



Competitive dialogue

Competitive Dialogue

- Competitive dialogue is thus suitable for purchasing innovative market concepts as it allows procurers to define their needs and finding adequate solutions with the help of expert knowledge provided by interested economic entities.



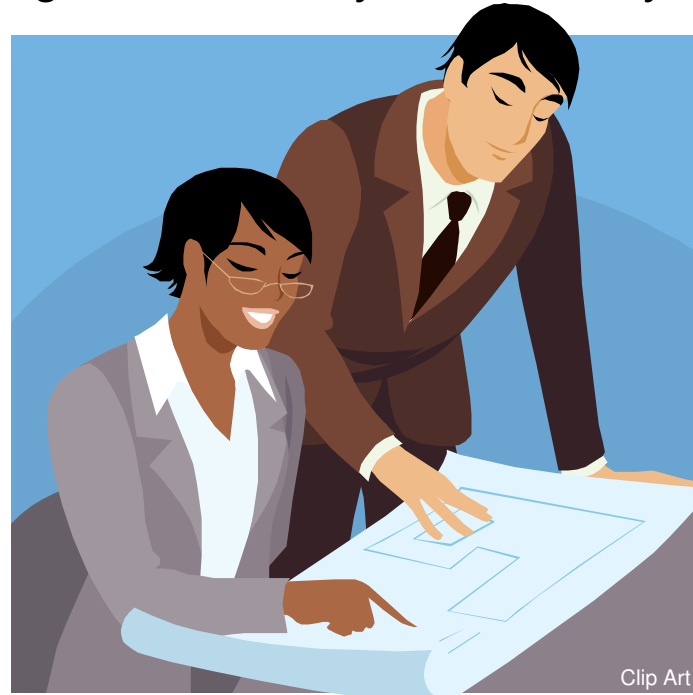
Example of projects suitable for competitive dialogue:

Projects allowing innovative solutions such as integrated infrastructure projects or large IT networks

The procedure is very important for and broadly used by public private partnerships

Competitive Dialogue

- Outcome is known – *The result of the tender is decided*
- Best way to achieve outcome is unknown – *The solution/way to result is not set*
- Dialogue phase in confidence before call for final bids
- Aim to develop suitable alternatives of tender and facilitating innovative procurement by bringing more flexibility and certainty to the legal framework



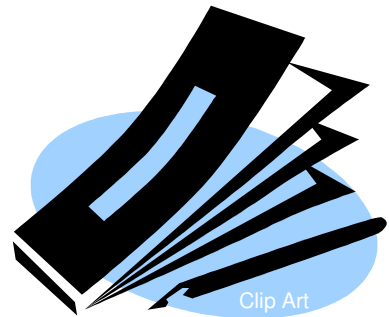
Differences with Competitive Dialogue procedure

- The dialogue mainly distinguishes itself
 - from the restricted procedure by the fact that negotiations concerning every aspect of the contract are authorised
 - from the negotiated procedure by the fact that, essentially, negotiations are concentrated within a particular phase in the procedure” (EC 2006, explanatory note for Directive 2004/18/EC).

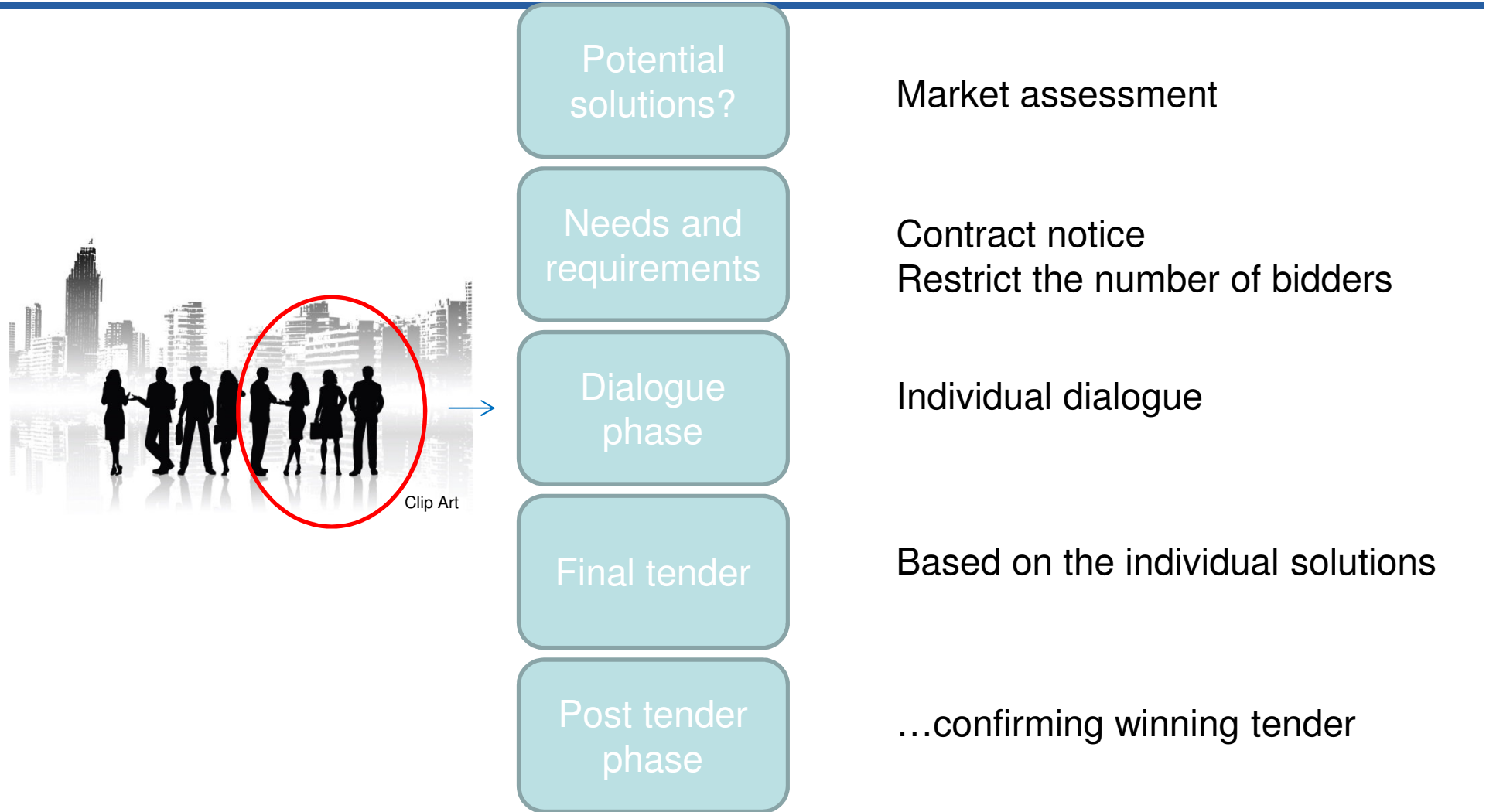


Tendering procedure

- To apply the competitive dialogue procedure contracting authorities have to justify the objective impossibility of defining technical specifications or extraordinarily complex technical or financial/legal contract subjects



Tendering procedure



Main benefits



- Better projects
- Enhanced competition
- Better price discipline
- Improved bidders



Main problems



- Competitive dialogue takes longer time
- More expensive method to use
- More complex method to use
- Limited flexibility and ability to adjust to changing circumstances

Competitive Dialogue



“Used correctly, competitive dialogue can be an effective procurement method where the specification, payment method or contract terms need to be negotiated with bidders.

At its worst, competitive dialogue can be slow, time-consuming, and painfully expensive for all involved.”

Challenges and future development



- Competitive dialogue has been applied in several different ways but all are not equally effective
- Benefits with standardizing the approach of competitive dialogue and input for further development of optimal methodology
- There are e.g. discussions about:
 - If dialogue phase should be consultative or investigative
 - If clarifying and confirming tenders should be permissive or restrictive

