

Public Procurement Directives - revision

Fields marked with * are mandatory.

Introduction

As announced in the Political Guidelines for the next European Commission 2024-2029^[1] and the 2026 Commission Work Programme^[2], the European Commission is preparing a **revision of the EU Public Procurement Directives**. The main objectives of the revision are to make public investment and spending more efficient, while continuing to prevent corruption, to design tools to strengthen economic security and sovereignty and to better align public procurement policy with EU strategic policy objectives.

In preparation of the revision and following the evaluation of the EU public procurement Directives^[3], the Commission is launching this public consultation to gather views from all interested parties.

This public consultation is an opportunity for everyone to share their thoughts, experiences, and ideas on how to improve public procurement in the EU ahead of the planned revision. This will improve the evidence base underpinning the initiative and enable the Commission to take into consideration information and views of citizens and stakeholders.

The questionnaire is **divided into two parts**. The first part is short and requires no detailed knowledge of public procurement law and systems. The second part is more detailed and technical, requiring specialised knowledge. If you have the opportunity to answer the second part, please set aside some extra time to provide your input.

Please note that this consultation does not cover rules related to defence procurement or the EU Remedies Directive. These areas are outside the scope of this review. The public consultation runs in parallel to a call for evidence.

[1] European Commission, Political Guidelines for the Next European Commission 2024–2029, 2024.

[2] Secretariat-General, 2026 Commission Work Programme and Annexes, European Commission, 21 October 2025.

About you

***Language of my contribution**

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

***I am giving my contribution as**

- Academic/research institution

- Business association
- Company/business
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

Emil

* Surname

Tan

* Email (this won't be published)

emil.tan@entsoe.eu

* Organisation name

255 character(s) maximum

ENTSO-E (European Network of Transmission System Operators for Electricity)

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

Check if your organisation is on the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making.

*Country of origin

Please add your country of origin, or that of your organisation.

This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.

<input type="radio"/> Afghanistan	<input type="radio"/> Djibouti	<input type="radio"/> Libya	<input type="radio"/> Saint Martin
<input type="radio"/> Åland Islands	<input type="radio"/> Dominica	<input type="radio"/> Liechtenstein	<input type="radio"/> Saint Pierre and Miquelon
<input type="radio"/> Albania	<input type="radio"/> Dominican Republic	<input type="radio"/> Lithuania	<input type="radio"/> Saint Vincent and the Grenadines
<input type="radio"/> Algeria	<input type="radio"/> Ecuador	<input type="radio"/> Luxembourg	<input type="radio"/> Samoa
<input type="radio"/> American Samoa	<input type="radio"/> Egypt	<input type="radio"/> Macau	<input type="radio"/> San Marino
<input type="radio"/> Andorra	<input type="radio"/> El Salvador	<input type="radio"/> Madagascar	<input type="radio"/> São Tomé and Príncipe
<input type="radio"/> Angola	<input type="radio"/> Equatorial Guinea	<input type="radio"/> Malawi	<input type="radio"/> Saudi Arabia
<input type="radio"/> Anguilla	<input type="radio"/> Eritrea	<input type="radio"/> Malaysia	<input type="radio"/> Senegal
<input type="radio"/> Antarctica	<input type="radio"/> Estonia	<input type="radio"/> Maldives	<input type="radio"/> Serbia
<input type="radio"/> Antigua and Barbuda	<input type="radio"/> Eswatini	<input type="radio"/> Mali	<input type="radio"/> Seychelles
<input type="radio"/> Argentina	<input type="radio"/> Ethiopia	<input type="radio"/> Malta	<input type="radio"/> Sierra Leone
<input type="radio"/> Armenia	<input type="radio"/> Falkland Islands	<input type="radio"/> Marshall Islands	<input type="radio"/> Singapore
<input type="radio"/> Aruba	<input type="radio"/> Faroe Islands	<input type="radio"/> Martinique	<input type="radio"/> Sint Maarten
<input type="radio"/> Australia	<input type="radio"/> Fiji	<input type="radio"/> Mauritania	<input type="radio"/> Slovakia
<input type="radio"/> Austria	<input type="radio"/> Finland	<input type="radio"/> Mauritius	<input type="radio"/> Slovenia
<input type="radio"/> Azerbaijan	<input type="radio"/> France	<input type="radio"/> Mayotte	<input type="radio"/> Solomon Islands
<input type="radio"/> Bahamas	<input type="radio"/> French Guiana	<input type="radio"/> Mexico	<input type="radio"/> Somalia
<input type="radio"/> Bahrain	<input type="radio"/> French Polynesia	<input type="radio"/> Micronesia	<input type="radio"/> South Africa
<input type="radio"/> Bangladesh	<input type="radio"/> French Southern and Antarctic Lands	<input type="radio"/> Moldova	<input type="radio"/> South Georgia and the South Sandwich Islands

● Barbados	● Gabon	● Monaco	● South Korea
● Belarus	● Georgia	● Mongolia	● South Sudan
● Belgium	● Germany	● Montenegro	● Spain
● Belize	● Ghana	● Montserrat	● Sri Lanka
● Benin	● Gibraltar	● Morocco	● Sudan
● Bermuda	● Greece	● Mozambique	● Suriname
● Bhutan	● Greenland	● Myanmar/Burma	● Svalbard and Jan Mayen
● Bolivia	● Grenada	● Namibia	● Sweden
● Bonaire Saint Eustatius and Saba	● Guadeloupe	● Nauru	● Switzerland
● Bosnia and Herzegovina	● Guam	● Nepal	● Syria
● Botswana	● Guatemala	● Netherlands	● Taiwan
● Bouvet Island	● Guernsey	● New Caledonia	● Tajikistan
● Brazil	● Guinea	● New Zealand	● Tanzania
● British Indian Ocean Territory	● Guinea-Bissau	● Nicaragua	● Thailand
● British Virgin Islands	● Guyana	● Niger	● The Gambia
● Brunei	● Haiti	● Nigeria	● Timor-Leste
● Bulgaria	● Heard Island and McDonald Islands	● Niue	● Togo
● Burkina Faso	● Honduras	● Norfolk Island	● Tokelau
● Burundi	● Hong Kong	● Northern Mariana Islands	● Tonga
● Cambodia	● Hungary	● North Korea	● Trinidad and Tobago
● Cameroon	● Iceland	● North Macedonia	● Tunisia
● Canada	● India	● Norway	● Türkiye
● Cape Verde	● Indonesia	● Oman	● Turkmenistan

● Cayman Islands	● Iran	● Pakistan	● Turks and Caicos Islands
● Central African Republic	● Iraq	● Palau	● Tuvalu
● Chad	● Ireland	● Palestine	● Uganda
● Chile	● Isle of Man	● Panama	● Ukraine
● China	● Israel	● Papua New Guinea	● United Arab Emirates
● Christmas Island	● Italy	● Paraguay	● United Kingdom
● Clipperton	● Jamaica	● Peru	● United States
● Cocos (Keeling) Islands	● Japan	● Philippines	● United States Minor Outlying Islands
● Colombia	● Jersey	● Pitcairn Islands	● Uruguay
● Comoros	● Jordan	● Poland	● US Virgin Islands
● Congo	● Kazakhstan	● Portugal	● Uzbekistan
● Cook Islands	● Kenya	● Puerto Rico	● Vanuatu
● Costa Rica	● Kiribati	● Qatar	● Vatican City
● Côte d'Ivoire	● Kosovo	● Réunion	● Venezuela
● Croatia	● Kuwait	● Romania	● Vietnam
● Cuba	● Kyrgyzstan	● Russia	● Wallis and Futuna
● Curaçao	● Laos	● Rwanda	● Western Sahara
● Cyprus	● Latvia	● Saint Barthélemy	● Yemen
● Czechia	● Lebanon	● Saint Helena	● Zambia
● Democratic Republic of the Congo	● Lesotho	● Ascension and Tristan da Cunha	
● Denmark	● Liberia	● Saint Kitts and Nevis	● Zimbabwe
		● Saint Lucia	

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association', 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.** Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

*Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

Public

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

I agree with the [personal data protection provisions](#)

Overall objectives

The **evaluation of the 2014 public procurement directives** (SWD(2025)332) concluded that their intended objectives have only been partially met, and several problems remain: legal clarity and flexibility did not improve, new sector-specific rules added complexity to the legal framework, transparency levels increased but corruption risks and data gaps remain, competition levels can be further enhanced, direct cross-border participation remains limited, and environmental, social and innovation procurement uptake, while progressing, remains uneven. At the same time, new priorities such as economic security and strategic autonomy have emerged, accentuated by recent geopolitical developments.

Improving efficiency and transparency of the new rules

In view of the evaluation findings, please rank the importance of the proposed characteristics of the new public procurement legal framework in a decreasing order, starting with the most important:

The forthcoming revision should...

Use drag&drop or the up/down buttons to change the order or accept the initial order.

- ⋮ **make procurement rules more flexible** (e.g. more space for negotiations, more discretion given to public buyers)
- ⋮ **make procurement rules less detailed** (e.g. focus on high-level concepts, less rules defining procedural steps)
- ⋮ **reduce administrative burden through full digitalisation** (e.g. digitalisation of the entire procurement process, single digital procurement entry point, data reuse)
- ⋮ **facilitate the aggregation of demand** (e.g. joint procurement by several authorities, reinforcing the role of central purchasing bodies, framework agreements)
- ⋮ **prioritise broader policy goals by moving beyond the lowest-cost paradigm** (e.g. to include objectives like sustainability, innovation, social responsibility and *Made in Europe*)
- ⋮ **make procurement rules less prone to litigation** (e.g. more detailed procedural rules to avoid ambiguity)
- ⋮ **make procurement rules less prone to anti-competitive practices** (e.g. wider use of digital tools to facilitate transparency)
- ⋮ **facilitate SMEs participation** (e.g. division into lots, payment schemes including direct payments to subcontractors)

Green, social and innovative public procurement

In view of the evaluation findings, please rank the importance of the proposed characteristics of the new public procurement legal framework in a decreasing order, starting with the most important:

The forthcoming revision should...

Use drag&drop or the up/down buttons to change the order or accept the initial order.

- ⋮ **make procurement rules less detailed** (e.g. focus on high-level concepts, less rules defining procedural steps)

- ⋮ **avoid additional administrative burden** (e.g. limited rules on social and green conditionalities and associated administrative and evidence requirements for companies and public buyers)
- ⋮ **prioritise competition and price savings** (e.g. by avoiding ambitious green and social requirements)
- ⋮ **facilitate purchases of innovative solutions** (e.g. simplifying innovation partnerships, easing access to public procurement for startups)
- ⋮ **facilitate environmentally friendly purchases** (e.g. facilitated use of ecolabels and standards, set targets for green public procurement)
- ⋮ **facilitate socially responsible purchases** (e.g. improved working conditions, social inclusion)
- ⋮ **facilitate SME participation** (e.g. division into lots, payment schemes including direct payments to subcontractors)
- ⋮ **prioritise quality over price when seeking value for money** (e.g. wider use of the best pricequality ratio to support strategic and sustainable procurement)

Economic security and strategic autonomy

In view of the evaluation findings, please rank the importance of the proposed characteristics of the new public procurement legal framework in a decreasing order, starting with the most important:

The forthcoming revision should...

Use drag&drop or the up/down buttons to change the order or accept the initial order.

- ⋮ **make procurement rules less detailed** (e.g. focus on high-level concepts rather than detailed requirements on what products, services and works public buyers can purchase)
- ⋮ **make procurement rules more flexible** (e.g. more discretion given to public buyers)
- ⋮ **avoid additional administrative burden** (e.g. minimal rules on the extent to which *Made in Europe* requirements are met)
- ⋮ **give preference to European industry, products and services in sectors that are critical to EU economic security or of strategic importance** to secure Europe's independence
- ⋮ **prioritise competition and price savings** (e.g. by allowing unrestrained access to European markets to firms from outside Europe)
- ⋮ **give general preference to European industry, products and services (*Made in Europe*)** to support investment, growth and jobs in the EU
- ⋮ **make procurement rules less prone to litigation** (e.g. more detailed to avoid ambiguity in case of third countries access)

Expert sections

* The **following sections** deal with **more complex and technical aspects** of public procurement. If you have specialised knowledge or experience with procurement rules and procedures, you may want to respond to these questions. You can also choose not to respond to these questions. In either case, you will be invited to share any general comments you may have on the forthcoming revision of the EU public procurement directives before submitting your response to this public consultation.

- Yes, I want to proceed with responding to more complex and technical questions.
- No, I prefer to proceed without responding to more complex and technical questions.

Simplification

Despite attempts to **simplify procurement procedures** and make their use more flexible through the 2014 public procurement directives, the evaluation concluded that procedures are perceived as too complex and rigid for public buyers to achieve their public investment objectives effectively.

We are considering several measures to simplify public procurement procedures. Please assess the potential of each measure to simplify the process:

More **flexible** procedures:

	High simplification potential	Some simplification potential	No or negligible impact	Additional complication potential	High complication potential
Allow negotiations throughout the procurement procedure	●	○	○	○	○
Facilitate dialogue with the market	○	●	○	○	○
Increase flexibility in contract modifications (e.g. revising the duration, price changes)	●	○	○	○	○
Simplify procedures for off-the shelf purchases (i.e. compliance only with basic principles, such as non-discrimination, transparency, and procedural fairness)	●	○	○	○	○
Allow corrections of procurement documents throughout the procedure	●	○	○	○	○

Facilitate **joint procurement**:

	High simplification potential	Some simplification potential	No or negligible impact	Additional complication potential	High complication potential
Increase flexibility in setting the duration of framework agreements	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitate networking among buyers (e.g., forming buyer groups or communities of practice)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enhance the role of Central Purchasing Bodies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Simplify rules for setting up joint procurements, especially across borders	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Improve **information exchange** and **procedural time-limits**:

	High simplification potential	Some simplification potential	No or negligible impact	Additional complication potential	High complication potential
Set time limits for evaluating bids	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Allow re-use of documentation submitted by bidders (once-only principle)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Establish a central EU procurement platform and enhance digitisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Provide model contract templates and technical specifications templates for public buyers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase time limits for submission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Support **small and medium-sized enterprises** (SMEs):

	High simplification potential	Some simplification potential	No or negligible impact	Additional complication potential	High complication potential
Simplify rules for forming consortia, especially for SMEs	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EU-level targets for SMEs participation in public procurement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Encourage dividing contracts into smaller lots	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Improve **implementation** and contract management:

	High simplification potential	Some simplification potential	No or negligible impact	Additional complication potential	High complication potential
Establish rules for the post-award phase, including contract implementation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Speed up payments to contractors, especially SMEs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increase use of pre-financing, especially for SMEs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Establish rules for direct payments to subcontractors, especially SMEs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

If you wish, you may provide more information on ways to simplify procurement procedures:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

Simplification - impacts

How likely do you believe the following outcomes would occur if the **proposed**

simplification measures were implemented?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Reduced cost for public buyers to conduct public procurement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased SME participation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased bidding by EU-based firms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faster procurement processes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced cost for bidders to participate in public procurement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Less corruption	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased buying power of public buyers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
More competition	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased cross-border bidding within the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced price of goods /services/works	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased number of bidders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Increased legal certainty



If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

While simplification measures can deliver benefits, care should be taken to avoid introducing additional mechanisms that increase complexity or administrative burden. Simplification should be balanced and address the needs of both suppliers and contracting authorities. Measures that merely shift costs, risks, or compliance efforts without genuinely streamlining procedures may limit the expected gains in efficiency, competition, and cost reduction.

Coherence between general rules applicable to all sectors and sectoral rules

The current legislative framework define general rules regulating the procedures of public procurement. They include horizontal general rules on “how to buy”, which are applicable to all buyers and sectors. The evaluation showed that the introduction of public procurement provisions in other sectoral legal acts on both “how to buy” and “what to buy” led to a fragmentation of the regulatory framework causing concerns over legal coherence and applicability.

Should existing **sectoral rules (*)** be integrated with the new legislative framework?

*Examples of sector-specific EU legislation relating to public procurement the Net-Zero Industry Act or Clean Vehicles Directive

A) EXISTING SECTORAL LEGISLATION

- Existing “**how and what to buy**” legal provisions in sectoral acts **should be integrated** in the general legislative framework and be removed from sectoral acts.
- Only existing “**how to buy**” legal provisions in sectoral acts **should be integrated** in the general legislative framework and be removed from sectoral acts. Existing “**what to buy**” legal provisions **should NOT be integrated** in the general legislative framework, they would remain in various sectoral acts and be amended therein to ensure coherence where required.
- Existing “**how and what to buy**” legal provisions in sectoral acts **should NOT be integrated** in the general legislative framework. Any conflicting or incoherent provisions in sectoral acts would be removed.

- Other:

Please specify:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

Only existing "how to buy" legal provisions in sectoral acts should be integrated in the general legislative framework and be removed from sectoral acts. Existing "what to buy" legal provisions should NOT be integrated in the general legislative framework, they would remain in various sectoral acts. Any conflicting or incoherent provisions in sectoral acts have to be removed.

B) FUTURE SECTORAL LEGISLATION

- Future "**how and what to buy**" requirements **should be integrated** in the general legislative framework.
- Only future "**how to buy**" requirements **should be integrated** in the general legislative framework. Future "**what to buy**" requirements **should NOT be integrated** in the general legislative framework – they should continue to be included separately in sector-specific legislation.
- Future "**how and what to buy**" legal provisions in sectoral acts **should NOT be integrated** in the general legislative framework.
- Other:

Please specify:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

Future "how to buy" legal provisions in sectoral acts should be integrated in the general legislative framework and be removed from sectoral acts. Future "what to buy" legal provisions should NOT be integrated in the general legislative framework, they would remain in various sectoral acts. Any conflicting or incoherent provisions in sectoral acts have to be removed. To ensure legal coherence and avoid further fragmentation, future sectoral legislation should focus on defining "what to buy" requirements, while "how to buy" rules should be fully integrated into the general legislative framework. Procedural rules are horizontal by nature and should be applied consistently across sectors. Any conflicting, overlapping, or incoherent provisions in sectoral acts should be removed to prevent parallel regimes and ensure a clear, predictable procurement framework for both contracting authorities and suppliers.

Concessions

The evaluation concluded that, although the EU Concessions Directive helped to harmonise procurement laws across Member States, significant inconsistencies remain. Different legal concepts are still interpreted differently across countries and sectors leading to fragmented legal frameworks. This often results in misunderstandings about applicable rules and definitions, affecting both public buyers and bidders.

Which of the following concepts require modification?

Select all that apply:

- Definition of “concessions” and “operating risk” for a more consistent application of the general legislative framework and interpretation of financial, operational, regulatory, and market risks in a concession contract (Article 5)
- Rules on duration (e.g. include considerations of other elements such as technical, environmental, innovation, social, labour, etc.) (Article 18)
- Publication and transparency requirements (e.g. public buyers to publish the intent to award a concession at least one year in advance, with exceptions for emergencies, to give more time to the bidders) (Articles 30-37)
- Additional rules on the execution of the contracts (e.g. monitoring of the contract, verification of compliance with objectives, possibility of adapting to unforeseen needs through modifications of contracts, termination, etc.)
- Other:

Concessions - impacts

How likely do you believe the following outcomes would occur if the proposed concepts and rules on concessions were modified?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Reduced price of goods /services/works	●	●	●	●	●
Increased bidding by EU-based firms	●	●	●	●	●
Increased number of bidders	●	●	●	●	●
Increased legal certainty	●	●	●	●	●
Reduced cost for public buyers to conduct public procurement	●	●	●	●	●
Less corruption	●	●	●	●	●

Increased SME participation	<input type="radio"/>				
Increased buying power of public buyers	<input type="radio"/>				
Faster procurement processes	<input type="radio"/>				
Reduced litigation	<input type="radio"/>				
Increased cross-border bidding within the EU	<input type="radio"/>				
More competition	<input type="radio"/>				
Reduced cost for bidders to participate in public procurement	<input type="radio"/>				

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

Digitalisation and transparency

The evaluation revealed that, while transparency has improved, persistent data gaps and quality issues, both at the EU and national levels, continue to undermine effective governance, strategic decision-making, and anti-corruption efforts. Additionally, the fragmentation of eProcurement services across the EU creates a burden on bidders and hinders cross border procurement.

Would you support the creation of a digital public procurement marketplace with a single-entry point for economic operators to public procurement procedures?

- No, the current environment of eProcurement services is appropriate.
- Yes, by interconnecting all existing Member States' eProcurement services.

Economic operators could use any compatible service as a single point of entry to participate in public procurement procedures across the EU.

- Yes, by interconnecting all existing Member States' eProcurement services, and providing a central eProcurement service. Economic operators could use the central eProcurement service or any Member State compatible service as a single point of entry to participate in public procurement procedures across the EU.
- Yes, by replacing all existing Member States' eProcurement services with one central EU eProcurement service.
- No opinion.

Digitalisation and transparency - impacts

How likely do you believe the following outcomes would occur if such a digital public procurement marketplace is set up?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Faster exchange of documents and information (including company evidence)	<input checked="" type="radio"/>				
In case of one central eProcurement system: higher risk of cyber-attacks/security breaches	<input checked="" type="radio"/>				
Increased transparency to prevent irregular practices	<input checked="" type="radio"/>				
In case of one central eProcurement system: higher risks of stopping all public procurement procedures in the EU if the system fails (IT failure)	<input checked="" type="radio"/>				
In case of one central eProcurement system: higher risk of cyber-attacks/security breaches	<input checked="" type="radio"/>				
Wider access to cross-border procurement procedures in the single market (especially for SMEs)	<input checked="" type="radio"/>				

Reduced cost for public buyers to conduct procurement procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More harmonisation of tender requirements across Member States and emergence of best practices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Higher number of offers received	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Wider range of procurement procedures available to economic operators (especially for SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduced cost for economic operators to participate in procurement procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

A single digital public procurement marketplace is unlikely to deliver the expected benefits given the diversity and complexity of national procurement systems. Different procedures, thresholds, and legal requirements across Member States would be difficult to accommodate in one platform without adding further layers of complexity. A centralised system would also increase operational, cyber-security, and continuity risks, as any technical failure or breach could disrupt procurement across the EU. Simplification should not result in a one-size-fits-all system, but rather focus on interoperability, common standards, and incremental improvements to existing national platforms, while allowing flexibility to reflect different procurement models and market structures.

Made in Europe

Since the adoption of the 2014 public procurement directives, new priorities such as **economic security** and **strategic autonomy** have emerged. Imbalances in international market access persist and are accentuated by recent geopolitical developments.

Should European goods and services be prioritised in the procurement process?

- Yes
- No

Made in Europe - impacts

How likely do you believe the following outcomes would occur if **any type of prioritisation of European products and services** was to be implemented?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Better quality of products /services/works	●	●	●	●	●
Boost investments levels in the EU (e.g. reindustrialisation, reshoring, more FDI)	●	●	●	●	●
Boost EU innovation	●	●	●	●	●
Increased chance of winning for EU bidders	●	●	●	●	●
EU economic operators could have to adjust their supply chains to be able to bid	●	●	●	●	●
Meeting environmental goals (e.g. shortening supply chains, carbon footprint)	●	●	●	●	●
Increased administrative cost for EU bidders due to additional documents or evidence	●	●	●	●	●
Easier access to procurement for EU SMEs	●	●	●	●	●
Reduced litigation	●	●	●	●	●
Retaliation by 3rd countries (exclusion of EU companies from their procurement)	●	●	●	●	●
Lower number of bids received	●	●	●	●	●
Boost EU employment	●	●	●	●	●
Increase in price of goods and services purchased	●	●	●	●	●

Increase in administrative cost (verification if conditions are met)	<input type="radio"/>				
Increase security of supply	<input type="radio"/>				

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

European TSOs already purchase the majority of grid technologies from manufacturers located in Europe. It is important to emphasize that, alongside the “Made in Europe” approach, we must also focus on “Sell in Europe”. This means not only encouraging contracting entities to buy EU-made products, but also ensuring that European manufacturers are motivated to sell to European buyers. In several strategically important markets, such as large power transformers, European manufacturers dedicate a significant share of their capacity to exports outside Europe, while European buyers compete with global demand. As a result, European buyers often face insufficient available capacity in Europe, long delivery times, limited choice and reduced competition, significant price increases, and single bids or unsuccessful tenders. This shows that origin requirements alone do not guarantee availability of European-made products to European purchasers.

Green, social and public procurement of innovation - BPQR

The 2014 public procurement reform sought to encourage the uptake of green, social and innovation aspects in public procurement, supporting broader EU policy goals. Public buyers can decide to introduce such quality considerations (green, social, innovation) at different stages of the procurement process and through different means (e.g. via award criteria, or technical specifications). However, the evaluation concluded that public buyers do not systematically make use of these possibilities.

Best price-quality ratio

The “most economically advantageous tender” (MEAT) can be identified on the basis of price or cost effectiveness only, or can include quality considerations by using the best price-quality ratio (BPQR).

Should EU law require public buyers to include minimum quality requirements in **technical specifications**, subject to a comply-or-explain mechanism?

- Yes
- No

Should any change be made to the current contract **award criteria** practice based on the “most economically advantageous tender” (MEAT)?

- Yes
- No

How likely do you believe the following outcomes would occur if the future general legislative framework incentivised BPQR?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Reduced number of bids received	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Better quality of products /services/works	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
More reshoring, reindustrialisation of the EU, more FDI in the EU	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased security of supply	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased administrative cost for public buyers (verification if conditions are met)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased efforts for bidders to adjust their supply chains to be able to bid	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher chances of winning for EU firms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Wider access to cross border procurement (especially for SMEs)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher costs for EU bidders (additional environmental /social elements)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improved working conditions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost to EU innovation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Achievement of strategic policy goals (e.g.					

environmental, social, innovation)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher price of goods/services /works purchased	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Green public procurement

Regarding green public procurement, the evaluation concluded that environmental aspects are incorporated into approximately 25% of contracts across the EU. However, the level of adoption differs significantly among Member States.

To what extent do you agree with the following statements on green/environmentally friendly public procurement?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
1. No amendments are required to the existing legal framework regarding environmental provisions, including both the general legislative framework and public procurement provisions in sectoral legislation.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. The general legislative framework should further incentivise the use of green public procurement.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
3. EU public procurement law should mandate further green public procurement obligations.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Green public procurement - impacts

How likely do you believe the following outcomes would occur as a result of further **Incentivising** the use of green public procurement?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Boost EU employment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased prices of products / services / works	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased costs for EU bidders	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Higher SME participation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increased chance of winning calls for tender by EU bidders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Increased administrative burden for public buyers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher administrative burden for EU bidders	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Easier access to cross border procurement within the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Boost EU innovation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced competition	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Achievement of environmental policy goals	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better quality of products / services / works	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

To ensure that procurement supports sustainability without jeopardizing feasibility, TSOs should be granted freedom to select technically relevant and appropriate requirements in a tendering process. This flexibility should entrust TSOs to apply measures including context-specific non-price criteria or requirements that encourage sustainable and circular manufacturing, taking into account market maturity and technological readiness. This advances sustainability goals where appropriate while maintaining affordability, competition, and security of supply. At the same time, ENTSO-E acknowledges the fact that currently, non-price criteria (for sustainability, local content, resilience etc.) lack mainstreaming for both contracting authorities and tenderers. To ensure both legal certainty and market acceptance upon application, streamlined criteria may indeed provide useful guidance for all market participants. We therefore invite the EC to produce a toolbox on voluntary non-price criteria.

How likely do you believe the following outcomes would occur as a result of **mandating** further green public procurement obligations?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Increased costs for EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Higher administrative burden for EU bidders	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased administrative burden for public buyers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased prices of products / services / works	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Easier access to cross border procurement within the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Better quality of products / services / works	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increased chance of winning calls for tender by EU bidders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Achievement of environmental policy goals	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher SME participation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Boost EU employment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced competition	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU innovation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

Social considerations in public procurement

The evaluation concluded that, although it is difficult to estimate the uptake of socially responsible public procurement practices, this has been gaining traction in recent years even if adoption among Member States remains uneven.

To what extent do you agree with the following statements concerning socially responsible public procurement?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
1. No amendments are required to the existing legal framework regarding social provisions.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. EU public procurement law should further incentivise the use of socially responsible public procurement.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. The general legislative framework should mandate further socially responsible public procurement obligations.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

You "agree" or "strongly agree" with point 2 above. Which of the following elements should be introduced to further incentivise the use of socially responsible public procurement?

Select all that apply:

- Public buyers should be given the option to require bidders to have a collective agreement in place (respecting link to the subject matter principle).
- Public buyers should be given the option to consider collective agreements as an award criterion (respecting link to the subject matter principle).
- EU law should clarify that social considerations affecting the workers performing a given contract are linked to the subject matter.
- The link to the subject matter principle should be softened, to allow the possibility to take into account companies' overall social policies (such as collective agreements covering all workers or corporate and social responsibility).
- "Completion notices" shall be introduced offering the possibility for public buyers to flag labour or social law compliance issues.
- Transparency requirements in subcontracting should be increased to ensure compliance with existing labour and social obligations.
- Non-binding socially responsible public procurement targets should be set at EU and at Member State levels with accompanying strategies or plans to ensure their achievement.
- Other

Social considerations in public procurement - impacts

How likely do you believe the following outcomes would occur as a result of further **incentivising** the use of socially responsible public procurement?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Poverty reduction and increased social inclusion	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher SME participation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased administrative burden for public buyers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced risk of labour and social law breaches	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased chance of winning calls for tender by EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better quality of products / services / works	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher administrative burden for EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased costs for EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased prices of products / services / works	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Improved working conditions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced competition	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU industry	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU employment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Make cross-border participation more difficult	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

How likely do you believe the following outcomes would occur as a result of **mandating** further socially responsible public procurement obligations?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Reduced competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased costs for EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better quality of products / services / works	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU industry	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased prices of products / services / works	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased administrative burden for public buyers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher SME participation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improved working conditions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU employment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Make cross-border participation more difficult	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher administrative burden for EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced risk of labour and social law breaches	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Poverty reduction and increased social inclusion	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased chance of winning calls for tender by EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

Public procurement of innovation

Regarding public procurement of innovation, the evaluation concluded that its uptake remains very low across Member States, representing a marginal share of the total public procurement value and volume, despite its potential to stimulate innovation.

To what extent do you agree with the following statements concerning public procurement of innovation?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
1. No amendments are required to the existing legal framework regarding the public procurement of innovation.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
2. EU public procurement law should further incentivise the public procurement of innovation.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. EU public procurement law should mandate the public procurement of innovation requirements.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

You "agree" or "strongly agree" with point 2 above. Which of the following elements should be introduced to further incentivise the use of public procurement of innovation?

- EU law should provide a clear legal definition of public procurement of innovation.
- EU law should simplify and remove legal conditions to facilitate the use of procurement procedures designed to buy innovative solutions, such as innovation partnerships or competitive dialogue.
- Public buyers should be able to directly buy innovative solutions from start-ups more easily through the creation of a specific procedure.



A comply or explain mechanism should be introduced to promote the use of preliminary market consultations when buying innovative solutions, to limit excessive financial guarantees, or to enable suppliers to retain Intellectual Property Rights.

- The Commission should promote value engineering in relation to the public procurement of innovation.
- Non-binding targets for public procurement of innovation should be set at EU and Member State levels with accompanying strategies or plans to ensure their achievement.
- The Commission should promote the aggregation of demand in case of similar needs among public buyers (e.g. collaborative procurement by multiple public buyers).
- The Commission should establish an EU platform in which all EU public sector innovation challenges are communicated to suppliers of innovative solutions, including start-ups and innovative SME's.
- Other:

Public procurement of innovation - impacts

How likely do you believe the following outcomes would occur as a result of **incentivising** public procurement of innovation?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Higher administrative burden for EU bidders	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased prices of products / services / works	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU employment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced competition	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better quality of products / services / works	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased administrative burden for public buyers	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Easier access to cross border procurement within the EU	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher SME participation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased costs for EU bidders	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU innovation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU industry	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased chance of winning calls for tender by EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

How likely do you believe the following outcomes would occur as a result of **mandating** public procurement of innovation?

	Very likely	Somewhat likely	No impact	Somewhat unlikely	Very unlikely
Higher SME participation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Easier access to cross border procurement within the EU	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced competition	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better quality of products / services / works	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU industry	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher administrative burden for EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased chance of winning calls for tender by EU bidders	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased administrative burden for public buyers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Reduced litigation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU employment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased costs for EU bidders	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boost EU innovation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased prices of products / services / works	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you wish, you may indicate any other likely impacts below:

Text of 5 to 1000 characters will be accepted

Text of 5 to 300 characters will be accepted

While incentivising innovation can improve the supply chain, mandating it does not necessarily have the same effect. In our quite specific sector, introducing mandatory innovations in public procurement could very likely create higher administrative burdens, increased costs and reduced flexibility for public buyers. In some cases, innovations are not beneficial. The positive impacts of mandating innovation, such as employment, SME participation and EU competitiveness still remain uncertain. A mandatory approach would also increase legal complexity. A voluntary, flexible framework is therefore more appropriate, as it reduces the risk of issues such as security of supply and resilience. We don't want to innovate just for the sake of it. However, we welcome any suggestions for improving the incentives that could be used in specific areas. The key here is to incentivise innovations while bearing in mind simplification efforts.

Final comments

Would you like to make any additional comments or provide further information relevant for the revision of the EU public procurement legal framework, including on the impacts of policy choices (e.g. quantify impact in terms of costs and benefits)?

Text of 5 to 3000 characters will be accepted

ENTSO-E would like to highlight an additional point that is not covered by the questionnaire. We highlight that there are challenges in reusing IT solutions across European TSOs. While grid infrastructure and cooperation among TSOs is highly integrated, the IT infrastructure used for system operation and electricity market purposes often remains fragmented. Individual TSOs, or groups of TSOs, develop IT infrastructure, such as software, security solutions, data exchange systems, and hosting, tailored to the specific needs of electricity transmission. However, the ability of other TSOs to acquire or reuse these solutions is often limited, as they are typically required to launch public procurement procedures.

This situation creates challenges in developing a more unified and secure European TSO IT landscape and in fully benefiting from the efficiency gains such solutions may offer. The procurement legal framework should therefore allow for greater flexibility in the reuse of IT solutions among TSOs, in order to strengthen the security and reliability of network operations

Please upload your file(s)

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Contact

GROW-D2@ec.europa.eu