



A Practical Guide to Public Procurement

Abby Semple

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How can public contracts be used effectively to achieve the broader aims of government? Increasingly, emphasis is placed on strategic aspects of public procurement such as value for money, competition, environmental sustainability and social value. The 2014 EU procurement directives offer a new framework in which to pursue these objectives, significantly expanding upon the possibilities under earlier directives. They also represent an evolution in the scope of coverage of the rules, with concessions and certain forms of public-public cooperation being explicitly regulated for the first time, and social and other specific services now subject to a lighter regime.

This book offers both an accessible introduction to the new directives and a critical assessment of their impact. Drawing upon a detailed understanding of the motivations for the reform process and the relevant case law of the Court of Justice, it is a valuable reference for public sector practitioners, lawyers and others with an interest in what the rules mean in practice. Each chapter includes analysis of the EU law applicable to different procurement activities—from pre-procurement and advertising to tender evaluation, contract management, and modifications to contracts. Detailed consideration is given to the procedures available under the 2014 directives and how these can be used to achieve desired outcomes.

Relevant cases from the Court of Justice, UK, and Irish courts are discussed throughout the text. Particular attention is given to the potential to further green, social, and economic development policies through procurement. The final chapter analyses the remedies regime as applied in the UK and Ireland, drawing lessons regarding clarification of tenders, evaluation methods, and notification letters. The book contains practical examples and diagrams illustrating key points discussed in the text.

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