

THE PRISONERS DILEMMA: DISCUSSION OR DIALOGUE?

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ABSTARCT. In the Netherlands the emphasis in the public procurement process is on highly formalized tendering. There is little prior communication with the market, even though the regulations offer ample scope for this. The absence of communication heightens the distance and lack of trust between both parties. Market consultation is one way of overcoming this two-way silence and a way of opening a channel of communication with the market. The author examined how the government and market perceive market consultation and found that increasing use was being made of this instrument. The government's main objectives are to get to know the market or to test the practical substance of a solution. The market sees it as an ideal instrument to clarify the specifications or to put themselves on the map as a contender for the contract. The quality of the procurement process can be improved by involving the market at a much earlier stage. This calls for mutual trust, which can lead to a better long-term relationship between procurer and supplier.

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INTRODUCTION

Before making a purchase, would-be buyers gather information about the product or service they wish to buy. In a domestic situation, everyone considers it entirely normal to request folders, shop around on the internet, consult neighbours, friends and family, and visit several retailers to get advice. This is also good for the retailers themselves, because they get a chance to display their expertise, point out possible bargains, or suggest more suitable alternatives for the customer. The sooner the retailer is involved in the shopping process, the better he or she can assist the customer.

But when it comes to public procurement, an entirely different approach is adopted. In the Netherlands, procurers formerly maintained regular contact with suppliers. In this way, they stayed in touch with new market developments and were able to inform suppliers of upcoming procurement processes. But this traditional way of doing things ended several years ago when legality became a key concern in procurement processes. Talking with the market was “not done”. From then onwards, communication exclusively took place in writing. This new practice started to lead a life of its own and very soon many thought that speaking with the market was actually prohibited. Market knowledge decreased and, as a result, so did the quality of the purchased product and the satisfaction of the end user. The “Cleaning Market” case study is a telling example of this and clearly demonstrated the need for dialogue in public procurement.

The cleaning market

Over the past years trust between procurers, suppliers, intermediaries and cleaners was a scarce commodity in the cleaning industry. This lack of trust can be traced to various causes.

Lower government budgets, strict (or too strict) interpretation of the procurement rules and overcapacity at cleaning firms influenced the

behaviour of all parties involved. Procurers laid down increasingly sharp demands when putting cleaning contracts out to tender. Their highly detailed specifications and exacting requirements left cleaning firms with little or no say in the matter. The result was seemingly watertight contracts at low prices.

In response, cleaning firms adopted an increasingly strategic approach to tenders. They tailored their offer entirely to the assessment system applied in the procurement process. During the tendering phase they readily agreed to the procurer's demands and based their tenders on unrealistic figures (too low hourly wages, too high production commitments). They did this in the knowledge that these matters could still be negotiated with the procurer during the contracting phase. However, this often resulted in protracted haggling and wrangling, which further eroded the trust between the parties. The procurers, in turn, reacted by laying down even sharper conditions and even more detailed specifications in subsequent procurement processes.

Another contentious factor was pricing. Overcapacity in the cleaning market means that competition is fierce. In recent years, price became an increasingly decisive criterion in procurement processes. The contract often went to the company that tendered the lowest price. Consequently, many cleaning companies slashed prices so far that they could no longer deliver the requested quality without jeopardizing their company's financial health or the physical and mental health of their employees.

In this confrontational climate, trust eroded steadily and prices sank further and further. But procurers were still dissatisfied because the delivered services were not up to the agreed standard. Procurers, cleaning companies and employees thus became caught up in a downward spiral, in which each party kept the other in a stranglehold. The employees of cleaning companies also rebelled because they suffered the consequences of the contract agreements on the shopfloor in the form of unrealistic performance expectations and low wages. Finally, the position of the intermediaries between procurer

and cleaning companies, with their own objectives and revenue models, also came under scrutiny.

This complicated situation only became known to the wider public when cleaners staged a prolonged strike in 2010 at, amongst others places, Schiphol international airport, confronting travellers with accumulating rubbish and dirty trains. It prompted all parties involved to look for a totally different approach to the procurement of cleaning services.

One important conclusion was that the breakdown in mutual trust meant that parties no longer had any contact prior to procurement processes and had no insight whatsoever into each other's position, needs and opportunities. The second conclusion was that there is great need for dialogue in public procurement. This immediately raises the question if this need only exists in The Netherlands. Therefore a quick look abroad was made.

Looking abroad

The Cleaning market is a clear example of how the outcome of professional public procurement decreases as a result of lack of trust in each other.

If this is the case in The Netherlands, then how do other countries perform? A short investigation showed that the discussion is rather similar.

Most agencies in the USA are allowed and even encouraged to do market research. The typical standard in the states is whether contact with the vendor pool before opening up the official bidding process maintains a level playing field for all potential bidders. If it does not – if pre-bidding contact gives an edge to a specific vendor – this process is frowned upon and may spark a contestation or challenge; something that hated by procurement agencies (McCue, Prier, 2011).

In terms of Australian procurement, officials involved in tendering are permitted to talk to suppliers, up to the time of request for proposals/tenders. Once the request has been issued to the market

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officials should observe procedures to ensure that all registered tenderers receive the same information at briefings etc (Doyle, 2011) The current approach of the UN is rather strict met strongly limited interaction (Venema, 2011). There are very strict rules against any kind of pre-contract negotiations and also strict ethical guidelines about contacts between procurement officers and suppliers and yet they are trying to take a strategic approach to procurement and the market. (Ejlskov Jensen, 2011)

Most developing countries do not allow pre-contract “negotiations. This is mainly because it is very difficult to manage in environments where corruption (or the perception of corruption) is very high. However I suspect it is also partly because the maturity of these systems has not gone much beyond basic compliance and it is unusual to take a proactive approach to the market. (Ejlskov Jensen, 2011).

The need for dialogue

These last two remarks are intriguing as they relate to the behaviour of persons, rather than the process and demand for shift in mentality. The same demand is made in The Netherlands at the moment. Van de Rijt en Santema (2009) pleaded in The Netherlands for a shift of paradigm, from letting loose minimal standards, inspection and control and to transfer risks to those who are best qualified to reduce them. Besides another methodology it requires another behaviour from the procurement officer. It asks for interaction, trust, loyalty and openness.

The findings of Rozemeijer (2010) agree with this plea. He states that the effectiveness of the procurement function is strongly influenced by the procurement professionals. The professional of today needs other skills than his colleague 20 years before to raise effectiveness. He needs more passion for his profession, radiate optimism and creativity and be able to seduce his supplier.

Missing innovations, paying too much, and not obtaining best quality for price may reflect more on the capabilities of the procurement

agency and practitioners than on the process itself which will be captured in pre-bid contacts. (McCue, Prier, 2011).

If we continue this line of thinking we address the management of the supply chain by relationship based procurement strategies. These aim to form more satisfying longer term business partnerships. A way to achieve this is the development of social capital that provides good will and commitment. It is thought to be a more effective governance mechanism than is present in more traditional contract-based systems.

Social capital is an important consideration in how the public sector procures innovative solutions from the private sector. Social capital comprises structural, cognitive and relationship dimensions. It adds an intangible benefit to participating in a relationship based procurement systems (Nahapiet & Ghoshal, 1998).

Trust is a vital relational dimension of social capital. If trust is so important, how do you achieve it? Trust can be gained through mutual professionalism. This implies that professionals need to have contact. The first step of this study therefore was to find out if there were any legal constraints to talk to each other in the beginning of the tendering process.

Legal framework

When determining what to buy and before applying GPP criteria in a procurement procedure, it is helpful for purchasers to understand the market. A dialogue with market parties before the procurement process begins can help identify innovative solutions which the public authority may not have been aware of. It can also assist the market in meeting the criteria which will be applied in the procurement process, by providing information about the public authority's expected requirements (European Commission, 2012)

The 2004/18/EC Directive on Public Procurement for works, goods and services indicates the Competitive Dialogue as an appropriate legal instrument for purchasing complex projects. However, prior to

starting any formal procurement procedure, the Directive and EU Jurisprudence open the possibility that in case of particularly complex project the contracting authority may fruitfully conduct a preliminary “market dialogue” with experts, to collect information and feedback from the market on the existence, feasibility and costs of possible solutions (Corvers et al. 2011)

The Dutch Public Procurement Decree (*Besluit Aanbesteding Overheidsopdrachten / Bao*) does not forbid contracting authorities to carry out a market consultation. The only conditions follow from the general objective of the decree: market consultation may not lead to elimination of competition and that the general principles of transparency, non-discrimination and objectivity are observed. As every professional procurer always applies these principles, these never present an obstacle to seeking dialogue with the market.

A market consultation is used to test the feasibility of a proposed contract, determine the correct framework conditions, test the market parties' interest in submitting tenders, or obtain more insight into new developments in the market. For the market, it is a way of gaining a better understanding of what the procurer really wants, putting forward alternative solutions and improving their chances of winning the contract.

Already in 2000 the first publication on market consultation was published in the Netherlands by the knowledge centre of Public Private Partnership (van der Kroef, 2000). The most striking practical example is the Dutch Ministry of Transport (Valkenburg et al, 2008). The ministry aims for earlier involvement of contractors for strengthening its road development planning. Market consultation was already an part of its tender procedure (Rijkswaterstaat, 2006). PIANOo (2011), the expertise centre on public procurement of the Ministry of Economic Affairs recently published a guideline for conducting a market consultation.

The reason of PIANOo for the focus on market consultation was the fact that a market dialogue is only allowed in the case of extremely complex projects. This restriction would hinder any would-be contacts

in the case of less complex projects. As it is the belief of PIANOo that the resulting quality of any procurement process is improved by a intimate knowledge of the market, we strongly promote all possible ways of getting this knowledge. The market consultation is a method every contracting authority can and should apply.

The first objective of this study therefore was to find out if the contracting authorities use this method. The second objective was to find out if contracting authority and the market already trust each other well enough to share knowledge and expertise before the start of a tender. The third reason was to find if there are obstacles which hinder ways the quality of the outcome of market consultations and, if so, how to overcome them.

METHODS

The study consisted of three parts: a quantitative analysis, a questionnaire and interviews among contracting authorities, and a questionnaire and interviews among market parties.

The quantitative analysis drew on data from the “Tendering Calendar” (“Aanbestedingskalender”). The Tendering Calendar is a website for announcements of government contracts and is used by almost three thousand contracting authorities. This system thus provides a good picture of procurement processes in the Netherlands. All announcements for the period January 2005 to 2011 were analysed.

This was followed by an analysis of the obtained information. The contact persons of the contracting authorities were asked to fill in a digital questionnaire. They were also asked whether they were willing to cooperate with an in-depth interview and/or to provide the address details of the participating market parties. The market parties whose address details were obtained in this way were also requested to complete a digital questionnaire. Several tender managers were then interviewed.

QUANTITATIVE RESULTS

Contracting authorities

During the period from January 2005 to December 2011, 313 market consultations were found on the Tendering Calendar. Of these, 266 market consultations related to a (proposed) European tender and 47 to a national tender. Of these 313 market consultations, 165 related to Services, 69 to Deliveries and 79 to Works (Appendix I, table 1)

Interestingly, it was found that the number of market consultations rose strongly year by year. In 2005 only one market consultation was held; in 2011 the number had already risen to 104 (Appendix I, table 2).

Most of the market consultations were carried out by ministries and municipalities. These bodies were also the first to apply this instrument on a reasonably large scale. For the other types of government organizations, market consultation is a reasonably new instrument. (Appendix I, table 3). This is in line with the findings of the Ministry of Economic Affairs (2010) on the appliance of the European Directive on Public Procurement. Ministries and (larger) municipalities had the highest scores on following the rules, indicating a more professional procurement behaviour than other organisations.

The market consultations focused mainly on procurement packages for ICT, Consultancy & Research, Building & Installations and Transport (Appendix I, table 4). Zooming in more closely on these packages, it was found that the Top 5 consisted of Procurement, installation, management and maintenance of (standard) software, New-Build and Renovation, Public Transport, Road Network Construction and Maintenance and Engineering Services (Appendix I, table 5). This is in line with the assumption that also the market consultation is only allowed for very complex projects. It isn't surprising that most international literature deals with these subjects.

Next, a digital questionnaire was sent to all organizers of market consultations in the years 2009 to 2011. It was assumed that memories of previous years would have faded too much to obtain a reliable research result. For this reason, a total of 209 questionnaires were sent, of which 60 were completed and returned.

A strikingly high response was received for the Transport procurement package. In addition, the respondents also showed sufficient willingness to take part in in-depth interviews and to provide address details of market parties. A possible explanation for this high response is that in other categories often the procurement officer plays a minor role in comparison to the subject specialist, who is mostly out of our view (Appendix I, table 6).

The main reasons cited for carrying out a market consultation (more than one answer was permitted here) were “to obtain a clear picture of the market situation” and “to test a substantive solution”. Other, less frequently mentioned, reasons were: “to arouse interest in the tender” and “to formulate Economically Most Advantageous Tender criteria or performance criteria”. The market consultations were not so much prompted by the desire “to seek alternative solutions” (or “to test the available budget”). This low score was in contradiction with the assumption from the introduction. It indicates that contracting authorities use the market consultation as a method to confirm if they are on the right track (Appendix I, table 7).

On average, thirteen parties registered for the market meeting, with the best-attended meeting attracting as many as 32 parties. Virtually all respondents therefore believed that sufficient contributions from market parties had been made. A large majority indicated that the attendees included market parties that were formerly unknown to them and that the interaction with the market was sufficient. It also shows the willingness of the market to participate in a consultation and the need for dialogue.

The next question was about the effects of the market consultation on the tender. In general, the respondents were positive about the achieved results. A majority of the respondents claimed that a market

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consultation led to fewer questions during the tendering procedure and to better tenders that were also of better quality. One clearly negative response concerned the tender price. Only a small minority of the respondents said that a market consultation had led to a lower price than originally thought.

After the tender the opinions about the results of the market consultation remained positive, with a large number of respondents asserting that the market consultation had improved the mutual understanding of each other's situation and had also led to less confusion about the objectives of the contract and, hence, to less conflicts during implementation. These results are of a less technical nature and more a relational nature than the reasons cited for the need of a market consultation.

The market

The questionnaire that was distributed among market parties drew a lower response. Despite the limited response, some worthwhile observations still can be made.

The majority of the respondents took part in a market consultation with a municipality. The market consultations concerned the categories transport, human resources and ICT. The respondents were all of the opinion that they were sufficiently challenged by the contracting authority, that there was sufficient two-way communication, and that they had plenty of opportunities to ask questions and to suggest substantive solutions.

According to the market, a market consultation mainly contributes towards a better mutual understanding of each other's position. Less frequently mentioned benefits of the market consultation were that it provided an opportunity to promote innovation and to improve the chances for their own product or service. Another was that it generated greater interest in tendering for the contract. All respondents thought the market consultation was worth their investment of time and money.

What they missed was a question about the vision of businesses; in too many cases the focus was exclusively on fully developed plans. Another critical observation was that the questions were not always sufficiently concrete. This, according to the respondents, was partly because the procurer had not prepared well enough. Lack of feedback was another complaint. In addition, the respondents felt their answers had insufficient influence on the specifications. Consequently, the respondents did not feel that the market consultation led to fewer questions about the specifications. However, a majority did feel that participation in the market consultation had improved their chances in the tendering process.

These results indicate that the main objective for participation for the market is another than for the contracting authorities. The market is more focused on improving relations, probably because they do not feel the tension of following strict procedures as do the contracting authorities. More important: they believe that a good relation beforehand leads to a better opportunity to get the job.

QUALITATIVE RESULTS

Contracting authorities

In the next step interviews were conducted with four contracting authorities about their experiences with market consultations in the transport sector. This concerned concessions for both public transport and individual transport.

Contracting authorities attach great importance to market consultation. They do this to test plans or to involve the market at an early stage in assessing the interests and objectives of diverse parties, though this latter motive was mentioned less frequently. The contracting authorities noticed that market parties had reservations about sharing information. They got round this problem in various ways. For instance, they started with a written questionnaire and then

invited the parties that provided the most interesting answers for one-on-one interviews. An alternative approach was to hold a plenary meeting with all market parties, after which the participants were requested to provide specific information on paper.

Trust is key. This can be achieved by being open about the objectives, handling confidential information carefully and correctly, and providing clear feedback on how the supplied information was used. Feedback must also be given on information that is not used. It is important to prepare the process well and to ask very concrete questions. In most cases no payment is given in return for the supplied answers, so the contracting authorities should obviously not ask for the sky.

In the experience of the contracting authorities, a good market consultation increases the market parties' interest in tendering for the contract and helps to reduce the number of questions about the specifications. However, the consultation must also contain an element that makes it interesting for the market to take part, such as a demand for innovative technology.

According to the procurers, the investment in time at the front end of the procurement process amply pays itself back at the back end.

The market

Interviews were held with tender managers of four of the largest transport companies in the Netherlands about their experiences with market consultations. Their reactions are given below.

In the Netherlands public transport is put out to tender via public transport concessions. There are currently about 60 concessions in total. These concessions are steadily becoming bigger in size and longer in duration. And, the financial interests are growing correspondingly. For this reason, virtually all large transport companies take part in the market consultations that are held prior to a tendering process. These market consultations generally take place in two rounds. The first is in writing. The second consists of interviews

between procurer and supplier. These are never group interviews. During these interviews, the supplier is requested to clarify the information provided in the written round.

The transport companies think these market consultations are held too late in the procurement process. Their purpose is usually to test plans that are already reasonably fixed. Transport providers therefore feel that their contribution is relatively limited, and would prefer to contribute their knowledge at an earlier stage. Their contributions could greatly improve the quality of the specifications, and hence the quality of public transport. This is also one of their most important reasons for taking part in the market consultation. If no market consultations whatsoever are held, the contracting authority typically receives between 300 and 700 questions during the tendering phase. If a market consultation is held and the transport provider's reactions are incorporated into the specifications, the number of questions is usually somewhat lower and the procurement process is more efficient. This also means that a contracting authority must thoroughly prepare its market consultation and ask very concrete questions. In addition, the procurer must be given more time to respond to the written market consultation. The response term is often as short as two weeks, despite the extensive documentation and length of the questionnaire involved. The transport company is also asked to give its vision on the best public transport approach (e.g. revenue responsibility for transport company or government, who is responsible for development, freedom of pricing, etc.). These questions should preferably be answered by the transport company's management rather than by employees, so two weeks is often rather short.

With the most recent procurement processes, questions were asked about several different transport plans. All in all, tendering is a time-consuming and costly affair. The costs vary between 250,000 and 400,000 euro's for an average concession and several people are engaged full-time in the task.

The transport providers have the impression that contracting authorities are highly risk-averse. This leads to very fat specification documents (over 10 cm thick) plus numerous appendices, setting

down all sorts of requirements and ruling out alternative tenders. Transport providers would much prefer functional specifications, which provide far more scope for contributing their own knowledge and expertise, so that they can submit more distinctive tenders.

Contracting authorities should also take more account of each other's plans. Given that preparing market consultations and tendering is extremely time-consuming, it would be much better to spread the 3-4 tenders for concessions that are held each year across the full year. This would improve the quality of the tenders and increase the contracting authority's chance of receiving more tenders, thus leading to more competition.

Political choices play an important role in tenders of this nature. These choices often pander to popular opinion. Sometimes critical minorities have an important say in political decisions. Politicians also often influence the procurement process in the period between the market consultation and the finalization of specifications. Good suggestions are often discarded or new items are added. These new items generally give rise to the most questions.

Transport providers often feel an internal tension between strategic expediency and their willingness to provide a substantive response to a market consultation or specifications. Their main priority here is to reduce risks. During a market consultation, they mainly address deficiencies that may influence their own tender. They will draw the procurer's attention to these. Other flaws or omissions in the specifications are mentioned less often; these are seen as the procurer's own fault. This approach is seen as good entrepreneurship and a way of protecting their competitive interest. In view of the fierce competition in this market, competitors will also not fail to alert contracting authorities to errors in the tenders of the winning party which sometimes leads to court cases.

However, the transport providers are also quick to indicate that they consider this an undesirable state of affairs. That's why they want to be involved earlier in the process by starting market consultations at a much earlier stage. Contracting authorities should place more faith in the suppliers' knowledge and expertise. If they devoted more time

to the preliminary process, this would greatly improve the quality of the specifications. In addition, the procurer and supplier should operate much more as partners during the contract phase. This would not only benefit the procurer and supplier: ultimately the traveller would be the big winner.

DISCUSSION

The study showed that more and more contracting authorities are holding a market consultation prior to a tender. The scope has widened from complex projects for construction and ICT to more common categories as cleaning and civil transportation.

Contracting authorities and suppliers clearly differ in opinion regarding the implementation of the current market consultations. This difference is partly due to political decision-making before and after the market consultation. In both cases, political intervention reduces the influence of the market and the quality of the final specifications. The market's willingness to release information is also of influence in this connection. A successful market consultation contributes towards a good working relationship during the implementation of the contract.

Good working relationships between a procurer and supplier are important to the long-term implementation and delivery of projects, goods and services. Trust relationships between people in different organizations, who are both responsible for delivering a contract, mean it is easier to exchange tacit knowledge, gives each party confidence and makes it easier to resolve any disputes. Buyer-supplier partnership is considered a long-term relation between buyer and supplier based on trust, open communication and close interaction.

The study shows that this stage has not been reached yet. Contracting authorities still largely work out their Terms of Reference and mostly use the expertise of the market to test the quality of the

concept and to avoid questions in the tender. Thus, it merely a way of risk reduction. This is waste of energy and money and a golden opportunity to come to a better solution is missed.

Mutual trust can only be reached from two sides. As long as the market regards the market consultation as an opportunity to get a contract nothing changes. Sure, we live in difficult times and companies strive to survive. But if you try survive without sharing it is a short term approach mainly aimed at reducing your own risks and using others flaws as business opportunities. Probably the commitment to cooperate is greater when the market is seen as a partner in business.

It seems that we are confronted with a version of the classic prisoners' dilemma where two parties could gain important benefits from cooperating or suffer from the failure to do so, but find it merely difficult or expensive, to coordinate their actions to achieve cooperation.

Therefore it is recommended opening a dialogue with the market as early as possible in the procurement process. On a case-by-case basis the contracting authority decides whether a market consultation is necessary. With relatively simple contracts, it is sufficient to gather market knowledge through e.g. desk research and interviews with potential suppliers or by visiting trade fairs. With more complex processes, a market consultation is a better solution. With even more complex processes, a competitive dialogue is a more appropriate approach. A good preparation and concrete questions contribute to effective and efficient consultation. Part of the preparation is to formulate own needs in the clearest terms possible.

Keep the consultation informal and engage in dialogue as much as possible. Informal talks lead to more depth, give the supplier more scope for raising subjects, foster greater trust and lead to a better product or service as the market's knowledge is taken on board in the procurement process.

Feedback after the consultation is important. The market has invested time and money in providing information. So it is entitled to

know what is done with this information. Even if the information has not been used, feedback helps the companies to improve their products and services and also promotes a relationship of mutual trust.

In this way social capital is created. It is used to come to a better understanding of each other, better cooperation and dialogue, all leading to qualitative better product or service and to more value for taxpayer's money.

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APPENDIX 1: QUANTITATIVE RESEARCH

	European		total
	yes	no	
Services	134	31	165
Goods	62	7	69
Works	70	9	79
total	266	47	313

Table 1: European tenders for Services, Goods and Works.

Year	Services	Goods	Works	total
2005	1			1
2006	1	1	2	4
2007	8	1	1	10
2008	33	12	16	61
2009	39	14	19	72
2010	30	13	18	61
2011	53	28	23	104
total	165	69	79	313

Tables 2: Amount of consultations per year.

Type of government	2005	2006	2007	2008	2009	2010	2011	total
municipality	0	2	3	18	21	31	30	105
ministry	1	1	3	27	26	16	24	98
education	0	0	0	1	2	4	14	21
province	0	1	0	1	4	1	10	17
other	0	0	0	7	10	3	8	28
special sector	0	0	4	5	6	3	8	26

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watership	0	0	0	2	3	3	10	18
total	1	4	10	61	72	61	104	313

Table 3: Markt consultation per type of government.

Main Categorie	Aantal
unknown	7
personel	3
officefurnishing	10
automation	61
Flexible contracts	14
Advices and research	57
transport	26
Buildings and equipment	49
contruction	58
prevention	6
Social domain	22
	313

Table 4: Amount of consultations per main categorie

Sub- ategorie	Totaal
software	40
Building and renovation	24
Public transport	17
Construction and maintenance of roads	14
Technical advice	13
Realisatie en onderhoud kunstwerken	9
Aanleg en onderhoud waterkeringen	9
architects	9
Construction and maintenance waterways	7

ICT advice	7
total	149

Table 5: Amount of consultations per sub categorie

Main categorie	Total
Advice and Research	4
ICT	8
Buildings and equipment	4
Construction	12
Prevention	3
Other	1
Personnel	2
Social domain	7
Transport	19
total	60

Table 6: Response per categorie

	Yes (%)	No (%)	Don't know (%)
Less questions	44	22	34
Better solution	56	17	27
Better quality	46	22	32
Lower price	15	46	39
Better understanding	39	15	46
Less uncertainty	39	22	39

Table 7: Reasons for carrying out a consultation

APPENDIX 2: QUESTIONNAIRE FOR CONTRACTING AUTHORITIES

1. For which product or service did you organize this consultation?
2. How many organizations participated?
3. What were the goals of the consultation?
4. Did you get enough input from the participants?
5. Were there originations present who you did not expect?
6. Did you have enough interaction?
7. Was this consultation followed by a tender?
8. Which results of the consultation did you transfer to the tender documents?
9. Did the consultation lead to fewer questions than you would have expected?
10. Did the consultation lead to better proposals than you expected?
11. Did the consultation attribute to proposals of a better quality than you expected?
12. Did the consultation result in a lesser price than you expected?
13. Did the consultation contribute to a better mutual understanding?

APPENDIX 3: QUESTIONNAIRE FOR MARKET

1. Were you challenged enough to give input?
2. Did you have enough interaction with the contracting authority?
3. Did you get enough room to raise questions?
4. Were you stimulated to offer alternative solutions?
5. Which were the advantages of the consultation?
6. Was the consultation your investment in time and money worthwhile?
7. What did you miss in the consultation?
8. Did you subscribe to the following tender?
9. Did you feed your suggestions back in the final tender documents?
10. Has the tender led to less questions in the tendering phase??
11. Did your participation give you better changes in the tender?

12. Did the consultation lead to a better mutual understanding during the contract phase?