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Global Revolution 2024

A two-day international conference on public procurement regulation
University of Nottingham East Midlands Conference Centre



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Conference organised by the Public Procurement Research Group (PPRG) University of Nottingham

Programme directors:

Professor Annamaria La Chimia

Professor of Law and Development and Director PPRG
University of Nottingham

Dr Peter Trepte

Senior Fellow in Public Procurement Law and Policy
University of Nottingham



For more extensive study of public procurement law – UK, EU and/or global – take a look at our distance learning (part time) postgraduate programme in Public Procurement Law and Policy (Masters/Diploma/Cert)
<https://www.nottingham.ac.uk/law/study/cpd/executive-programmes/index.aspx>

Programme

Day 1 Monday 17 June 2024

8:45am Welcome, **Professor Annamaria La Chimia, Director PPRG, University of Nottingham**

9:00am–10:15am Plenary session: New Developments in International Procurement Regulation

Introduction from the Chair: Paradigm Shift in Procurement: Necessity and Opportunity Professor Annamaria La Chimia, University of Nottingham
Emerging issues at the World Bank: climate financing and procurement Jean-Jacques Verdeaux, World Bank
An update from the World Trade Organisation (WTO) Secretariat on the Government Procurement Agreement (GPA) Reto Malacrida, World Trade Organisation
Professionalisation and the OECD work on procurement Erika Bozzay, OECD
Reconceptualising public procurement (law and practice) globally Professor Geo Quinot, APPPL, Stellenbosch University
Artificial Intelligence (AI) in Procurement Jessica Tillipman, George Washington University and Dr. Aris Georgopoulos, University of Nottingham

10:15am – 11:30am Parallel workshops – session 1

Workshop stream A Procurement in the UK and the EU	Workshop stream B Collaboration in Procurement	Workshop stream C Procurement and sustainability	Workshop stream D Current issues in the international arena	Workshop stream E Artificial Intelligence (AI) and Public Procurement
<p>Workshop A1 Sustainability in the UK and Europe: Social Value Chair: Duncan Osler</p>	<p>Workshop B1 PFI modelling and collaboration Chair: Rovena Muzhaqi</p>	<p>Workshop C1 International and EU approaches to sustainability Chair: Steven Schooner</p>	<p>Workshop D1 International considerations Chair: Astghik Solomonyan</p>	<p>Workshop E1 AI and procurement risk management Chair: Albert Sanchez-Graells</p>
<ul style="list-style-type: none"> ▪ The “Golden Thread” of Social Value – Will it be rediscovered under the Procurement Act? Steven Brunning (Anthony Collins LLP), Rebecca Rees (Trowers and Hamlin LLP) and Mark Cook (Anthony Collins LLP). ▪ Procuring for value: the new Italian code. Sara Valaguzza, University of Milan ▪ Social value creation and the principle of “result”: a reasoning on the goal of public procurement procedures. Eduardo Parisi, University of Milan 	<ul style="list-style-type: none"> ▪ Towards the Common Understanding of Public-Private Partnership as a Universal Legal Concept Shaimerden Chikanayev, The Chinese University of Hong Kong ▪ PFI in infrastructure projects in the UK and Brazil: similar models and opposing authorities decisions Maria Tereza Fonseca Dias, University of Minas Gerais (UFMG) ▪ Colonial Public-Private Partnerships – did Caribbean British Overseas Territories inherit the UK’s Private Finance Initiative? Laura Panadès-Estruch, Truman Bodden Law School, Cayman islands 	<ul style="list-style-type: none"> ▪ Understanding the Role of the WTO Agreement on Government Procurement (GPA) in Relation to Today’s Policy Imperatives: Economic Reform, Sustainability, Good Governance and Human Rights Robert Anderson (University of Nottingham), Marc Steiner (Swiss Federal Administrative Court, Switzerland) and Antonella Salgueiro ▪ The regulation of sustainability aspects under the Government Procurement Agreement Natalia Spătaru, Birmingham Law School ▪ Global trade, local content and sustainable public procurement: challenges and opportunities in Africa Carol Cravero 	<ul style="list-style-type: none"> ▪ International Procurement Commitments: Expanding and Contracting Jean Heilman Grier, Djaghe ▪ Assessing procurement systems -the MAPS experience Nicolás Penagos, OECD ▪ Federalism, Procurement Liberalization, and Domestic Review Procedures: The Implementation of Treaty Commitments in US States and Canadian Provinces Derek McKee, University of Montreal, Canada and Dan Schoeni, United States Air Force 	<ul style="list-style-type: none"> ▪ Using AI to reduce risk in public procurement: Panacea or problem? Jessica Tillipman, GW Law, USA ▪ Artificial intelligence applied to quality evaluation in public procurement Phil Woodhead and Sagar Bhujbal

11.30am–11.50am Refreshments

11:50am – 1:00pm Parallel workshops – session 2

<p>Workshop A2 Public-public cooperation in EU public procurement: new paths and evolving shape of contractual agreements with private partners Chair: Jean-Bernard Auby</p>	<p>Workshop B2 Collaborative Procurement Chair: Benedetta Audia</p>	<p>Workshop C2 Objectives Chair: Elisabetta Piselli</p>	<p>Workshop D2 International procurement and the UK Chair:</p>	<p>Workshop E2 Procurement of AI Chair: Aris Georgopoulos</p>
<ul style="list-style-type: none"> ▪ Overview of developments in EU case law on public-public cooperation since the 2014 public procurement directives Sarah Schoenmaekers, Maastricht University ▪ The institutionalised public-private partnership (PPI): benefits and challenges Steven van Garsse, SAPIENS ▪ National case studies PPI implementation in France and in Italy Stephane de La Rosa, UPEC and Gabriella Racca, University of Torino 	<ul style="list-style-type: none"> ▪ Collaboration in construction Sara Valaguzza and Eleonora Gregori Ferri ▪ Collaborative procurement to reach sustainability. A possible alternative use of the technical advisory board. Guido Sorrentino, University of Salerno, Italy ▪ Understanding collaboration between stakeholders in sustainable public procurement Felippe Vilaça Loureiro Santos, SAPIENS ▪ Collaborative procurement: opportunities and constraints Virginie Dor, CMS ▪ A Framework for Tailored Implementation of BIM in Design and Construction Process: A Case Study for Public Authorities Kavita Raj Silvia, Mastrolembro Ventura and Angelo Luigi Camillo Ciribini, University of Brescia 	<ul style="list-style-type: none"> ▪ Public spending efficiency and sustainable development in Polish public procurement law Anna Wójtowicz-Dawid, Institute of Juridical Sciences University of Rzeszów, Poland ▪ Enforcement or development of green contract conditions Carina Risvig Hamer, Faculty of Law, University of Copenhagen ▪ Leaving No One Behind - Integrating Considerations for Small and Medium-Sized Enterprises in Green Public Procurement Xinyue Xue, University of Birmingham & SAPIENS Network, UK 	<p>Panel withdrawn due to UK elections on 4th July 2024.</p>	<ul style="list-style-type: none"> ▪ Findings from EPLG comparative research Christoph Krönke (Bayreuth)) ▪ Emerging trends and deployment of AI Tim Cummins (WCC/Leeds)

1:00pm – 2:15pm Lunch

2:15pm – 3:45pm Parallel workshops – session 3

<p>Workshop A3 Contract modifications Chair: Paula Faustino</p>	<p>Workshop B3 Collaborative and innovative procurement in practice Chair: Sara Valaguzza</p>	<p>Workshop C3 Diversity in procurement Chair: Manjola Malo</p>	<p>Workshop D3 Trade Perspectives Chair: Alison Micheli</p>	<p>Workshop E3 AI Procurement as a governance and management tool Chair: Jessica Tillipman</p>
<ul style="list-style-type: none"> ▪ Public Contracts and The Possibilities For Maneuverability Erik Plas, Infense Advocaten ▪ The importance of effective contract management in achieving policy goals in public procurement: A look at sustainability goal in Italy Oscar Chapha 	<ul style="list-style-type: none"> ▪ Problems of collaboration in Brazil Rafael Wallbach Schwind (Justen Pereira, Oliveira & Talamini, Brazil) and Renato Ribeiro Fenili ▪ Competitive Dialogue: yet an unfinished business for innovation Marcela Jabôr, Universidade Federal de Minas Gerais, Brazil ▪ Effectiveness of public procurement of innovation policies under sanctions: A case study of first-time purchase of strategic technological products in Iran Sahar Arbabshirani, Shahid Beheshti University 	<ul style="list-style-type: none"> ▪ How can MDB's promote Gender Responsive Public Procurement in it's operations? The case of the European Investment Bank. Sónia Rodrigues da Fonseca, European Investment Bank ▪ Addressing the corruption barriers to gender responsive procurement Prof. Sope Williams-Elegbe, Stellenbosch University, South Africa 	<ul style="list-style-type: none"> ▪ The new foreign subsidies regulation (FSR) Professor Leigh Hancher, University of Tilburg ▪ The new IPI Peter Trepte, University of Nottingham ▪ Customs and trade implications John Grayston, Grayston & Co., Brussels 	<ul style="list-style-type: none"> ▪ That's not my standard: contractual clauses for the procurement of ethical AI as a straitjacket Albert Sanchez-Graells, University of Bristol ▪ Digital supply-chain management Rajinder Bhandal (Leeds) (tbc)

3:45pm – 4:05pm Refreshments

4:05pm – 6:30pm Parallel workshops – session 4				
Workshop A4 Principled Procurement Chair: Jamie Thomas	Workshop B4 A question of trust and cooperation Chair: Anna Gorczynska	Workshop C4 Country approaches to GPP Chair: Marc Steiner	Workshop D4 Dispute Resolution Chair: Caroline Nicholas	Workshop E4 Use of AI and big data in procurement Co-chairs: Jessica Tillipman; Albert Sanchez-Graells
<ul style="list-style-type: none"> Conflicting demands between transparency and flexibility in framework agreements: the case of call-off contracts award with the reopening of mini-competition Atakilti H Gebremichael, University of Copenhagen Equality Qualities in Public Procurement Law Elior Korem, Utrecht University Tender clarification after the submission: main conclusions and suggestions for the future. Džeina Gaile, University of Latvia 	<ul style="list-style-type: none"> The doctrine of <i>culpa in contrahendo</i> and public procurement Marta Andhov, Michal Kania, T. Schroder-Hansen, A. Salijc, University of Copenhagen Navigating Trust in the Public Procurement Judicial Remedy System Prof. Kirsi-Maria Halonen and Pirkko Heikkinen, University of Lapland 	<ul style="list-style-type: none"> Sustainable Procurement Under EU Directive 2014/24: Lithuanian Transition to 100% Green Public Procurement Edgaras Markevicius, Sorainen The Role of Green Procurement Policy in Combating Climate Change: A Case Study of India Mukesh Rawat 	<ul style="list-style-type: none"> Dispute avoidance and alternative dispute resolution (ADR) Cesar Pereira and Christopher Yukins (GW Law, USA) Construction Adjudication: Prospects and Challenges for Internationalisation and Harmonisation Aleksander Godhe, KCL 	<ul style="list-style-type: none"> Panel Discussion Aris Georgopoulos (School of Law, University of Nottingham) Ian MakGill (Spend Network) Lindsey Marchessault/ Gavin Hayman (tbc) Open Contracting Partnership

6:30pm Pre-dinner drinks and PPRG book launch

7:00pm Conference dinner

Day 2 Tuesday 18 June 2024

8:55am Introduction from the Chair — **Dr Peter Trepte, University of Nottingham**

9:00am – 10:10am Plenary session: Topical Issues in Procurement

The new Procurement Act in the UK Tracy Pritchard, Cabinet Office
The new Procurement Act: A commentary from the Procurement Lawyers' Association (PLA) Ewan West KC
Interpreting the new Procurement Act Sue Arrowsmith, Professor Emerita, University of Nottingham
Sustainable procurement as geopolitics Professor Gustavo Piga
Protecting earth and freedom requires a radical mindset shift: on old obligations and new responsibilities Professor Elisabetta Manunza
Combatting foreign subsidies Professor Leigh Hancher

10:10am – 11:30am Parallel workshops – session 5			
Workshop stream A: Procurement in the UK and the EU	Workshop stream B: Procurement in Practice	Workshop stream C: Procurement and sustainability	Workshop stream D: AI, Data and Procurement
Workshop A5 The new Procurement Act in the UK Chair: Ed Green OBE	Workshop B5 Govt/Vendor relationships Chair: Steve Guppy	Workshop C5 Climate change Chair: Marta Andhov	Workshop D5 Open Contracting approaches to Sustainable Public Procurement Chair: Gavin Hayman
<ul style="list-style-type: none"> Panel discussion Emily Heard, Partner, Bevan Brittan LLP, Jonathan Davey, Partner, Addleshaw Goddard LLP, Totis Kotsonis, Partner, Pinsent Masons LLP 	<ul style="list-style-type: none"> A peculiar approach to overseeing public procurement: collaborative supervision Giuseppe Abbatino and Lorenza Ponzone, Italian Anti-Corruption Authority (ANAC) Creating a Forum for Public Authorities and Private Industries to Discuss Public Procurement Law Nicholas Jobidon, ENAP 	<ul style="list-style-type: none"> Net-zero: Enforcing Global Coalition against Climate Change through Procurement and Supply Chain Soala Warmate, Rivers State Bureau on Public Procurement Low Carbon Public Procurement in the Asia Pacific Region Jellie Molino 	<ul style="list-style-type: none"> Impacts of Sustainable Public Procurement in Lithuania Dr. Raminta Pucetaite, Lead of Public Governance Research Group, Kaunas Technology University, Lithuania. Opportunities for Green Public Procurement in India Kabeer Arora, Civic Data Labs, India Barriers and Solutions to Women's Participation in Public Procurement in Eastern Africa Mr. Gilbert Sendugwa, Executive Director, Africa Freedom of Information Centre

11:30am – 11:50am Refreshments

11:50am – 1:00pm Parallel workshops – session 6

<p>Workshop A6 The Procurement Act 2023: three knotty issues Chair: Tracy Pritchard</p>	<p>Workshop B6 Performance measurement Chair: Evgeny Smirnov</p>	<p>Workshop C6 Country approaches to SPP Chair: Eliza Niewiadomska</p>	<p>Workshop D6 Digitalisation and cross-border exchange of contractor qualification information Chair: Jean Bernard Auby</p>
<ul style="list-style-type: none"> ▪ How to interpret the Procurement Act 2023? The theory and some practical implications Sue Arrowsmith, University of Nottingham ▪ From one regime to another – will the commercialisation of frameworks in the UK public sector continue under the Procurement Act? Steven Brunning, Anthony Collins LLP ▪ UK Public Procurement After Brexit – Single UK Market or Postcode Lottery? Luke Butler and Jamie Thomas, University of Nottingham 	<ul style="list-style-type: none"> ▪ Regulating the performance of public contracts: Is current EU law fit for purpose? Aris Christidis, Newcastle University ▪ The Hungarian Public Procurement Performance Measurement Framework Márta Várhomoki-Molnár (Ministry for Public Administration and Spatial Development, Hungary) 	<ul style="list-style-type: none"> ▪ Sustainable development in public bidding procedure: a Brazilian and EU case study Bruno Fontenelle ▪ Challenges and opportunities for Sustainable Public Procurement (SPP) in Albania Reida Kashta, Head of Public Procurement Agency/Albania ▪ Addressing bottlenecks for the implementation of sustainable public food procurement initiatives at local level: the experience of Ecuador Luana Swensson, FAO, UN ▪ Sustainable food procurement in English Higher Education Penny Giosa, University of Portsmouth 	<ul style="list-style-type: none"> ▪ EU Developments in Digitalisation Gabriella M. Racca, University of Torino and Stéphane De La Rosa, Université Paris-Est Créteil ▪ From Data to Digital Transformation of Public Procurement Isabel da Rosa, Director of Finance, Studies and Strategy in IMPIC (Portuguese Public Procurement Regulator) ▪ Exclusion of Contractors Under the EU Directive Laurence Folliot-Lalliot, Université Paris-Nanterre ▪ The Infraestructuras Decision (ECJ Case C-66/22) Andrea Sundstrand, Stockholm University ▪ Handling Exclusion Information Across Borders Christopher R. Yukins, George Washington University

1:00 pm – 2:15pm Lunch

2:15pm – 3:30pm Parallel workshops – session 7

<p>Workshop A7 Defence Procurement Chair: Martin Trybus</p>	<p>Workshop B7 Collaboration in information Chair: Steve Schooner</p>	<p>Workshop C7 Defence to contracting authority decisions in procurement disputes Chair: Tunde Tatrai</p>	<p>Workshop D7 Digitalisation at country level Chair: Reida Kashta</p>
<ul style="list-style-type: none"> ▪ Fast & Smart Joint Procurement of Artillery Ammunitions for EU Nations & Norway EDA Procurement Team ▪ A security-proof public procurement strategy for contracting authorities: 'The legal possibilities for national security screening within the context of the Defence and Security Procurement Directive' Niels Wittenberg, Utrecht University ▪ The Legal Foundation for a more Effective Regulation of Military Procurement within a European Security Culture Nathan Meershoek, Utrecht University ▪ Avoiding competitive tendering in defence procurement – beyond the obvious Pascal Friton and Christopher Wolters, Blomstein ▪ Research and development in the defence sector: How to close the commercialisation gap? Grith Skovgaard Ølykke (Royal Military Academy and Vrije University, Brussels) 	<ul style="list-style-type: none"> ▪ Sharing public procurement research Mary Kate Hunter, George Washington University ▪ Building a Library: The Nottingham Experience Sue Arrowsmith, Professor Emerita, University of Nottingham 	<ul style="list-style-type: none"> ▪ Panel Discussion looking at Europe, USA, Africa Prof Geo Quinot, Stellenbosch University & APLU; Prof François Lichère, Université Jean Moulin Lyon Dr Allison Anthony, University of South Africa & APLU Prof Yseult Marique, University of Essex 	<ul style="list-style-type: none"> ▪ Digital Government, Public Procurement, and Contracting in Brazil: A Technological Perspective on Procurement Law. André Guskow Cardoso (Justen, Pereira, Oliveira & Talamini) ▪ Public Procurement and AI: Cases from India Sandeep Verma, Government of Rajasthan, India ▪ AI for German public procurement Marc Philip Greitens, Sascha Soyk, Charlotte Stollmann, Janwillem van de Loo, Heuking

3:30pm – 3:50pm Refreshments

3:50pm – 5:00pm Parallel workshops – session 8			
Workshop A8 Rule of Law Challenges in Public Procurement Chair: Elisabetta Manunza	Workshop B8 Self-cleaning Chair: Sope Williams-Elegbe	Workshop C8 CSR and Integrity Chair: Annamaria La Chimia	Workshop D8 Procuring IT Chair: Steven van Garsse
<ul style="list-style-type: none"> Has the Court of Justice just failed to protect the EU's Single Market from Eurosceptic legislation? Mirella Lechna, University of Nottingham Violation of the rule of law in the context of access to justice in public procurement Aleksandra Soltysińska, Jagiellonian University, Poland Why does the Rule of Law Matter in Public Procurement? Piotr Bogdanowicz, University of Warsaw 	<ul style="list-style-type: none"> Self-cleaning as a legal instrument in Central and Eastern European countries Tünde Tátrai, Corvinus University of Budapest Rehabilitation of Bidders in Brazil: The Influence of Self-Cleaning as Envisaged in Directive 2014/24/EU Rafael Wallbach Schwind and Mayara Gasparoto Tonin (Justen Pereira, Oliveira & Talamini, Brazil) 	<ul style="list-style-type: none"> The Implications of RBC and Due Diligence Regulation on Public Procurement Lena Diesing and Sarah Reso, OECD Establishing a Culture of Integrity Flor Rissa Ofilada, University of Philippines Due diligence a standard of conduct for public contracting bodies and business contractors Laura Treviño Lozano 	<ul style="list-style-type: none"> Current challenges in the public procurement of cloud services Moritz Schuchert, Blomstein Procurement of critical IT infrastructure Rika Koch, Institut Public Sector Transformation (IPST) EU Innovative (Cybersecurity) Procurement as a Cybersecurity Governance Tool? Stefano Rossa, Università degli Studi del Piemonte Orientale The Danish best practice code for public procurement of IT projects. Milena Anguelova Krogsgaard, Poul Schmith

5:00pm Close

We are delighted to be working with the following collaborators:

