

CMS Public Procurement Forum 2017

Warsaw, 24 May 2017

Agenda

- 8:45-9:00 **Registration & coffee**
- 9:00-9:15 **Welcome & introduction. The bigger (EU) picture – public procurement in Europe in 2017, latest trends and developments**
Bernt Elsner, Head of CMS Public Procurement Group, CMS Austria
Malgorzata Urbanska, Head of Public Procurement Poland, CMS Poland
- 9:15-10:00 **New contract award criteria (MEAT) and LCC – practical approaches, economic perspectives, as well as views from across the EU**
— LCC and other non-price criteria;
— Methodologies to be used when describing / assessing the criteria (economic/business approach);
— Non-price criteria – are they (and if so, how) used by the contracting authorities?
Virginie Dor, Member of European Commission's Stakeholder Expert Group on Public Procurement, CMS Belgium; *Joanna Baczewska*, Board Member, Warsaw Trams Ltd
- 10:00-10:45 **Limiting bureaucracy and boosting innovation in public procurement – have the efforts been successful so far?**
— Have the efforts to limit bureaucracy and boost innovation been successful so far?
— Projections for the future;
— Innovative partnership, ESPD, electronisation of tenders;
Graeme Young, CMS UK (moderator), *Jakub Mikolajczak*, Head of Legal, Bombardier Transportation Poland, *Edyta Snakowska-Estorninho*, Legal Director, Pratt & Whitney;
Pawel Pawlowski, self-government investments expert;
- 10:45-11:15 **Coffee break**
- 11:15-12:00 **Bid rigging and compliance aspects of public tenders – insights into antitrust and criminal law challenges**
— Bid rotation, bid suppression, courtesy bidding and other forms of anticompetitive arrangements between tender participants;
— Contacts between tender participants and a contracting authority – border line between permitted dialogue and prohibited vertical collusion;
— Non-secret form of cooperation from antitrust perspective – consortia in public tenders, use of resources and sub-contracting;
— Criminal law aspects;
Malgorzata Urbanska, Head of Competition & Public Procurement, CMS Poland,
Arkadiusz Korzeniewski, Head of White Collar Crimes, CMS Poland;
- 12:00-12:45 **Fighting and defending tender outcomes – experiences from various Member States**
Caroline Hobson, CMS UK, moderator, *Petra Heemskerck*, CMS Netherlands,
Robert Keisler, CMS Austria, *Kawthar Ben Khelil*, CMS France, *Tamás Tercsák*, CMS Hungary,
Christian Scherer-Leydecker, CMS Germany
- 12:45-13:00 **Closing remarks**
Bernt Elsner, Head of CMS Public Procurement Group, CMS Austria
- from 13:00 **Business Lunch**