

WWW.PROCEDIN.EU

PROCEDIN

Building Procurement Capability for Embedding and Driving Innovation

Legal Framework Training / Market Consultation

Valentina Schippers-Opejko

Coordinator Urban Agenda Partnership on Innovative and Responsible
Public Procurement on behalf of the City of Haarlem (NL), Chair Eurocities
Working Group on Public Procurement



vopejko@haarlem.nl



[Linkedin.com/in/valentinaschippers](https://www.linkedin.com/in/valentinaschippers)



+31-6-46215424

Gabrovo

10th July 2023

PROJECT MISSION

INNOVATION PROCUREMENT CAPABILITY

We are on a mission to encourage the Procurement of Innovation capability development and accelerate the growth of Circular Economy and Green Mobility innovation ecosystems.

What is Procurement of Innovation?

Public procurement is the process by which public authorities (such as government departments or local authorities) purchase works, goods or services from companies previously selected via a regulated, competitive and transparent procedure.

Innovation Procurement happens when public procurers procure the development (PCP) or deployment (PPI) of pioneering innovative solutions to address specific mid-to-long-term public sector needs.

What domains are covered by the Project?

**Green
Mobility**



**Circular
Economy**



Market Consultation Roadmap: A Step-By-Step Guide

PROCEDIN

Building Procurement Capability for Embedding and Driving Innovation

Market Consultation

The starting point of this step-by-step plan is that you have a clear understanding of the goals you aim to achieve with the tender.

1 DETERMINE THE FORMAT OF THE MARKET CONSULTATION

Checklist

- ✓ Written, Spoken, or a Combination? (Questionnaire or physical meetings?);
- ✓ Open or Closed? (A selection of market parties or open to everyone?);
- ✓ Interactive or Non-Interactive? (Engage in discussions, allowing questioning and feedback or not?);

2 PREPARE THE MARKET CONSULTATION

Checklist

- ✓ Consider offering compensation to participating parties;
- ✓ Keep the practical aspects simple;
- ✓ Document your questions;
- ✓ Formulate your questions in a clear and precise manner;
- ✓ Indicate how you will handle confidential information;
- ✓ State that participation is voluntary (non-binding) and that it does not confer any rights.

3 ORGANISE A MEETING

Checklist

- ✓ Ensure a clear process and an atmosphere of trust during the spoken consultation and interactive sessions;
- ✓ Emphasise the rules related to transparency, objectivity and equality in advance;
- ✓ Use open-ended questions;
- ✓ Document the market consultation in detail and submit the reports to the participating parties for approval.

4 CONCLUDE THE MARKET CONSULTATION

Checklist

- ✓ Determine insights relevant to your procurement that will be used for:
 - the final program of requirements
 - the risk allocation between the client and the contractor
 - the payment process
 - the ultimate tender
- ✓ Prepare the market consultation report, describing the obtained insights in general terms;
- ✓ Make the market consultation report publicly available.

5 UTILISE THE RESULTS OF THE MARKET CONSULTATION IN YOUR TENDER

Checklist

- ✓ Determine the final procurement strategy;
- ✓ Attach the market consultation report as an appendix to your tender, so that all interested entrepreneurs have access to the same information;
- ✓ Ensure that the obtained information does not lead to targeting a specific entrepreneur in the tender.



NB: When using preliminary market consultations or external expertise for the preparation of the tender, Public Authorities must be ensured that the competition is not disturbed and/or no unjustified advantage is provided to the candidates participating in the market consultations.

(Art. 40 & 41- Directive 2014/24/EU)

Case Example



Scale-Up
Sustainable Solutions
Artificial Sport Pitches

What is Scale-Up? Innovate together and scale up

- Public authorities would like to scale up and to procure market solutions
- Public authorities work together with knowledge parties and market parties to procure the best solution
- The procurement process contains a research-and development phase, followed by a commercial phase
- Solutions are fine-tuned during two separate application moments
- Public authorities provides open data and make their expertise available

→Task: how do we constrain/limit the negative environmental effects of turf pitches?

What are we looking for?

A system solution goals:

- A sustainable construction process
- Material circularity
- Generating energy
- Climate adaptive

Innovation and development with multiple consortia

Market Consultation

The starting point of this step-by-step plan is that you have a clear understanding of the goals you aim to achieve with the tender.

I. Determine the format of the market consultation

Scale-Up:

34 completely filled in (long) questionnaires

2 days of one-to-one conversations with 10 market parties

- From artificial grass manufacturers to installation-technical companies

PROCEDIN

Building Procurement Capability for Embedding and Driving Innovation



2 PREPARE THE MARKET CONSULTATION

Checklist

- ✓ Consider offering compensation to participating parties;
- ✓ Keep the practical aspects simple;
- ✓ Document your questions;
- ✓ Formulate your questions in a clear and precise manner;
- ✓ Indicate how you will handle confidential information;
- ✓ State that participation is voluntary (non-binding) and that it does not confer any rights.

- Aims were clearly stated beforehand, one of the aims of the project:

The aim of the market consultation is for market parties, that may play a role in this partnership, to provide their views on:

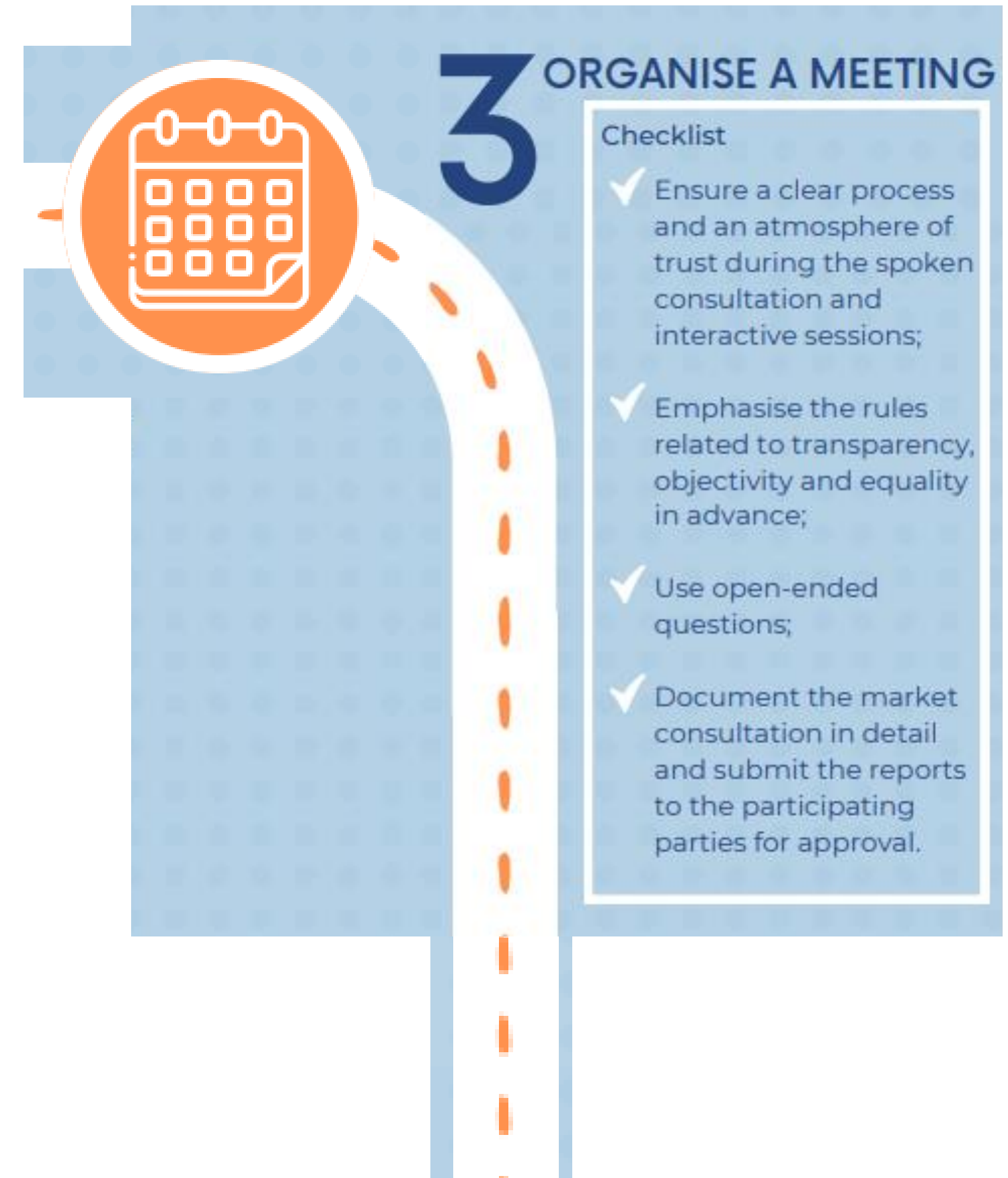
- *Possible approaches to implementing multiple (partial) solutions within one single sports field.*
- Questions were formulated and ordered into 7 sub-topics.

3. Organise a meeting

Scale-Up:
Organised an **open webinar** about the questionnaires and the background of the questionnaire – many attendees

PROCEDIN

Building Procurement Capability for Embedding and Driving Innovation



4 CONCLUDE THE MARKET CONSULTATION

Checklist

- ✓ Determine insights relevant to your procurement that will be used for:
 - the final program of requirements
 - the risk allocation between the client and the contractor
 - the payment process
 - the ultimate tender
- ✓ Prepare the market consultation report, describing the obtained insights in general terms;
- ✓ Make the market consultation report publicly available.



4. Conclude the market consultation

Scale-Up:

- The market consultation report has been prepared and the obtained insights are described in general terms; for each question of the questionnaire a summary/overview of the answers has been written.
- A conclusion has been written:
Two of those points are for example:
 - Interested organisations focus mainly on *water storage, circular artificial turf pitches and heat extractions*
 - Aspirations 'sustainable construction process', 'material circularity' and 'climate adaptivity' regarding *sport pitches* are widely applied by the interested parties. The aspiration 'energy generation' is less widely applied.

5. Utilise the results of the market consultation in your tender

- The market consultation has been **shared at innovatiepartners.nl**
 - The final procurement strategy is defined in which the results of the market consultation are taken into account
- Example: The argumentation for the decision for a longer duration of the commercial phase includes, among others, the following reason:*
- The market consultation has revealed that there is also a demand in the market for longer collaboration terms, especially with this type of collaboration, which is new to the market***

PROCEDIN

Building Procurement Capability for Embedding and Driving Innovation



5 UTILISE THE RESULTS OF THE MARKET CONSULTATION IN YOUR TENDER

Checklist

- ✓ Determine the final procurement strategy;
- ✓ Attach the market consultation report as an appendix to your tender, so that all interested entrepreneurs have access to the same information;
- ✓ Ensure that the obtained information does not lead to targeting a specific entrepreneur in the tender.

Art. 40 & 41 – Directive 2014/24/EU

Ensure that the competition is not disturbed and/or no unjustified advantage is provided to the candidates participating in the market consultations.

Scale-Up:

- Made sure that the respondents that they held conversations with were a good representation of the sectors



On top of the primary Market Consultation

PROCEDIN

**X Gemeente
X Amsterdam
X**

Matchmaking event in October 2023:

- Substantial briefing to the market about the procurement strategy
- Extra opportunity for market consultation
- Facilitates encounters between the regular market and innovators

 **Gemeente
Haarlem**

PIANO ● EXPERTISECENTRUM
AANBESTEDEN

 **SIO**

MEET THE PROCEDIN CONSORTIUM

UNIVERSITY OF TWENTE.



PROCEDIN

Building Procurement Capability for Embedding and Driving Innovation

THANK YOU!

WWW.PROCEDIN.EU



@PROCEDIN



@PROCEDIN



**Funded by
the European Union**

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Innovation Council and SMEs Executive Agency (EISMEA). Neither the European Union nor the granting authority can be held responsible for them.