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978-1-107-07796-6 - The Law and Economics of Framework Agreements: Designing Flexible Solutions for Public Procurement

Gian Luigi Albano and Caroline Nicholas

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THE LAW AND ECONOMICS OF FRAMEWORK AGREEMENTS

Framework agreements have arisen in response to the well-documented high costs of public procurement procedures. The agreements have significant potential to improve procedural efficiency in public procurement, but they are complex to operate. Inadequate preparation and implementation can also frustrate their potential both to tackle waste, abuse and corruption and to enhance value for money. In this enlightening book, Gian Luigi Albano and Caroline Nicholas look at the key decisions required for designing and using framework agreements and address both legal and economic issues to give the reader a clear understanding of the planning, variables and flexibility needed for efficient implementation. This book will be of interest to policymakers, lawyers and public procurement practitioners who want to deepen their understanding of the legal and economic issues surrounding framework agreements.

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‘To Iole, Gaia, Viola and Alice’

and

‘To Ben, Tom and Charles’

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Acknowledgements

At a public procurement conference in Panama in 2012, the authors found themselves discussing some presentations on framework agreements as used in that region at some length. Our main conclusion was that the models of framework agreements presented were very far removed from those used in our own systems – in the European Union (EU) and as envisaged in the United Nations Commission on International Trade Law (UNCITRAL) Model Law respectively. The conversation started a journey that has, ultimately, led to this book. We were motivated by our experience to encourage more discussions across the world – we have found that there is much to be learned from those facing similar issues from outside our regions, whether that experience is positive or negative.

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