there is a need to disseminate best practices and to develop procurement guides to assist the implementation. The report has been prepared by DAMVAD.

This book examines dynamics between demand and innovation and provides insights into the rationale and scope for public policies to foster demand for innovation.

This insightful book provides readers with a practical and theoretical explanation of the ways in which the new, tailor-made Innovation Partnership Procedure can be used throughout all Member States in the European Union. With a focus on the Procurement Directive for the public sector (Directive 2014/24/EU), Pedro Cerqueira Gomes argues that innovation is a crucial policy of the EU that must be extended to public procurement – implying interesting harmonisation challenges, mostly regarding the use of the Innovation Partnership Procedure and the national administrative law traditions of the Member States.

Appropriate laws and regulations are essential tools to direct the action of procurers toward the public good and avoid corruption and misallocation of resources. Common laws and regulations across regions, nations and continents potentially allow for the further opening of markets and ventures to newcomers and new ideas to satisfy public demand. Law and Economics of Public Procurement Reforms collects the original contributions related to the new European Union Directives approved in 2014 by the EU Parliament. They are of both economists and lawyers, and have been presented in a manner that allows for exchanges of views and "real time" interaction. This book features, for each section, an introductory exchange between two experts of different disciplines, made up of a series of sequential interactions between an economist and a lawyer, which enriches the liveliness of the debate and improve the mutual understanding between the two professions. Four sections characterize this book: Supporting social considerations via public procurement; Green public procurement; Innovation through innovative partnerships; and Lots - The Economic and Legal Challenges of Centralized Procurement. These themes have current relevance of the new European Public Procurement Directives. Written by an impressive array of experts in their respected fields, this volume is of great

importance to practitioners who work in the field of EU public procurement in the Member States of the EU, as well as academics and students who study public finance, public policy and regulation.

The strategic use of innovation procurement can help tackle operational, societal and global challenges that the public sector faces around Europe. Innovation procurement is of strategic importance for economic recovery, being a tool to modernise the public sector and simultaneously speed up the time-to-market for businesses to bring innovations to the market. However, its potential is not fully exploited yet in Europe. In particular, underinvestment in innovation procurement of ICT-based solutions is holding back economic growth in Europe. One particular obstacle that policy makers in Europe face to mainstream innovation procurement, is the lack of comparable data about the current situation and the strengths and weaknesses across different countries in Europe. Therefore, this study developed an approach for systematic measuring and monitoring the progress on innovation procurement and on innovation procurement of ICT-based solutions that has been made so far in 30 countries around Europe: the 27 EU Member States, the UK, Norway and Switzerland. This benchmarking is the first ever exercise to evaluate in a comparable way the maturity of the national policy frameworks for innovation procurement and the amount of public procurement of innovative solutions - including the part invested in ICT - that is taking place across all domains of public sector activity in each of those countries. The aim of the exercise is that this information helps European countries and the European Commission strengthen the public demand for innovative solutions across the whole of Europe. The study is divided in two parts: the first part maps the progress on implementing a comprehensive mix of policy measures to mainstream innovation procurement, the second part estimates the amount of investment in public procurement of innovative solutions that took place in 2018 in the analysed countries. The key output of this benchmarking is a set of 30 country profiles (available as a separate appendix) providing information on national policy frameworks and investments in innovation procurement in each country and an in-depth comparative analysis of results presenting the main differences and commonalities between countries and clusters of countries.

This book focuses on Public Procurement for Innovation. Public Procurement for Innovation is a specific demand-side innovation policy instrument. It occurs when a public organization places an order for a new or improved product to fulfill certain need. This study is about the macroeconomic effects of positive externalities or industrial spillovers around advanced production. The case explored is the "technology dividend" around Swedish aircraft industry, and in particular around the aircraft manufacturer Saab, and the major industrial project of the JAS 39 Gripen multirole combat aircraft. The project is partly an updating of my book (in Swedish) Technology 1 Generator or a National Prestige Project from 1995, but extends the analysis in several directions. The study includes a chapter on spillovers from advanced production in an industrially developing economy, South Africa, that has acquired the JAS 39 Gripen for its Air Force. There is also a chapter in which the results for Sweden are discussed in the wider context of advanced public procurement in Europe. The text has been organized such that the main chapters have been written for academic readers. Two supplements include the technical details of data collection, mathematical models, and calculation methods. The first chapter is brief and focused on the results. It has the character of an extended executive summary. The second chapter summarizes the entire story; problems, results, and methods. This project would not have been possible without the generous support of a number of people. First of all great thanks go to all those people with crowded calendars in Swedish industrial firms that have set aside time to respond to my questions. Most of them have been listed at the end of the book.

This guide focuses on the role of government programmes in public procurement to assist small and medium-sized enterprises (SMEs) in becoming better exporters. The guide identifies and explains advantages and disadvantages of public procurement programmes; looks at criteria used for determining eligibility for SME status in various countries; and examines programmes used by selected countries to assist SMEs in a procurement context. It also gives guidance on the implementation of public procurement programmes designed to assist SMEs.

Max Rolfstam examines the increasing emphasis on public procurement as a means to stimulate innovation and the theoretical implications of this policy development. While regular public procurement may be regarded as the outcome of anonymous market processes, public procurement of innovation must be understood as a special case of innovation, where social processes, and consequently the institutions governing these social processes, need to be considered. This book contributes to our understanding with a detailed institutional analysis of the public procurement of innovation. The author draws on an institutional framework that underscores the importance of conducting a multilevel institutional analysis. Unlike earlier studies that reduced public procurement challenges to a legal issue, this book offers insights of more holistic nature. Academics, students and researchers with an interest in innovation policy will find this book to be an informative and fascinating read. It will also provide an invaluable reference tool on how public procurement can be used as an innovation policy tool for policymakers at both national and EU levels.

Examines country initiatives to reduce the environmentally damaging effects of public procurement by introducing "greener public purchasing initiatives" such as requiring recycled content or levels of energy efficiency in purchased products.

This book discusses current theories and practices in the field of public procurement. Over the past few decades, public procurement has had to evolve conceptually and organizationally in the face of unrelenting budget constraints, government downsizing, public demand for increased transparency in public procurement, as well as greater concerns about efficiency, fairness and equity. Procurement professionals have also had to deal with a changeable climate produced by emerging technology, environmental concerns, and tension between complex regional trade agreements and national socioeconomic goals. This volume presents sixteen case studies focusing on the themes of public procurement as a policy tool and performance-based public procurement. The first section discusses public procurement as a policy tool and the challenges involved in balancing the competing interests of market forces, legal requirements, political pressures, and environmental concerns. The second section discusses performance-based public procurement, highlighting the frameworks used to assess procurement systems, the gaps between policy and practice, and strategies for bridging those gaps. The final section of the book discusses current issues in procurement, such as the Trans-Pacific Partnership, risk mitigation, and procurement as a profession. By combining theory and analysis with evidence from the real world, this book is of equal use to academics, policy makers, and procurement professionals.

This book presents effective strategies for developing countries to leverage their public sector demand for manufactured imports to promote industrialization, trade, and technology transfer. Technology transfer and its absorption is considered one of the most crucial and complicated challenges for developing countries, which are characterized by insufficient infrastructure, low technological intensity of the domestic capital stock, and high levels of manufactured imports. Which strategies and policy tools can governments employ to link demand with technology transfer, thereby enhancing absorption capacity and development in emerging economies? This book is part of a broader project launched by PGlobal Global Advisory and Training Services Ltd., in cooperation with Istanbul Commerce University (TUCU) and the Scientific and Technological Research Council of Turkey (TÜBİTAK). The contributors to this book are policymakers, academicians, and experts who are working together to identify problems and develop policy recommendations for public procurement with respect to economic development. The book includes theoretical, empirical, and case study analyses of technology transfer mechanisms, public procurement policies, and countertrade and offset strategies. The lessons learned from these chapters will be of interest to both academics and policymakers concerned with technology transfer, industrial policy, and economic development.

This book addresses the increasing demand for a logical understanding of how framework agreement should be used and implemented.

This book aims to advance the understanding of pre-commercial procurement (PCP) as innovation policy instrument and as means to fulfil public needs. To this end, it places PCP within its political and legal context and elucidates its origins and its economic rationale. Based on this analysis, it suggests a clear conceptualization of PCP and a clear delineation from other innovation policy instruments. Subsequently, the book assesses the value and achievements of the more established type of PCP policy programmes, and draws lessons for improvement. In this context, it raises awareness of the remaining obstacles to its wide and effective implementation and suggests appropriate solutions ranging from policy guidance to law interpretation and legislative reform. The text makes use of illustrative practical examples of policy-making and project implementation in various public programmes of R&D procurement. This is a highly relevant book for academics and practitioners in the field of public procurement. Ramona Apostol is Senior Procurement Adviser at Corvers Procurement Services B.V. in the Netherlands. She holds a Ph.D. in Law from Leiden University, the Netherlands. She has been involved in a wide range of procurement projects related to the implementation of R&D and innovation procurement and regularly acts as independent expert for the European Commission on this topic.

Investigating the implications of the opening-up of the European public markets on other legal and economic systems in the world, this book analyses the regulation of public purchasing as part of the emerging Economic Law of the European Union

Using a comparative framework, this volume presents case studies of issues of public procurement and discusses how procurement professionals and policy makers in different regions are responding to these challenges. This book discusses current issues in public procurement. Over the past few decades, public procurement has had to evolve conceptually and organizationally in the face of unrelenting budget constraints, government downsizing, public demand for increased transparency in public procurement, as well as greater concerns about efficiency, fairness and equity. Procurement professionals have also had to deal with a changeable climate produced by emerging technology, environmental concerns, and ongoing tension between complex regional trade agreements and national socioeconomic goals. The first section discusses innovation and reforms in public procurement and how practitioners are adapting to and making use of new technologies. The second section addresses the challenges of maintaining transparency, equity, and fairness in public procurement. The final section discusses preferential public procurement and introduces strategies for building sustainable public procurement systems. By combining theory and analysis with evidence from the real world, this book is of equal use to academics, policy makers, and procurement professionals.

We develop a model of project competition to compare two alternative and widely used approaches: (i) A (demand-side) procurement approach, in which the public authority specifies the type of project it will finance and (ii) a (supply-side) grant system, in which any type of project can be funded. The public authority can verify the characteristics of the projects submitted, but does not know which other projects are available. The paper sheds light on the role of public procurement to foster innovation.

Governments everywhere procure goods and services as inputs into the production of public goods and services. Such purchases can account for a substantial share of total demand for goods and services. Governments' tendencies, however, to "Buy National," and other discriminatory purchasing practices, can have high costs. The end result for the world as a whole is likely to be substantially inferior in welfare terms to a cooperative outcome where governments agree to refrain from discrimination. Hence the Government Procurement Act (GPA) aims to subject public purchasing to international competition. However, many developing countries, along with others such as Australia and New Zealand, have refused to join the GPA on the grounds that it is not in their best interest. This volume examines the GPA and discusses what could be done to improve it with a view to expanding its membership. The contributors focus on four broad issues: the negotiating history, content, and operation of the GPA; the economics of the GPA's rules and disciplines; the implementation of the GPA in domestic legal systems; and, finally, possible alternatives to--and improvements on--the current set of multilateral rules and disciplines. Offering the most comprehensive assessment of the subject available, the volume will be of interest to scholars of international trade, as well as people whose work involves them in government procurement, from the buyers and sellers of goods and services to those concerned with legal aspects. Bernard M. Hoekman is Senior Economist in the International Economics Department at the World Bank. Petros C. Mavroidis is Professor of Law, University of Neuchâtel, Switzerland. This title was formally part of the Studies in International Trade Policy Series, now called Studies in International Economics. Governments everywhere procure

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ÔThis volume is long overdue. Integrated legal and economic analysis of competition law is crucial given the nature of the sector. However to carry this off successfully, one either needs intensive editorial work to bring different teams together; or one has to rely on the few who master both economic and legal analysis to a tee. Stefan WeishaarÕs analysis not only looks at a stubborn issue in competition law. He does so in three jurisdictions, in detailed yet clear fashion, with clear insight and ditto conclusions. Over and above its relevance to academic analysis, this book can go straight into competition authoritiesÕ decision making, and therefore also in compliance and remediation advice.Õ Æ Geert Van Calster, University of Leuven, Belgium Cartels, Competition and Public Procurement uses a law and economics approach to analyse whether competition and public procurement laws in Europe and Asia deal effectively with bid rigging conspiracies. Stefan Weishaar explores the ways in which economic theory can be used to mitigate the adverse effects of bid rigging cartels. The study sheds light on one of the vital issues for achieving cost-effective public procurement Æ which is itself a critical question in the context of the global financial crisis. The book comprehensively examines whether different laws deal effectively with bid rigging and the ways in which economic theory can be used to mitigate the adverse effects of such cartels. The employed industrial economics and auction theory highlights shortcomings of the law in all three jurisdictions Æ the European Union, China and Japan Æ and seeks to raise the awareness of policymakers as to when extra precautionary measures against bid rigging conspiracies should be taken. Students and researchers who have a keen interest in the relationship between law and economics, competition law and public procurement law will find this topical book invaluable. Practitioners can see how economic theory can be used to identify situations that lend themselves to bid rigging and policymakers will be informed about the shortcomings of existing legislation from a legal and economics perspective and will be inspired by approaches taken in different jurisdictions.

Public Technology Procurement and Innovation studies public technology procurement as an instrument of innovation policy. In the past few years, public technology procurement has been a relatively neglected topic in the theoretical and research literature on the economics of innovation. Similarly, preoccupation with `supply-side' measures has led policy-makers to avoid making very extensive use of this important `demand-side' instrument. These trends have been especially pronounced in the European Union. There, as this book will argue, existing legislation governing public procurement presents obstacles to the use of public technology procurement as a means of stimulating and supporting technological innovation. Recently, however, there has been a gradual re-awakening of practical interest in such measures among policy-makers in the EU and elsewhere. For these and other related measures, this volume aims to contribute to a serious reconsideration of public technology procurement from the complementary standpoints of innovation theory and innovation policy.

This report examines the use of framework agreements and their developments in Chile, benchmarked against the practices in other OECD countries.

This volume is a careful selection of the leading legal and economic papers analysing international discrimination in government purchasing. It also includes the WTO agreement that seeks to curb such discrimination. Studies of individual country experiences are also featured, adding a practical dimension to what often appears to be a narrow technical debate. This authoritative and wide-ranging volume will provide trade negotiators, other government officials including purchasing officers, and scholars with a thorough grounding so as to effectively assess proposals for further international rules on government procurement practices, be they in bilateral, regional, or multilateral arenas.

Since the 1990s, government at all levels is under increasing pressure to do more with less. However, despite the U.S. government spending about 15 to 20 percent of its GDP on contracts for goods and services, there is a paucity of reference books for public procurement officials and very few textbooks for courses on the subject. Filling this void, the International Handbook of Public Procurement provides the knowledge necessary to understand how procurement works and how to improve the cost-effectiveness of procurement systems. Taking a multidisciplinary approach, the book focuses on the managerial, economic, political, and legal aspects of this topic. It begins with a conceptual framework and highlights various reforms occurring in certain countries. By examining these improvements, readers are able to apply this knowledge to their own strategies. The next section presents selected cases that illustrate the public procurement process, examining systems in various nations including Germany, China, South Africa, Cambodia, Uganda, and Estonia. The book also discusses the rise of electronic procurement systems (E-procurement) and reviews the benefits of these efficient systems. Other topics presented in this comprehensive volume include

practical discussions on contract negotiations, bidding, price strategies and cost analysis, and an insightful chapter on the market's response to contract award announcements. A virtual encyclopedia from numerous international experts, this book was assembled by Khi V. Thai, Professor at Florida Atlantic University and Editor of the Journal of Public Procurement. Dr. Thai has provided technical assistance in the area of public procurement to governments across the world. Empowering those on all sides of the issue, this volume dispenses advice valuable to government officials and contractors, as well as providing a comprehensive text for public administration students.

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This working paper describes a methodology for how Sustainable Public Procurement links with the Sustainable Development Goals. The methodology was used to describe 17 cases for each of the sustainable development goals in the report 'Sustainable Public procurement and the Sustainable Development Goals'.

The Second Edition of EU Public Procurement Law provides a comprehensive view of the policies, legislation and cases that define this area of law. Written from a pan-European perspective, it will be a useful guide for students and practitioners alike. As well as describing the public contracts, utilities and remedies directives, this work details the European cases that have shaped the law and the relationship between procurement law and other forms of regulation such as state aid. Of particular interest to the practitioner, there are specific sections on remedies, evaluation criteria and different forms of procurement such as services concessions, public-private partnerships and public-public partnerships. _ Hazel Grant, Partner, Bristows, London, UK Acclaim for first edition: 'This book will serve as an essential resource for anyone interested in the legal regime of public procurement. It offers a comprehensive and topical analysis of EU law and its interaction with national law and policies in an area of growing economic importance.' _ Ruth Nielsen, Copenhagen Business School, Denmark In this fully revised and updated edition, Christopher Bovis provides a detailed, critical, concise and accessible overview of the public procurement legal framework and its interaction with policies within the European Union and the its Member States. Public procurement represents an essential part of the Single Market project, launched by European Institutions in 2011. Its regulation will insert competition and transparency in the market and be a safeguard to the attainment of fundamental principles of the Treaties. This book demonstrates the impact of the relevant Directives on Member States through the development of the case law of the European Court of Justice and assesses the judicial review of public contracts at national level. It positions public procurement at the centre of the legal and policy debate surrounding the delivery of public services and the advancement of competitiveness and industrial policy in the EU. The book highlights the pivotal role of public procurement for the Europe 2020 Growth Strategy. Demonstrating the concepts and principles of public procurement, this comprehensive book will have a strong appeal to academic researchers, lawyers, judges, practitioners, and policymakers at the European, international and national levels as well as students of law, policy and management.

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