

TITLE OF MASTER THESIS

A Comparative Assessment of the new Legislation for Public Procurement, Problems and Challenges

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ABSTRACT

The new Law 4412/2016 "Public Works, Procurement and Services Contracts" was published in the Official Gazette on 8/8/2016 and voted in order to adapt the Greek legislation to Directives 2014/24/EU and 2014/25/EU. The present work provides a brief presentation of the main points of the new law, its comparison with the previous legislation (mainly Law 3669/2008 "contracting the construction of public works" and PD 60/2007), the changes are highlighted and their evaluation is assessed in terms of improvements or expected malfunctions. The changes of the new legislation mainly concern the procedures for preparing and awarding contracts. The main objectives of the legislator are to increase transparency and competition, which are achieved either by simplifying (in particular for economic institutions) the way in which public tenders are organized, or by introducing procedures (pre-notice call, competitive procedures, electronic auctions, etc.) that facilitate and encourage economic institutions to become more involved and more competitive. Finally, the experience of public and private sector executives involved in the public procurement process (employees of contracting authorities - managing authorities and contractors) is presented, through a questionnaire. The law was voted by the Greek Parliament on 8/8/2016 and the present work was developed during the first ten (10) months of its implementation. This study offers the public authorities as well as the economic institutions a quick review of the new legislation and underlines the innovations that aims to bring in the public sector. Critical evaluation and recommendations are accomplished after information being gathered and retrieved from a structured semi-closed questionnaire.

KEYWORDS

Public procurement, electronic procedures, KIMDIS, ESIDIS.