



Public Procurement

OUR PRACTICE

The fast-growing field of **public procurement law** has become a specialty of our Regulatory department.

Our department boasts extensive experience of public procurement law at **every stage of the tender process**: from drafting tender documents, through awarding the public contract, to the execution of the agreement.

Although we are experienced litigators before both civil and administrative courts, we always strive to find the **most efficient and pragmatic solution**. This is often not a legal procedure, but consultations and negotiations with all stakeholders.

OUR STRENGTHS

The size of our practice enables us to offer a **multidisciplinary approach** where aspects of civil, real estate, tax, corporate and financial law can be analysed alongside aspects of public law. This approach has proven to be particularly useful in the stage of drafting tender documents and in the stage of executing the agreements.

From working for both public and private sector partners, we have acquired **transferable skills** which are of major importance when successfully identifying opportunities and risks in the complex and constantly changing public procurement process.

OUR CLIENTS

Our clients are both tendering authorities and private (local and international) companies within all sectors of commerce and industry such as infrastructure, housing, utilities, soil contamination, health care, pharmacy, chemicals, IT, textiles, transport, social services and legal services.

OUR TEAM

Alongside the legal advice we provide, our lawyers lead seminars on public procurement and write numerous articles about public procurement. This means we are up-to-date on the most recent developments in this area of law.

Our public procurement department is coordinated by partners Dirk Lindemans and Frank Judo.

OUR SERVICES

Our services include:

- Drafting and reviewing tender documents
- Assisting companies to submit their tender; including risk analysis
- Assisting with negotiations and communication between companies and public authorities
- Editing and reviewing award decisions
- Assisting with the execution of public contracts - we specialise in all aspects of Belgian general contracting conditions ("cahier général des charges")
- Undertaking arbitration proceedings and litigation before civil courts and Council of State

EXAMPLES OF INTERVENTIONS

Our most recent experience includes:

From the perspective of tendering authorities:

- Assisting various local authorities and social services in every stage of the tender process, both preventive and curative
- Assisting a public transport undertaking in various tender processes, both preventive and curative
- Undertaking various lawsuits concerning public procurement issues in the hospital sector
- Assisting a regional hospital in the field of public procurement during an important reorganisation (ongoing)

From the perspective of private companies:

- Assisting an international utility to allocate and execute all its concession agreements in Belgium
- Assisting an international utility to participate in various tender processes
- Assisting an international construction group, several real estate developers and several international architects' firms with important infrastructure projects
- Advising the sister company of an international group specialising in technical installations and services for the industry and the energy market with the execution of several public contracts
- Defending private companies in lawsuits (Council of State or civil courts) against local authorities, public companies or the federal State in connection with supply and service contracts
- Assisting the biggest supplier of winter road salt with various public procurement issues (market share of 80%)



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WHAT THEY SAY ABOUT US

The team works in all three Belgian regions, granting it a prominent position in the domestic market. Sources describe the practice as "a diverse practice in administrative and constitutional law".

Chambers Europe - 2012

Liedekerke provides an "outstanding service with profound market and industry knowledge".

Legal 500 - 2012

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