

: Essentials of Public Procurement

Interactive Workshop | 23 – 24 May 2019 | Rome (Italy)

Experts



Christopher Bovis

Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingston upon Hall, England



Alexandra Terzaki

Terzaki Management Consultancy, Vienna (invited)



Antonio Capobianco

Senior Expert in Competition Law Enforcement, Competition Division, OECD, Paris (invited)



Sarah Schoenmaekers

Assistant Professor European Law, Maastricht University (invited)



Pawel Nowicki

Assistant Professor Nicolaus Copernicus University, Faculty of Law and Administration, Department of European Law, Torun, Poland

This two day workshop is designed to provide you with the essentials to of Public Procurement law, to kick start your knowledge or to freshen up your background.

- The Legal Framework
- Procurement Rules outside the Directives and State aids
- Practical issues in applying Public Procurement Rules
- Remedies and Enforcement
- Contracting Authorities in Public Procurement
- In-House Public Procurement
- Public Procurement and Innovation
- Sustainable Policies and EU Public Procurement
- Concessions and PPPs
- Preventing Irregularities and Conducting Financial Corrections in Operational Programmes



General Information

Overview

European Public Procurement law aims to ensure that the activities of the State, when entering into contracts relating to the purchase of goods and services, adhere to economic principles and do not distort competition.

This two-day workshop is designed to provide you with the essentials to of public procurement law, to kick start your knowledge or to freshen up your background.

Our experts will give you an overview of:

- The Legal Framework
- Public Procurement Proceedings in Theory
- Fraud & Corruption | Collusive Tendering
- Preventing irregularities and conducting financial creations in operational programmes

Methodology

- The sessions will combine presentations, case studies and discussion on practical problems. You will have ample opportunities to present your problematic issues and discuss them with the speakers and participants from the other Member States.
- Just send 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 workshop. All information concerning such problems and cases will be treated confidentially.

Target Group

- 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



Programme Day 1, 23 May 2019

08:30 Registration & Welcome Coffee

09:00 Welcome Notes & Introduction Round

09:15 **European Public Procurement Law**

- 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

Christopher Bovis

Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingston upon Hall, England

10:30 **Practical issues in Applying Public Procurement Rules**

Publication

- Transparency
- Technical specifications
- Thresholds triggering EU-wide rules
- Types of award procedures

Christopher Bovis

Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingston upon Hall, England

11:15 **Interactive Task**

- Filling in the “Simple dashboard structure for procurement planning”, generated by European Commission. It will be done during different sessions.

Christopher Bovis

Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingston upon Hall, England

11:45 **Contracting Authorities in Public Procurement**

Christopher Bovis

Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingston upon Hall, England

12:30 Lunch

13:30 **Award Criteria for Public Contracts**

- Abnormally low tenders
- MEAT criteria
- Life cycle costs

Zsuzsanna Kondor

National University of Public Service, Former Head of Managing Authority of Operational Programme Technical Assistance and Head of Coordination Managing Authority, Budapest (invited)

14:30 Coffee Break

15:00 **Remedies and Enforcement**

- Enforcement at supranational level
- Enforcement at national level

Antonio Capobianco

Senior Expert in Competition Law Enforcement, Competition Division, OECD, Paris (invited)

15:45 **Concessions and PPPs**

- Challenges involved in public partnership contracts
- Exemption from Procurement rules
- Regulatory framework

Pawel Nowicki

Assistant professor Nicolaus Copernicus University, Faculty of Law and Administration, Department of European Law, Torun, Poland

16:45 **Q&A and Discussion**

Christopher Bovis

Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingston upon Hall, England

17:00 End of Day 1



Programme Day 2, 24 May 2019

09:00 Public Procurement and State Aid

Sarah Schoenmaekers

Assistant Professor European Law, Maastricht University (invited)

10:00 Public Procurement and Innovation

- Importance of PPI
- How to promote PPI
- Different steps of PPI

Alexandra Terzaki

Terzaki Management Consultancy, Vienna (invited)

10:45 Coffee Break

11:15 In-House Public Procurement

Alexandra Terzaki

Terzaki Management Consultancy, Vienna (invited)

11:45 Lunch

12:45 Sustainable Policies and EU Public Procurement

- Strategic public procurement
- Environmental criteria in public procurement
- Social policy criteria and public procurement
- SMEs and public procurement

Antonio Capobianco

Senior Expert in Competition Law Enforcement, Competition Division, OECD, Paris (invited)

13:30 Preventing Irregularities and Conducting Financial Corrections in Operational Programmes

- Introduction to Monitoring and Control
- Preventing Irregularities and Financial Corrections
- Corrections and Closure
- Controlling beneficiaries

Zsuzsanna Kondor

National University of Public Service, Former Head of Managing Authority of Operational Programme Technical Assistance and Head of Coordination Managing Authority, Budapest (invited)

14:30 Coffee Break

15:00 Interactive Tutorial: Tendering Phases in Practice

- Participants will split into parallel working groups to apply the requirements of different tendering phases to real cases.
- Parallel Break-out session 1: Pre-tendering phase
- Parallel Break-out session 2: Tendering phase
- Parallel Break-out session 3: Post-award phase
- Presentation of findings in panel

Christopher Bovis

Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingstorn upon Hall, England (invited)

16:15 Problem Solving Session

- Round-table discussion on the important lessons to be drawn from the training and the typical mistakes to avoid

16:45 End of the Workshop & Distribution of Certificates



- **Essentials of Public Procurement**
- Interactive Workshop | 23 – 24 May 2019 | Rome (Italy)

Experts

Christopher Bovis

Professor of Business Law, Faculty of Business, Law and Politics; Hull University Business School, Kingstorn upon Hall, England

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.

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. 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.

Pawel Nowicki

Assistant professor Nicolaus Copernicus University, Faculty of Law and Administration, Department of European Law, Torun, Poland

Dr Pawel Nowicki is an assistant professor at the Nicolaus Copernicus University, Faculty of Law and Administration, Department of European Law located in Torun (Poland). He is an experienced lawyer and academic teacher. He specialises in EU economic law, in particular in the field of public procurement, Public-Private Partnerships, concessions and competition law. He's also an expert in the field of behavioral law and economics. As an attorney at law he is the CEO and managing partner at one of the polish law firms specialising in public procurement law. Pawel is a co-founder of Academic Support for PPP in Poland, member of the Polish Procurement Law Association and a member of the Polish Law and Economics Association. He's also a former member of European Commission's Stakeholder Expert Group on Public Procurement (2012-2015).

Zsuzsanna Kondor

National University of Public Service, Former Head of Managing Authority of Operational Programme Technical Assistance and Head of Coordination Managing Authority, Budapest

Zsuzsanna Kondor has been working as a National Expert for the European Policies Research Centre. She has gained extensive experience in delivering Cohesion Policy in Hungary since 2002 and acting as head of the Coordination Managing Authority over a decade provided insight into structures and practices of other Member States, too. She was involved in the design and ongoing development of Hungary's implementation regime for Cohesion Policy as well as in executing the Technical Assistance Operational Programme 2007-13. She held responsibility for commissioning technical studies, impact assessment and evaluation in relation to the sectoral, regional and technical assistance operational programmes as well as to regulatory changes for the period 2014-2020. During Hungary's EU Presidency her role was the operational management of the Cohesion Policy dossier. As a free-lance consultant since early 2014 she has contributed to several EC, international donor and national budget funded projects exploring various aspects of Cohesion Policy implementation. In September 2016 she joined the National University of Public Service undertaking the responsibility of designing and implementing public policy and Cohesion Policy related research and educational programmes, including the elaboration of textbooks, case studies and other reference materials as well as the delivery of lecture for undergraduate, graduate and postgraduate students.

- **Essentials of Public Procurement**
- Interactive Workshop | 23 – 24 May 2019 | Rome (Italy)

Experts

Antonio Capobianco

Senior Expert in Competition Law Enforcement, Competition Division, OECD, Paris

Antonio Capobianco is a Senior Competition Expert with the OECD Competition Division. In this position he is responsible for the proceedings of the OECD Competition Committee. At the Competition Division, Mr Capobianco has coordinated a series of OECD projects and work streams, including the development of the 2009 Guidelines for Fighting Bid Rigging in Public Procurement and the related OECD Council Recommendation of 2012, the work on transparency and procedural fairness, on SOEs and competitive neutrality, and most recently he has been leading the work on international enforcement co-operation. He has authored numerous Background Notes of the Secretariat on a variety of competition law enforcement and policy topics. Prior to joining the OECD in 2007, Mr Capobianco was a Counsel in the Competition Department of Wilmer Hale LLP, based in Brussels. He also spent three years with the Italian Competition Authority. Mr Capobianco authored several articles on antitrust issues published on major international law journals specialized in competition law and he co-authored textbooks on Italian and European competition law and economics. He regularly speaks at international conferences on antitrust and regulation issues. Mr. Capobianco graduated in law at the L.U.I.S.S. – Guido Carli in Rome and holds LL.M. degrees from the Law School of the New York University and from the Institute of European Studies of the Université Libre de Bruxelles.

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. 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. Sarah Schoenmaekers publishes frequently on European integration issues in European and national journals. She focusses on European public procurement, competition law, building law and free movement (e.g. diploma recognition). Her practical experience as a Belgian lawyer allows her to create a bridge between business and academia. She has also edited several books. 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.



- **Essentials of Public Procurement**
- Interactive Workshop | 23 – 24 May 2019 | Rome (Italy)

Registration

Venue

Exclusive venue in Rome.

Participation fee

- YES, I would like to participate for the reduced fee for public authorities **EUR 1.240,00** (excl. VAT).
- YES, I would like to participate for the regular fee of **EUR 1.640,00** (excl. VAT).

22% Italian VAT will be added where applicable.

The participation fees include the workshop material, drinks and snacks during the breaks and lunch.

Newsletter subscription

- Please send me information about Structural and Investment Funds 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 8 May 2019. 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:



Mariell Raisma
Lexxion Publisher
Güntzelstr. 63 | 10717 Berlin, Germany
Phone: +49 (0)30-81 45 06-2929
Fax: +49 (0)30-81 45 06-22
E-mail: raisma@lexxion.eu
Online: www.lexxion.eu/en/eventslist

Name

Position, Department

Company Name

Address

Address

Phone, Fax

E-Mail

VAT Reg.-No.

Date, Signature

Master Class on

Public Procurement and Public Private Partnership Law

20 – 21 June 2019 | Amsterdam (Netherlands)

THE LEGAL PUBLISHER
lexxion

For more information on our events please visit: www.lexxion.eu/en