FOREWORD

Edited by Gabriella M. Racca and Christopher R. Yukins, Joint Public Procurement and Innovation: Lessons Across Borders brings in contributions by internationally recognized experts. It is therefore with great pleasure that we have included this book in the “Droit Administratif / Administrative Law” Series.

The book is based on joint efforts made by the Public Contracts in Legal Globalization (PCLG) international research network, whose members have carried out collective research on a number of topics linked to public contracts since 2007. (1) Driven by the Sciences Po Governance and Public Law Centre (Chaire Mutations de l’Action Publique et du Droit Public), the PCLG Network comprises European and non-European researchers and practitioners as well. The PCLG Network publication Comparative Law on Public Contracts (2010) has shown that public procurement law offers suitable topics for comparative research also on account of its cross-border implications.

This book comes after many other volumes of the “Droit Administratif / Administrative Law” Series. The most recent one, Contrôles et contentieux des contrats publics – Oversight and Challenges of Public Contracts edited by L. Folliot-Lalliot and S. Torricelli (2018), has shown the strategic importance of European Union Law in the evolution of public contracts law. The previous work, Integrity and Efficiency in Sustainable Public Contracts: Balancing Corruption Concerns in Public Procurement Internationally edited by G.M. Racca and C.R. Yukins (2014), has shown how corruption, collusion, favoritism, and conflict of interest undermine the efficiency of public spending. It has also shed light on how corruption implies violations of fundamental rights, and undermines the fiduciary relationship between citizens and public institutions. In that view, transparency and accountability could be regarded as prisms for evaluating the suitability of public contracts – an analysis that led to identifying the need for a strategic reorganization of the public contracts sector.

Building on the aforementioned publications, the aim of this book is to focus on procurement innovation in organizations, cross-border procurement, and award procedures while examining the subject matter of the contract and the procurement process also with a view to suggest ways of encouraging the participation of innovative suppliers.

(1) The Network site address is www.public-contracts.org/.

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All this developed from discussions carried out during the workshop “Public Contracts and Innovations – Contrats Publics et Innovation” led by Gabriella M. Racca, Professor at the University of Turin, and Christopher R. Yukins, Professor at the George Washington University (Government Procurement Programme), which was held at the International Training Centre of The International Labour Organisation (ILO) in Turin on 27 May 2016. The Turin workshop, in fact, focused on the demand-side driven innovation for sustainability, efficiency, and integrity in public contracts as well as techniques and instruments for electronic and aggregated procurement (joint procurement and centralized purchasing bodies, framework agreements, eProcurement). Also discussed were innovation partnerships, risks of collusion, public contracts and smart cities.

During the PCLG Network meeting held in Paris on 16 December 2016 (“Public Contracts and Innovation – Contrats publics et innovation”), further discussion involving the participation of the Procurement Unit of the Public Governance and Territorial Development Office of the Organization for Economic Co-operation and Development (OECD) brought about updates on ongoing research on innovation in the evaluation of procurement systems, and also on the relationship between smart cities and procurement.

The latest updates on the subjects of interest were discussed during the PCLG Network meetings held in Paris on 15 December 2017 and 14 December 2018.

Indeed, the Turin workshop and Paris meetings provided the fundamentals for this edited collection by offering insights into a wide range of means that can foster innovation in the public contracts cycle, and outlining future prospects.

The work of our academic consortium has emphasized progress in four different areas as far as public procurement is concerned. Firstly, the digital transformation of public procurement since traditional processes have given way to what we now call “e-procurement”. Secondly, innovation has emerged as a key theme in public contract law and administrative law as well in that both have to adapt to change despite the fact that assimilating innovation in public procurement has often proved to be challenging – as discussed thoroughly in this volume. Thirdly, smart cities (cities built and designed around electronic data) have become a key issue, partly because reshaping public purchasing is necessary to meet the smart cities’ special needs of innovative and integrated procurement. Finally, owing to rapid advances in transnational procurement (and law), it has become clear that existing administrative structures, including procurement rules, need to be revisited and reformed. Our consortium’s work has spanned all these areas, and set the stage for this volume on innovation in procurement in many ways.

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This book examines innovation from three different perspectives. Firstly, innovation in the subject matter of contracts, considering smart cities and strategies for buying innovative solutions. Secondly, innovation in award procedures envisaging the efficient use of award criteria with the aim to encourage innovative suppliers in the procurement process. And lastly, innovation in procurement processes envisaging the strategic use of organizational models and contractual tools (such as central purchasing bodies, cross-border procurements, electronic means and framework agreements).

It should be noted that the differences between the U.S. and EU procurement systems have been taken into consideration by the editors of this book, whose comparative approach has offered views from academic, institutional, and practical standpoints. Their work, supported by different worldwide networks, has created a sound basis for further and more thorough developments in the fields under examination.

The authors of the chapters of this book are all specialists in their own disciplines, respectively. Their diversity in terms of cultural and professional backgrounds is a valuable resource that has provided fertile ground for the scholarly research presented in this book.

In continuity with the previous books, we hope that this research will foster further transnational academic cooperation, and encourage innovation in public contracts for the benefit of public institutions and their citizens.

Torino, Italy 20 May 2019
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A great opportunity for a better understanding of the book’s issues was the involvement in the EU Projects Happi, PPI2Innovate and, more recently, CircPro and Euriphi, with the fruitful discussions with all the partners.

The Editors owe gratitude to the University of Turin for supporting the research activities at the heart of the scholarly work presented in this book.
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As a lawyer, Marina Borodina specialises in public procurement law and currently works as a public procurement coordinator at the Department of Administration of Eesti Pank, the central bank of Estonia. She has over 15 years of experience with public procurements on both sides: as a contracting authority and as a tenderer. She has also gathered extensive experience assisting attorneys in litigations concerning public procurement law. In 2011, while she was working as a procurement specialist at the Estonian Environmental Board, Marina was one of the first officials who started
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Roberto Cavallo Perin is Professor of Administrative Law at the Department of Law of the University of Turin and Lawyer. He is a Member of the Scientific Board of the PhD Programme in Law and Institutions at the University of Turin. His research interests include Administrative Law and Organisation, Local Authorities Law, Public Contracts and Public Procurement, Civil Service Law and Judicial Review, Ethics of Civil Servants and Integrity Issues. He is a Member of the Italian Association of Administrative Law Professors (AIPDA), the Italian Association of Administrative Procedural Law Professors, and the Italian Association of City Planning Law. From 2001 to 2006 he was Member of the Committee for the High Surveillance and Guarantee for the Winter Olympic Games of Turin. He is Director of the Law Review *Diritto Amministrativo* and the Italian Director of the Ius Publicum Network Review (www.ius-publicum.com) founded in Madrid, on 26 April 2010, by the Editorial Boards of *Die Verwaltung, Diritto amministrativo, the International Journal of Constitutional Law, Public Law, Revista de Administración Pública and Revue Française de Droit Administratif*. The aim of the *Ius Publicum Network Review* is to follow the recent developments in each network member country, focusing on the development of Administrative and Public Law in connection with other legal cultures. He is a Member of the European Law Institute (http://www.europelawinstitute.eu/), the Research Network on EU Administrative Law (http://www.reneual.eu/), the Public Contracts in Legal Globalization research network (www.contrats-publics.net), the Procurement Law Academic Network (http://www.planpublicprocurement.org/main/), the Association du Droit de la Fonction Publique (ADFP), the Association of Italian-Spanish Law Professors (AAIS), and the Smart Cities and Digital Administration Network. He has published articles in specialist international journals in the field of Public Contracts, including the *Public Contract Law Journal*, the *Public Procurement Law Review*, the *European Procurement & Public Private Partnership Law Review*. With his writings he has also contributed to foremost edited collections, including in S. Arrowsmith and R.D. Anderson (eds), *The WTO Regime on Government Procurement. Challenge and Reform*, Cambridge, 2011.

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Dr. Ismail has been awarded by the Arab Republic of Egypt the 2011 State Prize Laureate in Academic Legal Research, the highest academic recognition in the MENA region since 1958. Currently, his research work includes projects undertaken as a Member of the Public Contract in Legal Globalization research network at the Sciences Po University in Paris.

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Justin B. Kaufman serves as an Assistant Commissioner for the State of Minnesota’s Information Technology Services agency. In his role, Justin works to leverage business operations teams, including information technology procurement, to build value for the State of Minnesota and support the delivery of efficient and effective information technology solutions. Prior to his current position, Justin worked within the State of Minnesota’s Office of State Procurement for eleven years, where he served as counsel, focused on public contract negotiations, established a procurement negotiation training program, ensured fair and open competition in the procurement process, worked extensively with cooperative purchasing contracts and programs, and oversaw statutory compliance for executive branch contracts.

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Ivo Locatelli. After graduating from the University of Rome, in 1989 he started his professional career as an economic researcher supporting the preparation of Structural Funds for the Italian regions. He then completed a traineeship at the research department of Confindustria, the Italian business trade association.

Since joining the European Commission in 1992, Ivo Locatelli has worked in different departments of that institution, initially fulfilling a position at the Directorate-General XIII (Telecommunications) which required focusing on economic issues and studying other aspects as well. He then worked as a Japan expert within the unit in charge of industrial cooperation, thereby managing an important programme of industrial cooperation between European and Japanese ICT industries.

At the Information Society and Media Directorate-General he began working as member of a team in charge of implementing the liberalisation of the telecommunications sector in the EU. Thereafter he was involved in the negotiation process for the adoption of the EU Directives regulating electronic communications, which would be adopted by the EU legislator in 2009. He also worked in the international relations unit as a member of the Euromed Group of Telecommunications Regulators, and then in the eHealth unit.

In 2012 he joined the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW), within the unit in charge of innovative and e-procurement. By leading the e-procurement and cooperative procurement teams, he contributed to shaping policies and strategies in those areas of work. As cooperative procurement team leader, he designed and was responsible for the training course on the SME-friendly policies in central purchasing bodies. He was also responsible for the feasibility study on the implementation of joint cross-border procurement procedures in the EU.

Since Summer 2018 he has been working in the Dir A – European Semester and Member States Competitiveness, thereby focusing on public procurement issues as well. Back to public procurement directorate, Ivo now deals with procurement of innovation and cooperative procurement, leading the corresponding team. He is Senior Expert.

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Since 2004 he has been working as Lawyer of the Xunta of Galicia, thereby advising two Departments, Social Affairs and Public Works, while gaining other experience as detailed below.

In 2006 he was temporarily transferred to the headquarters of regional lawyers, where he worked until 2009 as advisor on European law matters such as competition, State aid and European projects. In his role, he took part in two proceedings before the Court of Justice of the European Union (CJEU), ruling on coastal shipping and freedom of services in one case, and in the other on the rights of temporary public staff. From May 2006 to March 2007, the Xunta of Galicia supported him in his study-and-work year in Brussels, where he obtained a Master’s degree in European Projects Consultancy from the Université Libre de Bruxelles while working as a staggre at the European Commission, Directorate General for Competition, regional aids unit (mainly granting aids to enterprises upon prior evaluation).

During the 2009-2011 term he worked as advisor for the Rural Affairs Department.

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Furthermore, since 2010, he has fulfilled a contract lecturer position at the University of Vigo, thereby teaching Public Procurement, Administrative Law, Public Ethics, and Electronic Government and Administration.

He has written several articles and book chapters on public procurement and competition law, and the connections between both areas. Currently, he is concluding his doctoral research on antitrust behaviours in public procurement.
Paulo MAGINA has headed the Public Procurement Unit at the OECD Public Governance Directorate since March 2014.

On the strength of his ten-year experience in the public sector, he recently served as Board Member and CFO of the Portuguese Central Government Shared Services Agency managing finance, accounting, HR, IT, and public procurement for the public administration. From 2010 to 2010 he was President and CEO of the Portuguese National Public Procurement Agency, where he led the set-up of the central purchasing body and the e-procurement implementation. He also worked with the EBRD and UNCITRAL to advise policy and legal reforms, develop action plans and road maps for restructuring public procurement systems in the CIS region in the 2012-2014 period.

Former deputy member of the Cabinet of the Secretary of State for transport in Portugal, he has held managerial positions as Member of the Board of Directors and CFO of the Portuguese national railway company CP. Earlier on, for more than twelve years, he worked as Investment Director in the transportation, banking, and private equity sectors. During those years he was responsible for assessing several PPPs and infrastructure projects, and also led the financial team in the design and setting up of light-rail projects and motorways in Portugal.

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McKeen earned a B.A. from the University of Southern Maine and an M.A. from the George Washington University.

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She has been a member of the Philippine Bar since 2007 and has been active in litigation on environmental and administrative cases, including corporate compliance. She has well-rounded experience in public procurement. She was a former member of the Bids and Awards Committee (BAC) of Batangas State University (BatStateU) (2006-2010), Chair of the BAC in Pangasinan State University (PSU), and Head of the Technical Working Group of BAC in PSU (2015). She also has experience in international procurement. She was a legal and procurement specialist in the Office of General Counsel at the Asian Development Bank (2015), a visiting professor for sustainable public procurement, private-public partnership and corporate social responsibility at the International Training Center of the International Labor Organization in Turin, Italy (August, 2018, 2019), and a consultant for the Supreme Court of the Republic of the Philippines on procurement related issues in the Official Development Assistance (ODA) funded projects in the Philippines (January – February, 2019).

Prior to pursuing her graduate studies, she had positions of responsibility in the academy in the Philippines. She joined the faculty of Batangas State University as College Instructor in 1999. She was promoted to Assistant
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He took part in the Italian Research Unit working at a EU project on Public Procurement for Innovation (PPI), Healthy Ageing and Public Procurement of Innovations, funded by the EU Commission (DG Enterprises – Call ENT/CIP/11/C/N02C011). He currently takes part in the Italian Unit of the project on Public Procurement for Innovation Capacity Building to Boost the Usage of Public Procurement of Innovation (PPI) in Central Europe – PPI2INNOVATE funded by the Central Europe Programme of the European Regional Development Fund (Interreg) for the 2016-2019 period (see www.interreg-central.eu/Content.Node/PPI2Innovate.html). The project directly targets public procurers at all administrative levels in the EU with a view to building regional capacities in PPI. He is also involved in the Interreg Europe project Smart Circular Procurement (CircPro) and in the project Financing Impact on the Regional Development of Cultural Heritage Valorisation (FINCH) – Interreg Europe. A member of the Public Contracts in Legal Globalization comparative law network (see www.contrats-publics.net), he has published several articles in the field of public contracts.

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Her research interests include public contracts and public procurement, collaborative procurement and central purchasing bodies, public procurement
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issues and disciplinary measures to be undertaken. She has shared her research
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EU, was referenced in the Feasibility Study Concerning the Actual Imple-
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3.10.2017, COM (2017) 572 final. She is currently involved in the Italian Unit
of the project on Public Procurement for Innovation Capacity Building to
Boost the Usage of Public Procurement of Innovation (PPI) in Central Europe
– PPI2INNOVATE, funded by the Interreg Central Europe Programme
(European Regional Development Fund for the period 2016-2019 (see http://
www.interreg-central.eu/Content.Node/PPI2Innovate.html). The project directly
targets public procurers at all administrative levels in Central Europe with a
view to building regional capacities in PPI, changing attitudes towards PPI,
strengthening linkages among relevant stakeholders in regional innovation
systems, thus boosting use of PPI in Central Europe. Moreover, she is involved
in the Smart Circular Procurement Project (CirePro) – Interreg EUROPE,
and the project Financing Impact on the Regional Development of Cultural
Heritage Valorisation (FINCH) – Interreg Europe.

She is a member of the editorial board of the Diritto amministrativo journal,
and also of the Italian editorial board of the Ius Publicum Network Review.
Furthermore, she is a member of the Public Contracts in Legal Globaliza-
tion research network (www.contrats-publics.net) and the Procurement Law
Academic Network (www.planpublicprocurement.org/main/).

Gabriella M. Racca is Professor of Administrative Law at the Depart-
ment of Management of the University of Turin (Italy) and coordinator of the
PhD in Law and Institutions at the University of Turin. She has been Deputy
Dean of the School of Economics (2005-2012). She is the Director of the Master
SEIIC, on Efficiency, Integrity and Innovation in Italian Public contracts,
organized with the National Authority on Anticorruption (ANAC).
She is the coordinator of the *Ius Publicum Network Review* and Italian Head of the ‘Public Contracts’ section. Founded in Madrid, on 26 April 2010, by the Editorial Boards of *Die Verwaltung, Diritto amministrativo, International Journal of Constitutional Law, Public Law, Revista de Administración Pública,* and *Revue Française de Droit Administratif,* the aim of this network is to follow the developments in Administrative and Public Law in each network member’s country and their relevance to other legal cultures (www.ius-publicum.com).

Her main research interest is the public procurement cycle, from the definition of needs to the execution of the contract. She has also steered her studies toward public services, concessions, PPP, public liability, compensation for damages, the accountability of public administrations, and integrity issues. More recently, she has broadened her research field by focusing on collaborative procurement and central purchasing bodies, GPOs, framework agreements (especially in the European Healthcare Systems), sustainability (environmental and/or social) and public procurement of innovation.

She has been a consultant to the Organisation for Economic Co-operation and Development (OECD) on public procurement in the healthcare sector. She also is Member of the Steering Committee of the Public Contracts in Legal Globalization research network (see www.contrats-publics.net). With Christopher R. Yukins, Professor at the George Washington University School of Law, she has co-directed the research project *Integrity and Efficiency in Sustainable Public Contracts. Balancing Corruption Concerns in Public Procurement Internationally* which led to the publication of the previous book in this series (2014) in *Droit administratif/Administrative Law* collection. She is co-director of the research project Joint Public Procurement and Innovation: Lessons Across Borders, since 2016, aimed at highlighting the key role of innovation in Public Procurement.

Prof. Racca led the Italian Unit of the EU project on Public Procurement for Innovation (PPI), Healthy Ageing and Public Procurement of Innovations, funded by the EU Commission (DG Enterprises – Call ENT/CIP/11/C/ N02C011). The HAPPI project is aimed at conducting a legal study on innovative procurement models for an EU cross-border joint procurement system in Healthcare. It is also aimed at bringing to the fore relevant legal aspects while identifying the most appropriate tools to open the way to collaboration among public entities, or CPBs from different countries, in order to overcome the existing barriers within Europe, thus encouraging competition and the Internal Market opening. From that perspective, data recording, benchmarking, and information exchange among Public Interest Entities in the EU may help achieve the goals set out in the *Europe 2020* strategy. According to that strategy, high quality health care should be provided without increasing
the expenditure budget. The HAPPI project led to establishing one of the first joint cross-border procurement, with a FA anticipating art. 39 of the Dir. 24/14/EU. The project was referenced in the Feasibility Study Concerning the Actual Implementation of a Joint Cross-border Procurement Procedure by Public Buyers from Different Member States prepared for the EU Commission by the BBG, Ski and EU Commission, Making Public Procurement Work in and for Europe, 3.10.2017, COM (2017) 572 final “in the HAPPI project, innovative solutions for healthy ageing have been procured jointly by contracting authorities in several Member States”, recalling that “more than 20 healthcare organisations from France, Italy, Luxembourg, Belgium or Netherlands purchased HAPPI solutions”.

She has recently been appointed a member of the Advisory Committee to the EURIPHI (“European Innovative Procurement of Health Innovation”) project, funded by the EU’s Horizon 2020 research and innovation programme. The project aims to establish an effective and sustainable cross-border Community of Practice to share experiences and support development of cross-border public procurement and value-based approach.

Combining her commitment to education and scholarly expertise, she has led the Job Placement High Education Project named “Educational Path in Collaborative Public Procurement”, funded by the Regional Government of Piedmont (European Social Fund).

Currently, she is Head of the Italian Unit working at the project Public Procurement for Innovation Capacity Building to Boost the Usage of Public Procurement of Innovation (PPI) in Central Europe – PPI2INNOVATE, funded by Interreg Central Europe Programme (European Regional Development Fund) for the 2016-2019 period (see www.interreg-central.eu/Content. Node/PPI2Innovate.html). The project directly targets public procurers at all administrative levels in Central Europe so as to build regional capacities in PPI, change attitudes towards PPI, strengthen ties among relevant stakeholders in regional innovation systems, thus boost the use of PPI in Central Europe. As its spearhead, the PPI2Innovate project is aimed at delivering three thematic tools (Smart Health, Smart Energy and Smart ICT), fully customised to six national institutional frameworks and translated into the national language of each of them, and at the implementation of regional joint competence centers in PPI.

She is also Scientific Director of the Smart Circular Procurement Project (CircPro) – Interreg Europe (see https://www.interreg-europe.eu/circpro/). Project CircPro aims to promote the transition to Circular Economy in the procurement sector and to combine efficiency, sustainability and innovation with the principles of Circular Economy in the whole procurement cycle. She
is involved in the project Financing Impact on the Regional Development of Cultural Heritage Valorisation (FINCH) – Interreg Europe (see https://www.interregeurope.eu/finch/).

Moreover, she is Member of the Scientific Board of two postgraduate programmes. Firstly, the Master’s of Science degree in Public Procurement Management for Sustainable Development, jointly organized by the International Training Centre of International Labour Organisation (ITC – ILO) of the University of Turin. Secondly, the Master en Gouvernance et management des marchés publics en appui au développement durable, jointly organised by the International Training Centre of International Labour Organisation (ITC – ILO), the University of Sciences Po Paris, and the University of Turin.

She is currently involved as a teacher in the postgraduate diploma/master in Public Procurement Regulation in the EU and in its Global Context MA/Pg Dip, at the King’s College in London.

Aside from the network mentioned earlier, Prof. Racca is Member of the steering committee of different organisations, including the Association of Italian Professors of Administrative Law (AIPDA) (see www.diritto-amministrativo.org/), and of the Italian section of the International Institute of Administrative sciences (see www.iias-iisa.org and www.iisa.it/). She is also a member of the Procurement Law Academic Network (http://www.planpublicprocurement.org/main/), the Research Network on EU Administrative Law (www.renewal.eu/), the European Law Institute (www.europeanlawinstitute.eu/), the International Society of Public Law (icon-society.org/), the European Procurement Law Group (eplgroup.eu/), the British Institute of International and Comparative Law (www.biicl.org/), the Italo-Brasilian Administrative Law Professor Network, the Smart Cities and Digital Administration Network the Transnational Administrative Law Network (www.transadmlaw.eu) and the Future of Administrative Law Network. She has published extensively. Selected writings by her are available from the SSRN web site (see ssrn.com/author=1571949).

Bianca Racolta, PhD Candidate at the Babes Bolyai University Faculty of Law in Cluj Napoca (Romania) with a thesis on State Aid and Public Procurement, she is a practicing lawyer in the Cluj Napoca Bar.

She graduated in law in 2013 and holds a Master’s Degree in International Law. She taught Labour Law at the Babes Bolyai University Faculty of Law in 2013-2014. Still at the Babes Bolyai University, since 2017 she has taught a course on Administrative Law in English at the College of Political, Administrative and Communication Sciences. She has won the 2nd Prize in the 2016 FBE International Contract Competition (Commercial Contract Negotiations) held in Warsaw. As a speaker she has attended international conferences as
well, for instance the 2017 and 2018 annual conferences of the European Group of Public Administration held in Milan and Geneva, respectively, as well as the 2017 and 2018 Transylvanian International Conference in Public Administration that took place in Cluj-Napoca. She has published in the *European Procurement and PPP Law Review*, *The Scientific Journal of Humanistic Studies*, and the *Romanian Journal of Legal Notes and Studies*.

**Anna Romeo** is currently Professor of Administrative Law at the Department of Law of the University of Messina. She obtained her PhD in Public Law at the University of Turin, she was researcher of Administrative Law at the LUSPIO University of Rome and Associate Professor of Administrative Law at the Faculty of Law of the University of Messina. She is Vice-Coordinator of the PhD in Legal Sciences – curriculum *Company, Society and Market Regulation*, and an expert, appointed by the Ministry of Education, for the revision of research projects of national interest, member of the Insurance Commission of the quality of the research at the aforementioned Department of Law in Messina. She holds the courses of Administrative Law, Urban Planning Law and Comparative Administrative Law, and, previously, of Local Government Law, as well as at the School of Specialization for Legal Professions of the University of Messina. She also taught at the School of Public Administration, at Masters and Training Courses and at the School of Specialization for Legal Professions of the “Mediterranea” University of Reggio Calabria. She is author of two monographs and more than 60 publications on the subject of administrative procedure, silence of the public administration, public tenders, expropriation, administrative justice. She has been speaker at numerous national and international conferences and she was Visiting Fellow at the Chengdu Administration Institute in Chengdu-China. She is a member of the Italian Association of Professors of Administrative Law (AIPDA), of the Italian-Argentine, Italian-Spanish and Italian-Brazilian Associations of Professors of Administrative Law.

**Daniel Schoeni** has been with the U.S. Air Force JAG Corps since 2004. His past assignments include California, Germany, Washington DC, Massachusetts, and Arizona. He has served as prosecutor, trial and appellate defense counsel, program counsel, and deputy staff judge advocate. He has twice deployed (six months to Colombia, a year to an undisclosed location in Southwest Asia), and is now assigned to Creech AFB, Nevada. He is a graduate of Brigham Young University (B.A. Philosophy 2000), the University of Iowa Graduate College (M.A. Philosophy 2003), the University of Iowa College of Law (J.D. 2003), the University of Nottingham (LL.M. Public Procurement Law and Policy 2011), and the George Washington University (LL.M. Government Procurement Law 2014). Prior to the military, he clerked for the Honorable Jerry Larson of the Iowa Supreme Court. He has published
articles on a variety of procurement subjects, including defense offsets, cybersecurity, suspension and debarment, the World Trade Organisation’s Agreement on Government Procurement, public-private partnerships, and defense innovation. His writings have earned several awards, including the American Bar Association’s Standing Committee on Armed Forces Law’s Keith E. Nelson writing award and the U.S. Air Force JAG School’s Thomas P. Keenan award for international and operational law. He is a Ph.D. candidate at the University of Nottingham, and his thesis considers subtle non-tariff barriers that would impair transatlantic public procurement trade between the United States and the European Union even if the overt barriers were removed. He is an adjunct at King’s College London’s school of law, teaching a course on defense procurement in the European Union.

Dr Iur Mari Ann Simovart is Associate Professor at the School of Law, University of Tartu, Estonia. Her research is focused on EU public procurement law, in particular the public contract performance stage, featuring contract modification and termination, contractual liability, and more broadly the interaction of national contract law with the EU public procurement law. Recently, she has been engaged in projects on the enforcement of remedies in public procurement matters as well as innovation in public procurement. She teaches public procurement law classes on postgraduate courses by classes which have repeatedly been awarded the title of the best class of the School of Law. Furthermore, she has led training courses and seminars on public procurement law.

As a speaker, Dr Simovart has attended several conferences on EU public procurement law, for instance the ‘Public Procurement: Global Revolution’ conference held in Nottingham (UK) in 2017, the 2016 and 2017 Upphandlingsskonferensen in Stockholm (Sweden), and others.

Dr Simovart has published numerous articles on EU public procurement law and participated in international book projects. For instance, she co-authored the recently published commentary on the EU public procurement remedies directives in Brussels Commentary on EU Public Procurement Law edited by Steinicke/Vesterdorf (C.H. Beck, Hart, and Nomos, 2018). Currently, she leads the project of writing the Commentary on Estonian Public Procurement Act, to be published in 2019. She is a Member of the Council of the procurement law journal UrT, issued in Stockholm (see www.urt.cc/?q=radet); an academic member of the Procurement Law Academic Network (see www.planpublicprocurement.org/main/), and a Member of the Public Contracts in Legal Globalization research network (see www.contrats-publics.net).

Patricia Valcárcel Fernandez is Associate Professor of Administrative Law (with the qualification for Full Professor), at the University of Vigo.
(Spain). She holds a Ph.D. in Law (Summa Cum Laude and Extraordinary Doctorate Prize). She has been a visiting scholar in different Universities, including the Università degli Studi di Firenze (Italy), the Universidade da Lusíada in Lisbon (Portugal), and the University of Nottingham (UK).

Professor Valcárcel is an author of nearly 100 publications on Administrative Law. She has published extensively on public contracts, and is the author of a monograph on the execution and financing of public works, *Ejecución y financiación de obras públicas. Estudio de la obra pública como institución jurídico-administrativa* (Thomson-Civitas, Madrid, 2006). She has also written articles and book chapters on public-private partnership, the strategic use of public procurement, and innovation in public procurement. She has edited two books, the most recent of which is *Joint Purchasing and Aggregate Demand of Contracting in the Public Sector. A Legal and Financial Analysis* (Aranzadi Thomson Reuters, 2016).

She is a founding member of the Spanish Public Procurement Observatory (OBCP) in 2011, and a member of different international research networks in this field: Procurement Law Academic Network (PLAN), Public Contracts in Legal Globalization (PCLG) and the European Procurement Law Group (EPLG).

She has participated in different national and international research projects, the most recent of which is a national research project funded by the Spanish Ministry of Economy, Industry and Competitiveness (Spanish Government) on Smart Procurement (Ref: DER2015-67102-C2-2-P).

Professor Valcárcel was a former counsel for the Garrigues Abogados y Asesores Tributarios, a position that allowed her to gain extensive experience in the practice of Administrative Law, in the fields of national and international public contracts. Currently, she is a consultant in public procurement for public bodies and private firms.

Christopher R. Yukins is Professor in Government Procurement Law and Co-Director of the Government Procurement Law Programme at the George Washington University. He has many years of experience in public procurement law. For several years he was a trial attorney with the U.S. Department of Justice, where he handled trials and appeals involving bid protests and contract claims against the U.S. government. He teaches on government contract formations and performance issues, bid protests, Contract Disputes Act litigation, and comparative issues in public procurement, and focuses especially on emerging public policy questions in U.S. procurement. He is an active member of the Public Contract Law Section of the American Bar Association, serves on the steering committee to the International Procurement Committee of the ABA International Law Section, and previously served as
the president of the Tysons Corner Chapter of the National Contract Management Association. He is a faculty advisor to the Public Contract Law Journal, and has contributed pieces on procurement reform, international procurement, electronic commerce and information technology to a broad range of journals, including Washington Technology, Government Contractor, Legal Times, and Federal Computer Week. He has published on procurement reform in scholarly journals, including the Public Contract Law Journal, Georgetown Journal of International Law, and Public Procurement Law Review (United Kingdom). Together with Professor Steven Schooner and Program Director Karen Thornton, he runs a popular colloquium series on procurement reform at The George Washington University Law School. In private practice, Professor Yukins has been an attorney with leading national firms; he is currently of counsel to the firm of Arnold & Porter LLP. He was an advisor to the U.S. delegation to the working group on reform of the United Nations Commission on International Trade Law (UNCITRAL) Model Procurement Law, and he teaches and speaks often on issues of comparative and international procurement law. See more on the blog www.PublicProcurementInternational.com.

Ani Asatryan is specialised on management of contracts and loan projects financed by International Financial Institutions (IFI) such as the ADB, WB, EBRD, and Kfw. She holds an International Master’s degree in Public Procurement Management from the University of Rome Tor Vergata and a Master’s degree in European Project Planning and Management from the Pixel International Training Center in Florence. In 2015 she began her career as an EU funding consultant and project manager within the framework of different funding programmes (for instance, Horizon2020, Interreg, Erasmus+, COSME, Justice, DG Home, Twinning, Creative Europe, and other). Since September 2018, Mrs. Asatryan has been collaborating as a Project Manager with the University of Turin (UNITO), thereby working at the CirePro project, financed by the Interreg Europe Programme.

Crystal Santerre-Funderburg is a graduate student in the Master’s of Science in Government Contracts (MSGC) degree programme at the George Washington University (GWU). She also is a senior programme manager at a leading defence technology company in the United States. She holds a B.A., magna cum laude, in English from Mary Washington College, where she became a member of the Phi Beta Kappa honor society.