

# Swedish experiences with dynamic purchasing systems

Public Procurement Conference -  
Centralization and new trends

2023-04-25

# Adda is owned by the Swedish Association of Local Authorities and Regions (SALAR)

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# Adda – three business areas

## Adda Central Purchasing Body

Framework agreements and services in strategic supply.

## Adda AffärsConcept

Strategic supply services regarding purchasing and legal matters.

## Adda Kompetens

Training in smart formats, sharp support systems and printed media.



Ett företag inom SKR

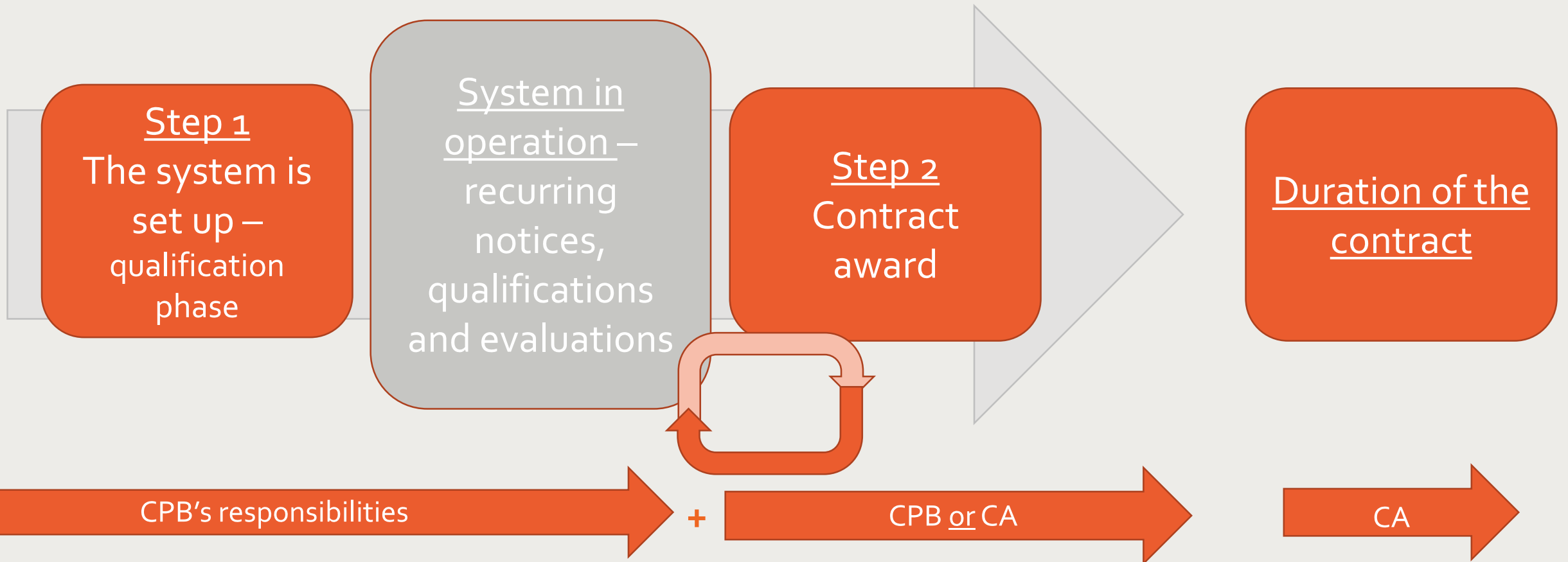
We want to make everyday life easier for our customers, free up resources for welfare and contribute to a sustainable society by offering the public sector framework agreements and services in strategic supply.

# Which DPS do we have?

- Wood pellets – the pilot!
  - Electrical energy
  - Solar panels
  - Artificial grass
  - Charging points (for electrical cars and hybrids)
  - Influenza vaccines
  - Covid testing
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- Periods of validity vary from 4 to 10 years
  - Under construction: rental modules (temporary buildings)



# What is Adda's role?



# General benefits and challenges



- Economic operators can join continuously – opportunities for SMEs.

- No need to identify the participating CAs in the notice.

- Many possibilities for adaptation of requirements, for each individual CA.

- Less vulnerable if one economic operator is excluded or drops out, compared to FAs.

- Facilitates/promotes product development and can lead to better prices for each CA.

- DPS require a lot of resources at the CPB

- Decreases the drive for some EOs to participate.

- Sometimes difficult to find benefits for participating CAs.

- Difficult to use DPS within markets where the EOs (SMEs) are not familiar with procurement and procurement platforms.

- Swedish procurement platforms are not sufficiently developed for DPS.

# A few reflections from Adda

- **Adda and the EOs have no direct contractual obligations towards each other.**
  - Terms for participation? Use of sanctions? Kick-backs on sold goods and services?
- **Large amounts of resources to keep the EOs “in check”?**
  - No automation or efficient tools when it comes to continuously verifying qualification criteria and grounds for exclusion.
- **Coordinated follow up compared to FA – difficult with different terms and conditions in each specific contract.**
  - The possibility for the CPB to coordinate follow-ups becomes limited because of the disparity of the requirements from different CAs, as no mandatory terms are set by the CPB (i.e. terms of sustainability).
- **Confidentiality challenges – which documents can legally be shared between different organizations?**
  - In Sweden there are limitations to what type of information authorities can share with private entities (i.e. Adda). This effects our possibilities to discover mismanagement.



# Review procedures

- Lengthy procedures cause big challenges for Adda, and Swedish CAs in general.
- In principle, no real case law for DPS!
- A prerequisite for the review procedure is that the EO considers itself having suffered or is at risk of suffering damages.
  - Difficult to see how that would be the case, just from the CA's use of a DPS.
- Other news in Swedish case law:
  - The EO needs to have taken **sufficient measures** to avoid suffering damages (HFD 2022 ref. 4 I och II) .
  - The EO must, as early in the process as possible, have notified the CA of the flaws of the tender documentation, to be able to be successful in court. Or have a valid excuse for why it hasn't done so earlier.



The end!

