

# JOINT CROSS-BORDER PUBLIC PROCUREMENT: Strengthening cooperation and efficiency



In the field of public procurement in the European Union, the concept of Joint Cross-Border Public Procurement (JCBPP) has emerged as a key strategy to increase efficiency, transparency and cost-effectiveness. However, this approach is not intended to be used to circumvent mandatory public law provisions, as set out in Directive 2014/24/EU. Rather, it aims to optimise cooperation while respecting legal frameworks that ensure fairness and accountability.

The objectives underlying the promotion of the JCBPP are diverse and designed to leverage collective strengths for mutual benefit. First, it aims to increase transparency by facilitating better information sharing among participating agencies. This open exchange of data enables a clearer understanding of market dynamics and procurement practices across borders, providing the basis for informed decision-making.

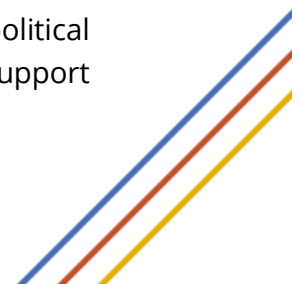
In addition, the JCBPP promotes cross-country learning by encouraging the sharing of experiences and best practices. This knowledge transfer enables participating entities to adopt successful strategies and adapt them to their unique contexts, thereby promoting continuous improvement and innovation.

Another key rationale for JCBPP is to optimise bargaining power to reduce transaction costs. By pooling resources, skills and capacity, public authorities can negotiate more effectively with suppliers, securing favorable terms and reducing overall procurement costs.

This collaborative approach also enables the development of more efficient and interoperable solutions. By harmonising standards and specifications, JCBPP promotes greater standardisation across borders, facilitating smoother implementation and reducing compatibility issues.

One of the most exciting aspects of JCBPP is its ability to drive innovation in public procurement. By encouraging suppliers to develop new products and services that meet collective needs, this approach fosters a dynamic marketplace and supports economic growth.

However, the successful implementation of JCBPP requires strong political commitment and mutual trust between purchasing partners. This support ensures that collaborative efforts are sustainable and meaningful.



## Steps to implement the JCBPP:

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The process of implementing a Joint Cross-Border Public Procurement can be divided into three distinct phases:

- 1) Pre-procurement phase:
  - Identify the need for joint procurement.
  - Carry out comprehensive market research.
  - Exploring funding options.
  - Reaching a decision to collaborate through a formal memorandum of understanding.
  - Establish a binding cooperation agreement.
  - Develop a detailed technical specification.
  - Drafting the terms of reference for the procurement process.
- 2) Tendering phase:
  - Carrying out the procurement process, from tender publication to contract award.
  - Ensure strict compliance with procurement laws and regulations.
  - Ensure clear and consistent communication between stakeholders.
- 3) Post-tender phase:
  - Concluding the procurement process with a successful contract award.
  - Addressing performance-related challenges such as delivery logistics, penalties and contract modifications.
  - Implementing a robust dispute resolution mechanism to address any issues that may arise.

In conclusion, joint cross-border public procurement holds great promise for transforming public procurement practices in the European Union. By embracing collaboration, transparency and innovation, this approach not only streamlines processes but also improves the quality and efficiency of services delivered to citizens across borders. However, its success depends on an unwavering commitment, effective governance and a shared vision among participating entities to realise the full potential of cross-border cooperation in public procurement.

***Find out more in the iProcureNet Toolbox at [www.iprocurenet.eu](http://www.iprocurenet.eu), a free tool by procurer for procurer aiming at providing guidance and best practices for JCBPP and IP in the security sector.***

