ENHANCING BEST PRACTICES IN PUBLIC PROCUREMENT:

PROCEEDINGS OF THE 3RD INTERNATIONAL PUBLIC PROCUREMENT CONFERENCE

ISBN: 0-9668864-2-9

28-30 August 2008 Amsterdam, The Netherlands

TABLE OF CONTENTS

PART 1. PUBLIC PROCUREMENT THEORIES

1.	Improving the Validity of Public Procurement Research J. Gordon Murray	1
2.	Reducing the Costs of Public Tenders: A Modest Proposal Nicola Costantino, Marco Falagario and Giorgio Iacobellis	17
3.	Procurement Capability: In Search of Solutions Jason Waterman	31
4.	Corporate Procurement Plans: Are They Really Strategic? A Case Study from the Irish Public Sector	45
5.	Steppin, Standards in Procurement and Innovation Leendert van Bergijk and Joep Frijdal	67
6.	Shall Public Entities Be Obliged or Free to Buy through a Central Procurement Agency? Some Insights	77
7.	Towards a Common Understanding of the Differences between Purchasing, Procurement and Commissioning in the Public Sector	89
8.	Irreconcilable Differences or the Best of Two Worlds: Analysing the Similarities and the Differences between Private and Public Procurement Rules and Practices Csaba Csáki	103
	PART II. LEGAL ISSUES IN PUBLIC PROCUREMENT	
9.	Public Procurement of DBFM(0)-Contracts under European and Dutch Law	127
10.	Integrating Complaint Procedures into the Public Procurement Process	133
11.	A Technical Specification: How Precise? Pieter H.L.M. Kuypers and Martine J. Gruppen	149
12.	Direct Award of Contracts under the New Remedies Directive Greetje Fimerius and Jan M. Hebly	157

	Urgent Needs: Derogatory Procurement Law Scenarios Kai Kruger	165
	Court Decisions in Public Procurement: Delineating the Grey Zone	190
	On Access to Public Administrative Procurement Records Kai Kruger	205
	PART III. PUBLIC PRIVATE PARTNERSHIPS	
	Public-Private Partnerships, Concessions and Public Procurement Law	221
	Public Private Partnerships - Beyond Procurement: A Case Study David Ó Muineacháin	241
18.	Are Public Private Partnerships the Solution to Ireland's Infrastructure Deficit?	259
	Competitive Dialogue Abyss or Opportunity?	275
	Public-Private Partnerships and Leveraged Private Equity Financing: A Warning to Public Managers	295
	The Public Private Comparator: A Dutch Decision Instrument in PPP-Procurement	325
	PART IV. PROCUREMENT METHODS AND TECHNIQUES	
	Early Contractor Involvement: A New Strategy for 'Buying the Best' in Infrastructure Development in the Netherlands M. van Valkenburg, S. Lenferink, R. Nijsten and J. Arts	323
	Package Bids and Stand-Alone Bids in Combinatorial Procurement Auctions	357
	The Determination of the Weight of a Preferential Procurement Parameter in a Price Formula for Awarding Contracts: The Case of South Africa J. C. Pauw and J. S. Wolvaardt	383

25.	How (Not) to Design Procurement Mechanisms: A Laboratory Experiment	391
26.	Analysis of Price Correction Award Mechanisms Applied in the Dutch Construction Industry	423
27.	Procurement of Intermediary Services: Interpreters in The Netherlands	441
28.	Enhancing the Interaction between Contracting Authorities and Bidders Concerning the Application of Competitive Dialogue in the Netherlands	467
29.	Category Management as a Procurement Instrument within the Dutch Government	475
30.	Buying Bundles: The Effects of Bundle Attributes on the Value of Bundling	573
	PART V. SOCIAL, ECONOMIC AND SUSTAINABLE PROCUREMEN	1T
31.	An Investigation into the Impact of 'Lean' upon Small Business Supply to the UK Public Sector	529
32.	Green and Sustainable Public Procurement in The Netherlands: An Inconvenient Truth	549
33.	Driving Sustainability through Procurement - the Procura+ Campaign	571
34.	Achieving Sustainable Development through Public Procurement in Indonesia. What Is The Priority: Environment, Social or Economy Aspect?	597
35.	Outsourcing Practices by the Government Sector in South Africa: A Preliminary Study	619

36. Making It Happen: Public Procurement's Role in Integrating Economic Development and Sustainability Strategies for Local Governments in the U.S	637
37. Enhancing Green Practice in Public Road Construction Procurement	655
PART VI. E-PROCUREMENT	
38. Suppliers' Behavior in Competitive Tendering: Evidence from the Italian Ministry of Economy and Finance's Acquisitions of IT Services	667
39. The PEPPOL Project: Cross-Border e-Procurement in Public Administrations	707
40. Basque Government's e-Tendering Public Model	717
41. Public e-Procurement: The Korean On-line e-Procurement System (KONEPS)	743
42. Electronic Public Procurement and the European Internal Market: A Portuguese Perspective	761
43. The Procurement of Welfare to Work Services in Australia and The Netherlands: Learning from Computer Simulations <i>Arthur van de Meerendonk</i>	781
44. The Determinants of Suppliers' Performance in E- Procurement: Evidence from the Electronic Public Administration's Marketplace (MEPA)	799
PART VII. PROCUREMENT BENCHMARKING AND ASSESSMEN	Т
45. Organizational Assessment of Procurement Management Processes	829

46.	Performance-Based Logistics: Procurement of Integrated Logistics Services in the Public Sector	855
47.	Past Performance Evaluation in Repeated Procurement: A Simple Model of Handicapping	875
48.	Adaptation Costs in Public Works Procurement in Italy Calogero Guccio, Giacomo Pignataro and Ilde Rizzo	899
49.	An Evaluation of Performance Information Procurement System (PiPS)	923
50.	Measuring Professionalism Variables and their Implication to Procurement Outcomes in Uganda	947
51.	Monitoring Quality in Centralized Procurement: An Empirical Analysis of Complaints in Consip Framework Contracts <i>Marta Fana</i>	967
	PART VIII. PROCUREMENT IN DEVELOPING COUNTRIES	
52.	Eliminating Barriers for MSE's in the Public Procurement Marketplace of Chile	999
53.	Procurement Capacity Development: From Theory to Practice Kirsten R. Ejlskov Jensen and Marie Louise Refsgaard	1009
54.	Developing Countries in Public Procurement Markets: A Focus on SME Capabilities	1031
55.	Public Procurement in Developing Countries	1055
56.	Measuring Losses to Public Procurement Corruption: The Uganda Case	1065
57.	Identification and Specification of the Needs in the Benin Public Procurement Practice	1097

58.	Tackling Corruption in Public Procurement: A Case of Uganda Local Government	1109
59.	Transparency and Accountability of the Public Procurement System in Bulgaria	1133
60.	The Impact of the Current Tactical Public Procurement Practice in Uganda and its Implications for Socio-Economic Development Outcomes	1139
	PART IX. ACCOUNTABILITY AND TRANSPARENCY	
61.	Addressing Conflicts of Interest in Procurement: First Steps on the World Stage, Following the UN Convention against Corruption	1169
62.	Taxpayers Are Fighting Back: Transparency and Accountability Does Not Mean Inefficiency	1205
63.	Trust is a Two-Way Street	1211
	PART X. OTHER PUBLIC PROCUREMENT ISSUES	
64.	Case Study on Public Procurement of Railway Maintenance Arnout van den Bosch	1221
65.	Integrating Individual and Organizational Learning: Agency Lessons Learned Systems and the Case Method in Teaching Public Procurement	1231
66.	Bid Challenge in Canada and the Impact on Public Procurement: Observations of Change from Inside the Reviewing Agency	1251
67.	PIANOo-Desk: A Successstory of Online Sharing of Knowledge on Public Procurement	1261
68.	Challenges for Humanitarian Food Assistance: Focusing on WFP's Procurement administration	1271