

Publication of Working Paper no. 2/2020 “Procurement in public works in the light of recent reforms”

Abstract

The Working Paper “Procurement in public works in the light of recent reforms” seeks to provide a systematic assessment of the procurement market and the outlook for public investment spending. Over the past four years, a succession of legislative measures ruling the procurement market have been enacted, producing a situation of general uncertainty for contracting authorities. The paper offers a critical evaluation of recent regulatory developments regarding public works contracts, from the reform of the Public procurement Code to the so-called “Sblocca Cantieri” decree of 2019. The quantitative analysis presents an overview of the number of procurement procedures launched between 2012 and 2018, analysed in terms of various aspects, such as the territorial, typological, sectoral and financial distribution of the projects, the legal nature of the contracting authority, the type of procedure for selecting contractors and the various award criteria. The paper also examines the relationship between the tender format, i.e. the combination of procedural arrangements and awarding criteria, and the efficiency of the award and execution phase. In this regard, the time and cost dimensions of the efficiency of procedures are considered separately. The preliminary analysis carried out so far does not appear to offer clear empirical evidence supporting some of the innovations of the 2016 Code, such as the greater use of competitive procedures and of the most economically advantageous tender criterion, and the provision limiting the use of contracts for the design and execution of work to be awarded jointly. Finally, the main measures in the subsequent Law 55/2019 (the “Sblocca Cantieri Act”) are analysed in order to assess the potential scope of the measures introduced last year, some of which are temporary. The revival of public investment remains an unavoidable economic policy priority, so much so that further legislative initiatives affecting procurement rules were announced in the Economic and Financial Document published by the Government last April, with the aim of simplifying administrative procedures. A glossary and a methodological note complete the work.