



The EU public procurement legal framework

**Long term access to vaccination
across Europe - How to improve
our vaccine ecosystem in Europe?
Bad Gastein, 5 October 2018**

*An Baeyens
DG Internal Market, Industry,
Entrepreneurship and SMEs
Unit G4*

Overview

I. What?

II. How does it work?

III. Examples of smart public procurement

IV. Measures taken by the Commission

V. Untapped potential

I. What ?

A. EU public procurement Directives apply to

- **Public authorities who are contracting authorities, contracting entities or bodies governed by public law**
- **For the purchase of public works, supplies, services**
- **Contracts for pecuniary interest in writing**
- **Estimated value above a certain threshold set in Dir. 2014/23, 2014/24 and 2014/25**

I. What ?

B. Best value for money

C. Main principles: transparency (contract notice in Official Journal, supplement TED, equal treatment and non-discrimination

<https://ted.europa.eu/TED/>

D. Procedures and rules to be followed

II. How does it work ?

- **Preliminary market consultation**
- **Call for tender or participation**
- **Tender specifications: subject, selection and award criteria, etc.**
- **Framework Agreement – mini competitions**

II. How does it work ?

- **Award criteria:**
 - **Price**
 - **Cost**
 - **Cost-effectiveness approach: Life cycle costing or Best price quality ratio: award criteria linked to the subject-matter**
 - **Other criteria linked to the subject matter**

III. Examples of smart public procurement



III. Examples of smart public procurement

Public procurement procedure for the purchase of lenses for the treatment of cataract with a result focus

- Risk of serious eye inflammation reduced by 80%**
- Direct cost reduction of 1%**

IV. Measures taken by the Commission

- **Several meetings at Brussels for public procurement experts in the health sector**
- **In October 2017 the Commission adopted a Recommendation with regard to professionalization to the Member States.**

V. Untapped Potential : low publication # awarded contracts CT scanners

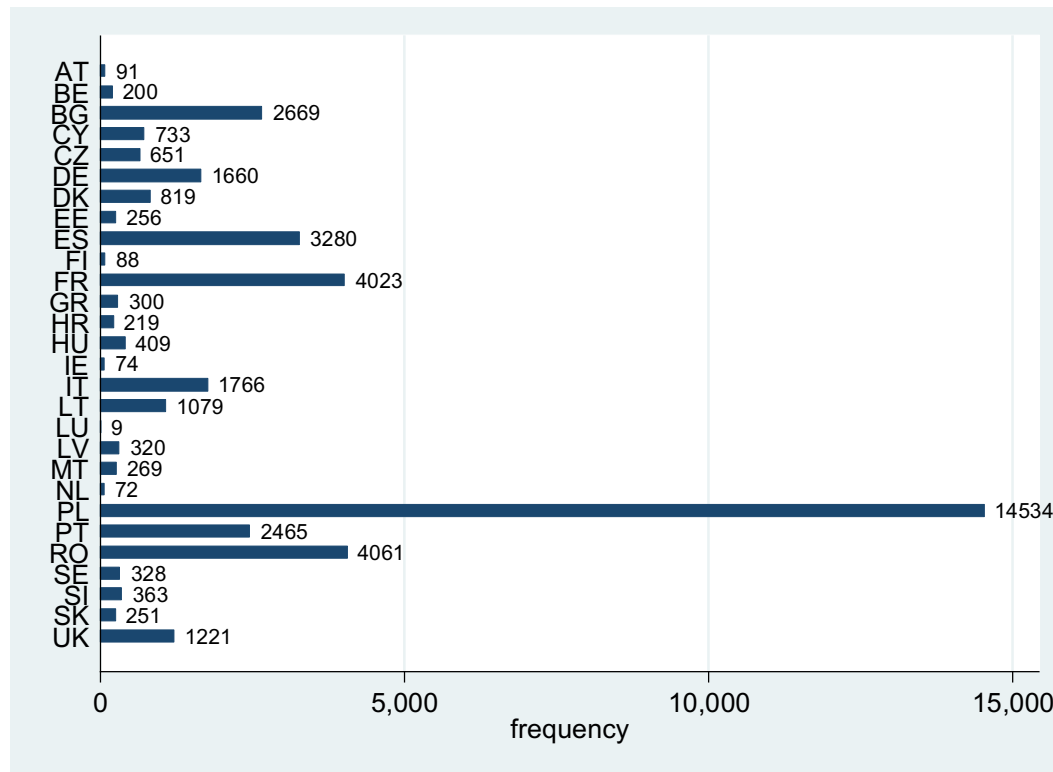
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	total	# CT sc.*
Austria	4	5	0	5	2	5	9	5	4	6	45	251
Belgium	1	0	1	1	4	5	2	3	1	2	20	248
Bulgaria	2	0	0	1	1	1	0	0	1	1	7	247
Cyprus	0	0	0	0	0	0	0	5	3	2	10	28
Czech Repub	0	0	0	0	0	0	1	0	1	0	2	159
Germany	7	5	3	4	2	3	11	7	2	8	52	2862
Denmark	6	3	6	2	16	13	10	7	15	1	79	213
Estonia	0	0	0	0	0	0	0	0	0	1	1	26
Spain	4	2	1	4	1	3	1	4	7	1	28	812
Finland	15	36	19	17	13	18	4	7	4	1	134	117
France	6	7	8	10	9	6	8	13	25	21	113	1016
Greece	0	1	1	0	4	6	6	3	3	1	25	385
Croatia	1	3	3	7	0	1	4	7	0	0	26	64
Hungary	1	1	0	0	0	0	0	0	0	1	3	78

V. Untapped Potential : low publication # awarded contracts CT scanners

Ireland	2	3	4	1	0	0	2	1	0	1	14	77
Italy	2	0	0	2	2	4	2	1	1	1	15	1994
Lithuania	1	0	0	0	0	0	0	0	0	0	1	65
Luxemburg	0	0	0	0	3	0	0	3	0	0	6	12
Latvia	0	0	0	0	0	0	0	1	0	0	1	72
Malta	1	2	4	0	7	1	6	3	0	2	26	9
Netherlands	0	0	0	0	0	0	3	2	0	0	5	225
Poland	1	0	0	1	0	0	0	0	1	0	3	598
Portugal	4	1	2	1	3	2	2	1	1	0	17	228
Romania	2	1	1	0	0	0	0	1	0	1	6	214
Sweden	13	6	6	9	8	8	6	7	5	20	88	-
Slovenia	9	7	9	3	4	1	1	1	3	1	39	27
Slovakia	0	0	0	0	4	2	0	2	2	0	10	94
United Kingd	16	6	12	4	4	2	3	4	3	2	56	519
EU TOTAL	98	89	80	72	87	81	81	88	82	74	832	10640

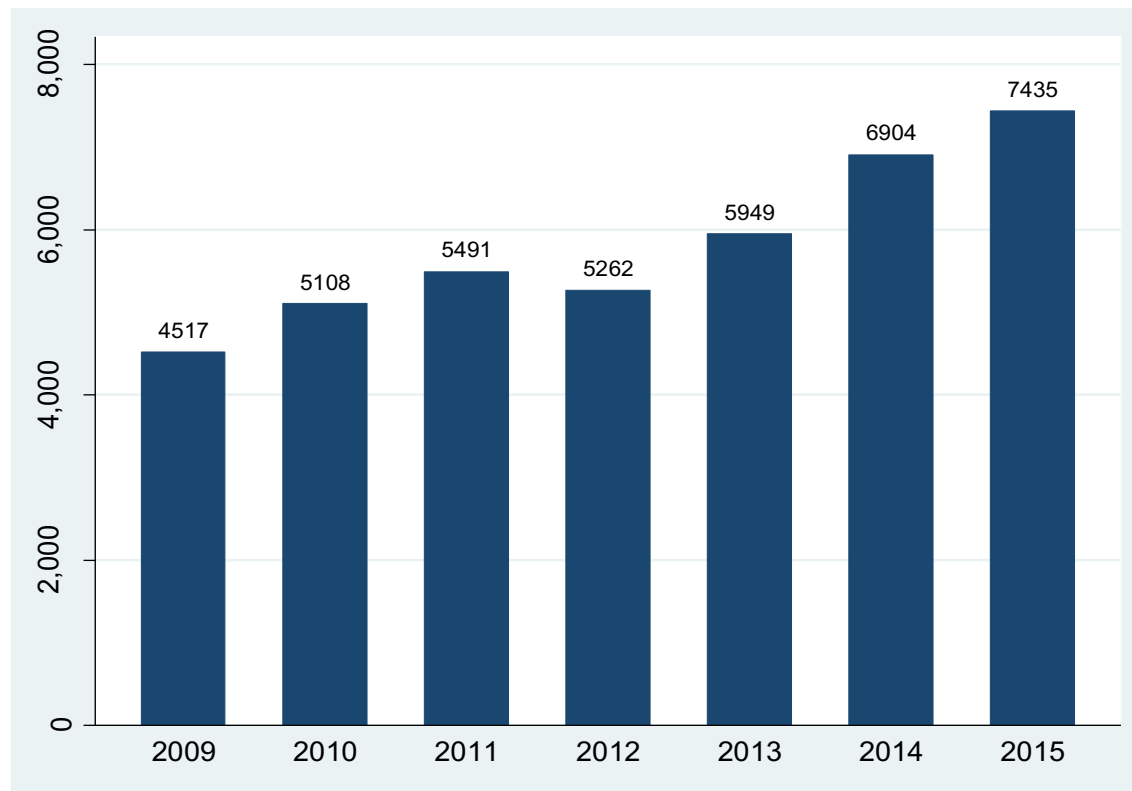
V. Untapped Potential : low publication

Number contract award notices – Medic. products 2009-15



The value of procured pharmaceuticals

Fig.1. Value of CANs published by year [million EUR]





Many thanks for your attention

Contact: an.baeyens@ec.europa.eu