



Le secrétaire général

Members of the IMCO Committee
of the European Parliament

Brussels, 18th June 2012

EU Public Procurement Reform – European Parliament Amendments

Dear Member of the European Parliament,

The Committee on the Internal Market and Consumer Protection is currently preparing amendments to the European Commission's proposal for a new Directive on public procurement. The deadline for amendments has been scheduled for 5th July and we would like to provide you with the enclosed position of the Council of European Municipalities and Regions

The CEMR is the European umbrella organisation of national associations representing local and regional government. Public procurement is a very important issue for local and regional authorities and therefore our members contributed considerably to the preparation of our position and proposals for amendments.

As expressed on the covering statement, we call on the European Parliament to deliver a much simpler and more flexible procurement regime than that proposed by the Commission. The proposals for amendments aim at bringing about that change - to the benefit of both contracting authorities and SMEs who currently find the EU procurement rules complex and burdensome.

We view five aspects as being of crucial importance:

1. The need for a clear statement in Article 1 of the Directive that **cooperation arrangements between public authorities** to share and deliver public services are beyond the scope of the Directive. We therefore support amendment 23 of the rapporteur, Marc Tarabella. Subsequent details of the exemption can be addressed in Article 11.
2. A 'light touch' approach to **social services and other specific services** is needed which recognises their special nature and which does not introduce new burdens.
3. A procedure allowing **greater negotiation** between public bodies and providers is needed to allow the best solutions to be procured.
4. That public authorities are strongly encouraged to address environmental and social issues when planning procurements but are not mandated to apply **green, social and innovation award criteria** in each and every procurement irrespective of cost.

5. For many categories of supplies **lowest cost** must remain an option to ensure tax payers' money is not wasted.

We would be grateful if you could consider tabling our amendments and / or support similar proposals in line with our position.

The CEMR proposals for amendments are structured according to the thematic 'clusters' being considered by the Council and the Parliament and also includes recommendations on which of the amendments proposed by the rapporteur could be accepted or rejected.

We hope you find our document useful and remain at your disposal should you have any questions on any of these matters. Please feel free to contact CEMR's Director of Policy Angelika Poth-Mögele (angelika.poth-moegele@ccre-cemr.org) in the Brussels office (tel. 02 500 05 40).

We thank you in advance for your cooperation and trust that by working together with local and regional government the European Parliament can secure a legislative framework which is simpler for all.

Yours sincerely,

Frédéric VALLIER
Secretary General