



Spring Course Public Procurement from A-Z

27 – 29 March 2019 | Nice

CHAIR



Christopher Bovis

Chair in Law and Professor of European Business Law, University of Hull and Managing Editor of EPPPL

SPEAKERS (among others)

Alexandra Terzaki

Terzaki Management Consultancy, Vienna

Tünde Tátrai

Professor at Corvinus University of Budapest

Michael Varney

Senior Lecturer and School Academic Manager, Faculty of Business, Law and Politics, Hull University

Erik Gadman

Counsel, Gernandt & Danielsson Advokatbyrå KB, Stockholm

Alexander Egger

Head of EU, Public Procurement & State Aids, Lansky, Ganzger & Partner, Vienna

Carolina Abate

Policy analyst, OECD Competition Division, Paris

TOPICS

LEGAL FRAMEWORK AND PROCUREMENT PROCEDURES

- The Case Law from the Court of Justice on Public Procurement
- Remedies for Public Procurement Contracts and Enforcement at National Level
- Procurement Rules outside the Directives and State aids
- Public Procurement and Services of General Economic Interest
- Interactive Tutorial: Tendering Phases in Practice

APPLYING PROCUREMENT RULES IN DIFFERENT SECTORS

- Green and Environmental EU Public Procurement
- Public Procurement and Innovation Innovative
- Social and Responsible EU Public Procurement
- SME's and Public Procurement
- Electronic Procurement

FRAUD, CORRUPTION AND COLLUSIVE TENDERING

- Definition and Current Legal Framework
- Collusive Tendering & Bid-rigging: Patterns, Control & Regulatory experience from Member States
- Practical group exercise: Design a Suitable Corruption Prevention & Detection Strategy
- Integrity and Probity in Public Procurement

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General information

Overview

Our Summer Course will give you a comprehensive overview of the essential of public procurement and enhance your knowledge on Public Procurement Proceedings in Theory, applying public procurement rules in different sectors as well as covering topics such as fraud, corruption and collusive tendering. Each day, the experts' presentations will be enriched by working group exercises, best practices examples and interactive case studies.

Who should participate?

Procurement officers, anti-fraud and corruption officers, public officials responsible for the prevention of fraud and corruption as well as for risk assessment and risk management from the following institutions:

- Public Authorities on EU, national and regional level
- Non-governmental organisations (NGOs)
- Consulting companies and legal practitioners
- Academic institutions

Methodology

The three-day summer course offers the possibility to meet and exchange with experts from EU institutions, Member States as well as the private sector. The different perspectives of our experienced trainers will support to apply the complex rules to real cases. A mix of learning methods will be applied in the course to achieve the best results.

The Lexxion Training Method combines the three stages of learning to ensure that the participants obtain the best possible understanding of EU rules:

- 1) Identification of the main points or principles;
- 2) Appreciation of the complexities and imitation of the principles, and
- 3) Application of the principles.

The participants will be actively involved in the course. The sessions will combine presentations, case studies and discussion on practical problems. You will have ample opportunities to present your own problematic issues and discuss them with the speakers and participants from other Member States.

Just send to us your cases and questions in advance! We will forward them to our speakers, who will include your issues in the programme and answer them during the training. All information concerning such problems and cases will be treated confidentially.

*"A very good oriented subjects of the seminar! Lexxion has very professional speakers!
Especially C. Bovis! Congratuations!!!"*

"I really enjoyed speakers and their practical knowledge of topics"

"Wonderful fruitful event in a extraordinary city."

Participant of the First Edition 'Summer Course Public procurement from A-Z' on September 2018



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Programme Day 1

LEGAL FRAMEWORK AND PROCUREMENT PROCEDURES

09:00	<p>The European Procurement Legal Framework</p> <ul style="list-style-type: none"> • Public Sector Directive 2014/24/EU • Utilities Procurement Directive 2014/25/EU • The EU Concessions Directive 2014/23/EU • Defence Sector Directive 2009/81/EU <p>Christopher Bovis, <i>Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingstophn upon Hall, England</i></p>	13:30	<p>Electronic Procurement</p> <ul style="list-style-type: none"> • Means of communication • Time limits for tendering • Electronic reverse auctions • Dynamic purchasing system <p>Michael Varney, <i>Senior Lecturer and School Academic Manager, Faculty of Business, Law and Politics, Hull University</i></p>
10:00	<p>The Case Law from the Court of Justice on Public Procurement</p> <ul style="list-style-type: none"> • Publicity • Qualification • Award Stages/Award Procedures • Assessment • Award Criteria and Redress • In-house procurement <p>Christopher Bovis</p>	14:30	<p>Procurement Rules outside the Directives and State aids</p> <ul style="list-style-type: none"> • Scope of application • Applicable Regime • Legal protection • State Aids <p>Alexander Egger, <i>Head of EU, Regulatory, Public Procurement & State Aids, Lansky, Ganzger & Partner Rechtsanwälte</i></p>
11:00	Coffee Break		
11:30	<p>Remedies for Public Procurement Contracts and Enforcement at National Level</p> <ul style="list-style-type: none"> • Enforcement at supranational level • Enforcement at national level <p>Erik Gadman, <i>Counsel, Germandt & Danielsson Advokatbyrå KB, Stockholm</i></p>	15:30	Coffee Break
		16:00	<p>Public Procurement and Services of General Economic Interest</p> <ul style="list-style-type: none"> • Definition of SGEI • Commissioning and awarding contracts for SGEI at national level <p>Wojciech Hartung, <i>Counsel at Domanski Zakrzewski Palinka, Infrastructure and Energy Practice, Warsaw</i></p>
12.15	Q&A and Discussion		
12:30	Lunch	17:00	Q&A and Discussion & End of Day 1



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Programme Day 2

APPLYING PROCUREMENT RULES IN DIFFERENT SECTORS

09:00	Public Procurement and Innovation Innovative <ul style="list-style-type: none">• Importance of PPI• How to promote PPI• Different steps of PPI <p>Alexandra Terzaki, <i>Terzaki Management Consultancy, Vienna</i></p>	13:45	SME's and Public Procurement <ul style="list-style-type: none">• Main improvements• Small enterprises with limited financial capacity can bid for contracts• Awarding contracts in small portions (lots)• Slashing administrative burden: The European Single Procurement Document (ESPD) <p>Sarah Schoenmaekers, <i>Assistant Professor European Law, Maastricht University</i></p>
10:30	Q&A and Discussion		
10:45	Break		
11:45	Integrity and Probity in Public Procurement <ul style="list-style-type: none">• Indicators and patterns• Monitoring, whistle-blowing, forensic accountancy• Autoregulation: Use of transparency matrixes and corruption indices• Self-cleaning• The Fraud Risk Self-Assessment Tool <p>Sarah Schoenmaekers, <i>Assistant Professor European Law, Maastricht University</i></p>	15:30	Coffee Break
		16:00	Interactive Tutorial: Tendering Phases in Practice <p>Participants will split into parallel working groups to apply the requirements of different tendering phases to real cases.</p> <p>Christopher Bovis</p>
		17:00	Q&A and Discussion
12:45	Lunch	17:15	End of Day 2



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Programme Day 3

FRAUD, CORRUPTION AND COLLUSIVE TENDERING

09:00	Definition and Current Legal Framework <ul style="list-style-type: none">• Defining fraud and corruption: notion & policy concepts, types of corruption• Anticorruption relevant provisions in the new public procurement directives and their impact on the integrity of the public procurement process• Possible avenues for Commission action in the field• Objectives and challenges of the Commission's Anti-Fraud Strategy (CAFS) <p>Tünde Tátrai, <i>Corvinus University of Budapest</i></p>	11:45	Practical group exercise: Design a Suitable Corruption Prevention & Detection Strategy <p>Participants will take part in a team exercise in designing a corruption prevention and detection strategy for individual cases given to them.</p> <p>Tünde Tátrai, <i>Corvinus University of Budapest</i></p>
		12:45	Presentation of group work
		13:15	Q&A and Discussion
		13:30	Lunch
10:00	Coffee Break	14:30	End of Summer Course and Distribution of Certificates
10:30	Collusive Tendering & Bid-rigging: Patterns, Control & Regulatory experience from Member States <ul style="list-style-type: none">• Concepts and behavioral patterns of collusive tendering and bid-rigging• Conduct of behavior of undertakings• Regulatory experience from EU Member States• Frameworks for control <p>Carolina Abate, <i>a policy analyst, OECD Competition Division</i></p>		
11:30	Q&A and Discussion		



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Speakers

Chair

Christopher Bovis

Chair in Law and Professor of European Business Law, University of Hull, Hull, and Managing Editor of Lexxion's European Procurement & Public Private Partnership Law Review

Professor, JD, MPhil, LL.M, FRSA is H.K. Bevan Chair in Law at the University of Hull. Christopher Bovis is a leading authority in EU public procurement and public-private partnerships. He specializes in European Business Law, antitrust law and policy, with particular emphasis on public sector management. He advises international institutions on public sector reforms and has acted on behalf of government and industry on numerous high profile projects. He has been instrumental in structuring flagship public-private partnerships in the UK, EU and overseas. He has published extensively in international legal and management journals and has produced numerous books, monographs and articles on European and business subjects. His academic work has been translated into different languages, including Chinese, French and German.

Speakers

Alexandra Terzaki

Terzaki Management Consultancy, Vienna

Alexandra Terzaki was born in Greece and studied law in Vienna, where she lives since 1987. She is a recognized public procurement law expert and business consultant in Austria for public procurement strategy, planning and implementation. In 1998 she was Secretary-General of the Tender Club Austria. This was followed by six years as a Senior Consultant and public procurement law expert at Van Melle & Partner OEG. In 2006, she finally founded the TERZAKI business consulting firm. As public procurement law expert, Aleka Terzaki exclusively supports the public sector in Austria.

Alexandra Terzaki is constantly in demand as a lecturer at seminars and conferences for public procurement law. In 2013 she was awarded as "Speaker of the Year" by the Institute IIR in Public Procurement Law in Vienna. She is the technical director of the Austrian Public Procurement Law Day, which was successfully held in Austria for the 9th time in June 2018.

Tünde Tátrai

Professor at Corvinus University of Budapest (Invited)

Graduated as economist and lawyer, Tünde Tátrai currently works as an associate professor at the Corvinus University of Budapest with the Institute of Business Economics. She teaches electronic procurement, supply chain management and sustainable public procurement. She wrote her Ph.D. on Public Procurement and its potential further development in Hungary. She also specialises in ethical procurement. Tünde has been playing leading role in international research projects and is the author of numerous books and international publications. She is correspondent of the European Procurement and Public Private Partnership Law Review and reviewer of Journal of Public Procurement a Journal of Public Administration. Tünde plays active role in Scientific and Organizing Committees of several public procurement research programmes and conferences. She has also been teaching at the Higher School of Economics in Moscow.

Dr. Wojciech Hartung

Counsel at Domanski Zakrzewski Palinka, Infrastructure and Energy Practice, Warsaw

Wojciech Hartung has been at Domanski Zakrzewski Palinka Law Firm since 2009 in their Infrastructure and Energy Practice. He has had over 15 years of experience in Public Private Partnerships and Public procurement in areas of waste management, energy, transportation and public infrastructure. Wojciech was previously Director at the Department of European Union and International Cooperation at the Public Procurement Office, the Polish representative on the Advisory Committee for Public Works Contracts set up by the European Commission and the Polish representative on the European Council's Working Group on Public Procurement. In 2007 he attained his PhD in law from the Mikołaj Kopernik University in Toruń where he wrote his dissertation concerning Services of General Economic Interest (SGEIs) comparatively amongst European, French and Polish legal regimes.

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Erik Gadman

Counsel, Gernandt & Danielsson, Stockholm

Erik Gadman is responsible for the public procurement practice at Gernandt & Danielsson, one of Sweden's premier law firms. Erik advise clients on all aspects of public procurement law.

Erik has extensive experience of successfully representing both suppliers and contracting authorities in review procedures, ineffectiveness proceedings, and applications for the imposition of alternative penalties. He has also successfully represented clients in a large number of actions for damages for alleged infringements of public procurement law. Legal 500 has ranked him as a Next Generation Lawyer in the field of public procurement.

Erik holds a juris kandidat degree from Uppsala University and an LL.M. degree from UCLA School of Law.

Carolina Abate

A policy analyst, OECD Competition Division

Carolina Abate is a policy analyst at the OECD Competition Division since 2016. Her work includes managing the OECD database on international cartels (including bid rigging cartels), researching the implementation of the OECD Recommendation concerning Effective Action against Hard Core Cartels and participating in country projects focused on the evaluation of procurement effectiveness and signs of collusion in public tenders.

Before joining the OECD, Carolina worked on competition issues in an economic consultancy as well as for the European Commission's DG COMP.

She holds a MSc in Economics from Bocconi University and a Postgraduate Diploma in EU Competition Law from King's College London.

Dr. Sarah Schoenmaekers

Assistant Professor European Law, Maastricht University

Sarah Schoenmaekers graduated at the European Law School of Maastricht University in 2005. In October of that same year she successfully passed for the Aptitude Test organised by the Examination Committee of the Flemish Bar Association in Brussels. Since 2006 she is a practising lawyer in Belgium (Advocaat).

In 2010 Sarah Schoenmaekers defended her PhD dissertation entitled: 'The Regulation of Architects in Belgium and the Netherlands. A Comparative Analysis.' Her thesis contains an analysis of the profession of architect in both countries (public law), an analysis of the free movement of architects (EU law), an analysis of the contractual responsibilities of architects (private law) and a law and economics analysis to determine which set of regulations is most efficient.

She has been the project leader of a CEDEFOP research project on 'The role of qualifications in governing professions and occupations' and was a core member of the team that successfully applied for a European Commission's tender on the 'Evaluation of the legal framework for the free movement of lawyers'. She was also highly involved in the application leading to the establishment of ITEM, the Institute for Transnational and Euregional Cross Border Cooperation and Mobility.

Since 2017 Sarah is the programme coordinator of the Master Programmes 'European Law School' and 'International Laws' of Maastricht University.



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Alexander Egger

Head of EU, Regulatory, Public Procurement & State Aids, Lansky, Ganzger & Partner Rechtsanwälte

PD Dr.Dr. Alexander Egger, Austrian attorney at law (Rechtsanwalt), heads the practice group 'EU, Regulatory, Public Procurement & State Aids' at LGP Vienna. His focus lies on advising states, public institutions, companies and individuals in European Union law and Public Law. For many years, he represents clients before the European Commission, the EU Council and the Union courts, in particular with regard to economic law and proceedings concerning sanctions. In addition, he has handled numerous cases before Austrian and EU Regulatory authorities, including license and competition issues also with cross-border aspects. Egger holds doctorates in Law and in Political Science from Vienna University as well as a PhD (Habilitation). He graduated in Law at the College of Europe (Bruges) and was admitted as a Fellow of the European Law Institute. After his internship at the EU Council, he served for several years in the Legal Service of the Austrian Ministry for Foreign Affairs. For six years, he has been (Premier) Référendaire at the Court of Justice of the EU. In addition, he consulted the EU Commission in several Twinning- and TAIEX-projects and is still active as external adviser to the EU (DG COMP, DG ENER and DG GROW). Alexander Egger is also active in Public Affairs on EU and national level. He is fluent in German, English and French; he also speaks Italian and has basic knowledge in Russian and Dutch. He is editor of the Zeitschrift für Beihilfenrecht (State Aid LawReview) and has published several books, articles and contributions to leading commentaries (i.a. EU institutional law and public procurement).

Dr Michael Varney

Senior Lecturer and School Academic Manager, Faculty of Business, Law and Politics, Hull University

Mike Varney won the LawCareers.net Law Lecturer of the Year award in 2015 and has been nominated three times for student-led teaching awards, winning once. He teaches a number of undergraduate modules in law, including Administrative Law, Company Law and Commercial Law. Mike's main research interests lie in administrative law, local government law and aspects of company law. He also holds an interest in the teaching and scholarship of employment law. He graduated with a first class honours degree in Law from the University of Hull where he went on to complete his PhD in 2005, when he also became a Fellow of the Higher Education Academy.



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Registration

Venue

Hotel West End Nice
31 Promenade des Anglais
06000 Nice | France
<https://www.hotel-westend.com/en/>

Participation fee

- YES, I would like to participate for the reduced fee for public authorities EUR 2,230.00 (excl. VAT).
- YES, I would like to participate for the regular fee of EUR 2,630.00 (excl. VAT).
- YES, I am European Procurement & Public Private Partnership Law Review (EPPPL) -subscriber (€ 100 discount if applicable).

*The French VAT of 20% will be added where applicable.
The participation fees include the training material, drinks and snacks during the breaks and lunch.*

Newsletter subscription

- Please send me information about Public Procurement issues for free. I may unsubscribe from this service any time.

Cancellations

Cancellations should be made in writing per post or fax. Please note that the full fee will be charged for cancellations received after two weeks before the event (included illness or impediment which prevents one from fulfilling one's duties). That means by 13 March 2018. Nomination of a substitute remains possible. A cancellation arising by reason of too small a number of participants is effected no later than two weeks prior to the seminar. In this case the participation fee will be refunded. A requirement for reimbursement of travel and accommodation expenses as well as loss of working hours is not possible, unless such costs result from wantonly negligent or deliberate behaviour on the part of the organiser. For more detailed information, scope and conduct of contract as well as cancellation policy, please check the Terms & Conditions on our website.

Please register with:



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Master Class on

Public Procurement and
Public Private Partnership Law

20 – 21 June 2019 | Amsterdam (Netherlands)

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