

**PUBLIC PROCUREMENT: GLOBAL REVOLUTION VI
24th-25th June 2013**

A 2-day international conference on public procurement regulation

University of Nottingham East Midlands Conference Centre

Conference organised by University of Nottingham

Programme Directors:

Professor Sue Arrowsmith, Professor of Public Procurement Law, University of Nottingham

Dr Peter Trepte, University of Nottingham

Programme

DAY 1 Monday 24th June 2013

08.45 Opening address

08.55 Introduction from the Chair, Dr. Peter Trepte, University of Nottingham, UK

09.00 - 10.15 **Plenary session: Reform of the EU Public Procurement Regime**

09.00	Introductory remarks – Professor Sue Arrowsmith, University of Nottingham
09.15	The Commission’s initiatives – Erik Nooteboom, European Commission
09.30	The UK perspective – Peter Bennett, Cabinet Office, UK
09.45	The view from industry – Ulrich Paetzold, Federation of the European Construction Industry
10.00	The view from the profession – tbc, Chartered Institute of Purchasing and Supply

All workshops directed by Sue Arrowsmith and Peter Trepte unless otherwise stated

10.15 - 11.30 Workshops number 1

Workshop Stream A: Operation and Reform of the EU Procurement	Workshop Stream B: Procurement in Practice	Workshop Stream C: International Perspectives
<p>Workshop A1 Chair: Professor Sue Arrowsmith, University of Nottingham The Latest Developments</p> <ul style="list-style-type: none"> Progress with Proposals for New Directives Erik Nooteboom, European Commission The View from a Member State Dr. Carina Risvig Hansen, University of Southern 	<p>Workshop B1 Chair: Dr. Peter Trepte, University of Nottingham Procurement by the EU Institutions</p> <ul style="list-style-type: none"> The Convergence of the Financial Regulations with the EU Directives Paul Heijnsbroek, Houthoff Buruma 	<p>Workshop C1 Chair: Dr. Ping Wang, University of Nottingham The new Government Procurement Agreement</p> <ul style="list-style-type: none"> The Revised GPA: The Road to the GPA 2012, Expansion of Coverage and Future Perspectives Robert Anderson, World Trade Organisation The New Text of the GPA and its Interrelationship

<p>Denmark</p> <ul style="list-style-type: none"> Practitioner's Viewpoint Adrian Brown, Herbert Smith Freehills LLP 	<ul style="list-style-type: none"> The EU's Use of Framework Agreements Dr. Zbigniew Raczewicz, European Commission The Galileo Procurement Ioannis Petrou, European Commission Vendors' List - New Procurement Procedure following a Call for Expression of Interest (CEI) Dr. Wojciech Kostka, European Foundation for the Improvement of Living and Working Conditions 	<p>with GATT and GATS Anna Caroline Müller, World Trade Organisation</p> <ul style="list-style-type: none"> RTAs and their Interface with the GPA: New Trends and Developments Dr Arwel Davies, Swansea University
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11.30-11.50 Refreshments

11.50 – 13.00 Workshops number 2

<p>Workshop A2 Chair: Rob Hann Key Procedural Elements of the Reforms</p> <ul style="list-style-type: none"> The Public Sector Amendments Johnathan Davey, Addleshaw Goddard The Utilities Sector Amendments Dr. Totis Kotsonis, Norton Rose LLP Strategic use of Procurement Dr. Andrea Sundstrand 	<p>Workshop B2 Chair: Dr Wojciech Kostka, European Foundation for the Improvement of Living and Working Conditions Challenging the EU Institutions</p> <ul style="list-style-type: none"> Levels of Compliance with the Financial Regulation Natascha Graff, Europol Liability of the EU Institutions for Breach of the Regulations Professor Roberto Caranta, University of Turin Standards of Protection of Contractors Professor Luca Pardi, Watson, Farley, Williams /Dr. Cristina Martorana, Watson, Farley, Williams 	<p>Workshop C2 Chair: Robert Anderson GPA expansion: The Case of China</p> <ul style="list-style-type: none"> Horizontal policies in Chinese Public Procurement: The Impact of GPA Accession Dr Ping Wang, PPRG, University of Nottingham Procurement of Utilities in Chinese Public Procurement: The Impact of GPA Accession Professor Xinquan Tu, University of Foreign Trade and Economics, China Remedies in Chinese Public Procurement The Impact of GPA Accession Dr. Xinglin Zhang, Dongbei University of Finance and Economics Transparency in Chinese Defence Procurement Professor Shaoyu Zheng, Jian Wu, the Academy of Equipment, China
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13.00 - 14.15 Lunch

14.15 – 15.30 Workshops number 3

<p>Workshop A3 Chair: Professor Peter Kunzlik, City University London Changes to concluded contracts</p> <ul style="list-style-type: none"> The Current State of Play Professor Sue Arrowsmith, University of Nottingham 	<p>Workshop B3 Chair: Sheila White, CIPS Professionalising Procurement</p> <ul style="list-style-type: none"> The Next Generation of Professional Procurement Sue Morecroft, CIPS OECD and the Strategic Use of Procurement: Professionalising the Procurement Workforce 	<p>Workshop C3 Chair: Jan Jackholt, European Bank for Reconstruction and Development The Developing Rules of the Multilateral Development Banks</p> <ul style="list-style-type: none"> The Evolving Role of the MDBs Professor John Linarelli, Swansea University
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<ul style="list-style-type: none"> Contract Changes in Practice Michael Bowsher QC, Monckton Chambers 	<p>Dr Despina Pachnou, OECD</p> <ul style="list-style-type: none"> Promoting Innovation in Procurement Reform Robert Hunja, World Bank Institute 	<ul style="list-style-type: none"> Reform of the World Bank Guidelines Christopher Browne, World Bank The Case of China: How a Country Decides its Path of Procurement Reform Ian Nightingale, World Bank
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15.30-15.50 Refreshments

15.50 – 17.00 Workshops number 4

<p>Workshop A4 Chair: Steve Schooner, George Washington University Contract Awards</p> <ul style="list-style-type: none"> Award Criteria and their Evaluation in the EU Weighting Professor Martin Burgi, University of Munich Evaluation of Award Criteria from a Comparative Perspective Nicolas Pourbaix, Hogan Lovells The Use and Abuse of Scoring Methodologies Paula Faustino, University of Nottingham 	<p>Workshop B4 Chair: Glenn Fletcher, Achilles Electronic Procurement for the 21st century</p> <ul style="list-style-type: none"> managing electronic procurement experience with e-auctions using databases <p>Speakers: Sue Weston, Ja.net Richard Hogg, Bravo Solution</p>	<p>Workshop C4 Chair: Caroline Nicholas, UNCITRAL The UNCITRAL Model challenge</p> <ul style="list-style-type: none"> Conditions for Use: Methods and Removal of Approval Requirement Professor Christopher Yukins, George Washington University E-procurement and Frameworks Serban Filipon, University of Nottingham Use of the Model on the International Stage Professor Gustavo Piga
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18.45 for 19.00 Conference Dinner

DAY 2 Tuesday 25th June 2013

09.00 - 10.15 **Plenary session: Reforms in the International Public Procurement Arena**

09.00Introduction from the chair – Professor Sue Arrowsmith, University of Nottingham

09.10	The Continuing Revolution – Dr Peter Trepte, University of Nottingham
09.20	The New WTO Agreement – Robert Anderson, WTO
09.30	The Revised UNCITRAL Model Law – Caroline Nicholas, UNCITRAL
09.40	The Reforms at the World Bank – Christopher Browne
09.50	Harmonisation at the Global Level – Jan Jackholt, EBRD
10.00	International Perspectives - Dan Gordon, GWU

10.15 – 11.30 Workshops number 5

<p>Workshop Stream A: Operation and Reform of the EU Procurement</p>	<p>Workshop Stream B: Procurement in Practice</p>	<p>Workshop Stream C: International Perspectives</p>
<p>Workshop A5 Chair: Dr. Mark von Wietersheim, Forum Vergabe e.V. Remedies Part 1</p> <ul style="list-style-type: none"> Calculating Damages Dr. Peter Braun, Orrick Practical Implementation of Remedies in the UK Professor Sue Arrowsmith, University of Nottingham and Richard Craven 	<p>Workshop B5 Chair: Dr. Albert Sanchez Graells, University of Hull Corruption in Procurement</p> <ul style="list-style-type: none"> Legal Culture, Corruption and Public Procurement Dr Åse Grødeland, FAFO The Cost of Preventing Corruption Professor Christina Tvarnø, Copenhagen Business School Mandatory/Discretionary Exclusion on Grounds of Corruption Roger Bickerstaff, Bird & Bird 	<p>Workshop C5 Chair: Professor Sue Arrowsmith, University of Nottingham Procurement in sub-Saharan Africa</p> <ul style="list-style-type: none"> Developments in Regulating the Use of Public Procurement for (social) Policy Purposes in Africa Professor Geo Quinot, Stellenbosch University Reforms in South Africa's Public Procurement System Professor Phoebe Bolton, Stellenbosch University COMESA Public Procurement Reform Project Jean Claude Mabushi

11.30-11.50 Refreshments

11.50 – 13.00 Workshops number 6

<p>Workshop A6 Chair: Chair: Marc Steiner, Swiss Federal Administrative Court Remedies Part 2</p> <ul style="list-style-type: none"> Ineffectiveness of Contracts Dan Gordon, George Washington University Private Enforcement of Contract Ineffectiveness Kai Struckmann, White & Case LLP Competing Roles of Contractual Liability and Judicial Review as remedies in Canada Dr. Nicolas Lambert, University of Moncton 	<p>Workshop B6 Chair: Professor Christina Tvarnø, Copenhagen Business School Distortions of competition</p> <ul style="list-style-type: none"> State Regulation and Procurement Dr. Grith Ølykke, Copenhagen Business School Collusion and Competition from a State and Market Perspective Dr. Albert Sanchez Graells, University of Hull Bid-rigging and Price Fixing Dr. Anna Gorczyńska, University of Lodz Difficulty of Enforcement (an example from Spain) Dr. Patricia Valcárcel, University of Vigo/Antonio López Miño, Competition Authority of Galicia 	<p>Workshop C6 Chair: Paul Phillips, Crown Agents Aid Effectiveness and Procurement Reform</p> <ul style="list-style-type: none"> The Road from the Paris Declaration on Aid Effectiveness. Dr. Annamaria La Chimia, University of Nottingham Beyond UNCITRAL: The Challenges of Procurement Reform Implementation in Africa Dr. Sope Williams-Elegbe, Stellenbosch University Fragile States and Conflict Areas – The Example of Somalia Daud Ibrahim, United Nations Support Office for Amisom (UNSOA)
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13.00-14.15 Lunch 14.15 Group photograph

14.15-15.30 Workshops number 7

<p>Workshop A7 Dr. Hans-Joachim Prieß, Freshfields Bruckhaus Deringer</p>	<p>Workshop B7 Chair: Susie Smith, Bevan Brittan LLP Comparative Use Framework Arrangements</p>	<p>Workshop C7 Chair: Dr. Baudouin Heuninckx, Belgian Defence Procurement Division</p>
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<p>Market Access: The EU and its Trading Partners</p> <ul style="list-style-type: none"> • Procurement as a Trade Weapon: Weakness Masquerading as Force? Dr. Peter Schäfer, BDI Germany • Third Country Access to the EU Procurement Markets - A Policy in the Making Marc Steiner, Swiss Federal Administrative Court • Fortress Europe? Auke Haagsma, Seminal Consulting • The Member States' Positions on Third Country Access: Fighting for Convictions and the Inevitable Compromise Dr. Michael Fruhmann, Federal Chancellery 	<ul style="list-style-type: none"> • Austria Martin Oder, Haslinger Nagele & Partners • Italy Professor Gabriella Racca, University of Turin • United Kingdom Glenn Fletcher, Achilles 	<p>Global Defence Procurement Issues</p> <ul style="list-style-type: none"> • Defence Procurement in the US and Beyond Professor Steve Schooner, George Washington University • National Offsets in the Defence Sector (an Indian perspective) Sandeep Verma, Ministry of Defence • Challenging Corruption in the Defence Sector (a Chinese perspective) Zheng Shaoyu, The Academy of Equipment • Exploring Institutionalization Patterns in the European Defence Sector. What would be the Impact on the Future of EU Defence Procurement? Alessandra di Angelis, PhD Researcher.
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15.30-15.50 Refreshments

15.50-17.00 Workshops number 8

<p>Workshop A8 Chair: Dr. Aris Georgopoulos, University of Nottingham Defence and Security</p> <ul style="list-style-type: none"> • Defining the Field of Application of the Defence and Security Directive as an Indication of its (in)Effectiveness Giorgos Sampanis, PhD Researcher • Security of Supply and subcontracting Dr. Baudouin Heuinckx, Belgian Defence Procurement Division • Title IV Defence Directive: The Hidden Remedies Directive Professor Martyn Trybus, University of Birmingham 	<p>Workshop B8 Chair: Susie Smith, Bevan Brittan LLP Key Legal Issues in the Operation of Frameworks</p> <ul style="list-style-type: none"> • Problems with the Award of Contracts under Frameworks Gianluigi Albano • Corruption in Frameworks (UK) Ian Clarke • Overview of the Position in the US Professor Christopher Yukins 	<p>Workshop C8 Chair: Geo Quinot, Stellenbosch University Country xperiences</p> <ul style="list-style-type: none"> • Fighting Corruption in Thailand Dr. Sirilaksana Khoman, National Anti-Corruption Commission • Challenges in Russian Reform Nikolay Akimov, Moscow Metropolitan Governance University • Procurement Reform in Nigeria Ama Eyo, University of Bangor • Procurement Guidelines and Practices in Malaysia - An Objective Perspective Grace Manoranjitham George O Singh
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