

# Procurement Policy Note – Use of the Accelerated Restricted Procedure



## Information Note 1/09 14 January 2009

### Issue

1. This note provides information on the European Commission's decision to relax the rules on the use of the accelerated restricted procedure for procurements in 2009 and 2010.

### Dissemination

2. Please circulate this Procurement Policy Note (PPN) within your organisation, agencies, non-departmental public bodies (NDPBs), and any other bodies for which you are responsible.

### Contact

3. Enquiries about this paper should be addressed to the OGC Service Desk 0845 000 4999 [servicedesk@ogc.gsi.gov.uk](mailto:servicedesk@ogc.gsi.gov.uk).

### Background

4. The European Commission issued a statement on the use of the accelerated restricted procedure on 19 December - <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/2040&format=HTML&aged=0&language=EN&guiLanguage=en> In summary, the note states that in the current economic climate, a faster procurement process will benefit economies by providing a quicker distribution of public funds into markets. The Commission considers that the use of the accelerated restricted procedure for major projects will enable this to happen. Extending use of the accelerated restricted procedure in accordance with the Commission's statement will not require any change to the legislation. The relaxation of the rules governing the procedure will apply throughout 2009 and 2010.
5. The Commission has not defined 'major projects' and it has not stated any minimum monetary value for the types of procurement for which it considers the accelerated restricted procedure might be appropriate. In our view, the relaxation should apply to any above threshold procurement, be it works, services or supplies, for which early execution would be of benefit to industry. Authorities should still consider the need to apply the reduced timescales for any specific requirement they might have, but should be aware this will not be suitable in all cases. They should, for example, take into account the market's ability to

respond and meet the reduced timescales. Also, authorities should continue to use existing framework agreements for the purchase of straightforward 'stock' items. At the other extreme, many projects that might be considered 'major' will be more suitable for the competitive dialogue procedure, which does not lend itself to reductions in timescales and is not subject to the current relaxation.

6. Decisions on whether to use the accelerated restricted procedure remain for the contracting authority to determine. However, we advise that any authority considering whether the accelerated timescale is appropriate should first determine whether the procurement in question would meet the fundamental aim of boosting the economy through rapid execution of the contract. Authorities should state this in the justification field in the OJEU notice.

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