



**Universiteit
Leiden**
The Netherlands

**Public procurement distance: analysing European
public procurement policy implementation in 27 EU
member states**

Schermerhorn, A.E.

Citation

Schermerhorn, A. E. (2025, October 7). *Public procurement distance: analysing European public procurement policy implementation in 27 EU member states*. Eburon Academic Publishers, Utrecht. Retrieved from <https://hdl.handle.net/1887/4262551>

Version: Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

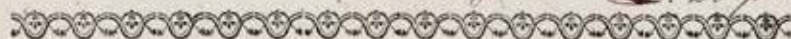
Downloaded from: <https://hdl.handle.net/1887/4262551>

Note: To cite this publication please use the final published version (if applicable).

FRATERNITÉ.

L'ADMINISTRATION de l'Arrondissement du Brabant, fait savoir qu'à l'intervention de l'Inspecteur - Général des Chaussées, *Loicq*, et en présence d'un de ses Commissaires, elle fera procéder à la Maison du Peuple à Bruxelles, le 24 Floréal, 13 Mai (vieux style), à dix heures du matin, à l'Entreprise et Passement au Rabais de la main-d'œuvre pour la réparation de la Chaussée de Bruxelles vers Libre-sur-Sambre, (ci-devant Charleroy) ainsi que des bras de Chaussées qui y aboutissent, aux conditions déclarées par le Procès-Verbal de criée et adjudication qui se trouvent déposées au sixième Bureau de cette Administration, où les Amateurs s'adresseront pour prendre inspection, tous les jours, le matin depuis 10 heures jusqu'à midi, et l'après-midi, depuis 4 jusqu'à 6 heures.

*Miché D'Anters le
23. flor: 5. à 5. P. J. J. J. J. J.*

VRYHEYD,GELYKHEYD,BROEDERLYKHEYD.

DE Bestiering van den Omtrek van Brabant maakt kenbaer, dat ter bevoorderinge van den Opper-Toezigter der Steen-Wegen, *Loicq*, in het bywezen van een haerder Leden, men op het Brood-Huys tot Brussel, den 24sten. der Bloem-Maend, 13 May, (ouden stiel) ten 10 ueren s'morgens, zal aenbesteden ten leegsten pryse de hermaeking der Baene van Brussel naer Vrye-op-de-Zamber, (hier te voren Charleroy) als ook der Zy-Steenwegen tot de zelve geleydende, op de voorwaarden verklaert by het mondelings bespreek der Oproeping ende Palm-slag, welke men ten sesden Bureele dezer Bestiering zal vinden, alwaer, die gaeding heeft, de zelve zal konnen naerzien alle daegen s'morgens van 10 ueren tot den middag, ende naer middag van 4 tot 6 ueren.

Voor gelykvormige vertaeling in het Nederduytsch A. G. REYNACKX.

Chapter 3

THEORETICAL FRAMEWORK: PUBLIC PROCUREMENT DISTANCE

3.1 Introduction

The execution of European public procurement policy may present challenges across all three components (mandatory policy, discretionary strategic policy and discretionary policy concerning cross-border procurement), as outlined in Chapters 1 and 2. In this chapter, a theoretical framework is constructed to address this issue, thereby formulating answers to research question 1 concerning how the distance between the intended European public procurement policy and its implementation can be conceptualised and research question 2 regarding what factors potentially influence the emergence of a distance between intended policy and its implementation.

The first part of this chapter places public administration literature on policy implementation in the context of possible differences between pre-implementation policy objectives and their actual execution. This is followed by an elaboration on the concept of public procurement distance, i.e. the difference between the intended European procurement policy and its implementation in practice. The next step is to use different theoretical perspectives to discuss the factors that may directly contribute to the emergence of such a distance.

3.2 From policy formulation to policy implementation

The literature on policy implementation emphasises that intended policy objectives give rise to all kinds of unexpected and undesirable situations in implementation. Policy implementation is delayed and modified while each of the many actors involved play their part (Carroll, 2014: 26). Classical public administration studies by Pressman and Wildavsky (1984) and Bardach (1979) explored this issue. In Pressman and Wildavsky's view (1984: 143-146), implementing a policy intention can only be successful if all actors who are deemed relevant play a role in it. Bardach (1979: 55-57) considers policy implementation to be a situation in which those involved each play their own game. He emphasises the significance of being able to modify elements of that game to achieve the desired outcome, in a process that he terms 'fixing'

(1979: 274). This makes it possible to ‘win’ the implementation game in execution. ‘Winnings’ must be interpreted as the result of the policy’s implementation that corresponds to the original intention’s gist (Bardach, 1979: 274).

By analogy with Von Clausewitz (1989: 87), for Bardach (1979: 85) and Pressman and Wildavsky (1984: 175) policy implementation is the continuation of the political game of give-and-take by actors who primarily pursue their own interests. This means that policy implementation may substantially deviate from what political actors had in mind when making a formal decision on legislation or regulations. It is also impossible to anticipate every conceivable situation in regulation (Shavell, 2012: 3, 8-9). Sabatier et al. (1995: 234-235) comment that in these kinds of processes within the U.S. Forest Service, local coalitions of advocates have a greater impact on the policies of this government agency than the formal hierarchical control mechanisms of the governmental authorities that have a stake in this agency. Mazmanian and Sabatier (1989: 5) also think along these lines when observing that implementation analyses have gradually shifted their focus on determining the degree to which policy outcomes align with the initial policy objectives. They also speculate about the possible influence of these results on amendments to legislation and further policymaking, thereby establishing a relationship between the implementation and initiatives to amend the legal framework once again.

Going a step further, the question emerges concerning how the formulated policies can actually be applied. This is more likely when intended policy adjustments are small and actors largely agree on the objectives to be achieved (Van Meter & Van Horn, 1975: 461). This also addresses the content of the policy, alongside the ideas of policy implementers about how they can put it into practice in the workplace. This is particularly relevant to the success of discretionary policies within public procurement, since it strongly depends on the goodwill of those involved. Telgen et al. (2007: 21-22) also consider it important for successful public procurement with the implementation of intended policies to choose an incremental path. For this purpose, they present a seven-step plan that takes a step-by-step approach to public procurement with the application of discretionary strategic policies. It allows actors involved to agree on the steps before proceeding to the next step. For Telgen et al. (2007: 21-22), the point of departure is reactive basic procurement, and the ultimate goal to be achieved is an active procurement function with the realisation of broader policy objectives beyond procurement, such as social objectives and inclusiveness, innovation objectives, sustainability objectives, securing long-term contracts and providing opportunities for small and medium enterprises (SMEs). This mostly comes down to behaviour and behavioural change in the procurement process, which may affect public procurement distance and will be further discussed in the next section.

3.3 The concept of ‘public procurement distance’

European public procurement policy includes mandatory and discretionary policies, which are converted into national procurement legislation by the individual member states and subsequently implemented in the workplace. Hence, policy is finally established when legislation and regulations are implemented through sequential processes arising from pre-formulated policy intentions (Lipsky, 2010: 213). This will be discussed here using the formal procurement process as applied in public procurement implementation practices (Van Weele, 2010: 29, 117-120; Van der Horst & Schenk, 2016: 105-106). This process involves two steps: initially identifying the needs and outlining specifications (specifying), then selecting and contracting appropriate suppliers (selecting). No public procurement distance arising in one of these steps means that there is public procurement parity, i.e. the intended policies are implemented as expected beforehand.

In the first step of *specifying*, the required functionalities of the items, services or work to be procured are identified. With this information, potential suppliers know which specifications they must meet. This allows matching supply and demand without public procurement distance. However, distance can already arise at this stage due to the usually differing interests of the parties involved, necessitating compromises, concessions, and strategic manoeuvres to successfully guide a procurement project through the decision-making process. Solutions are overvalued or oversimplified, descriptions made ambiguous, conflicting objectives masked and compromises made to reach the desired consensus in the political arena (Brodkin, 2000: 3; Flyvbjerg et al., 2003; 2016). The next step is to still achieve the initially intended objective by expanding the project in all its aspects after approval. This may bring unforeseen costs to the surface, increase the duration, and cause projects to encompass increasingly more elements (Flyvbjerg et al., 2003; 2012; 2016; Capka 2004; Cantarelli et al., 2012). Adjusting the scope of a procurement project this manner is referred to as ‘project effects’ in this study. As they are often discussed in conjunction in the literature, three of these effects will be used to examine whether and how they can explain why public procurement regulations are not applied to the letter. First, ‘optimism bias’ can arise, which is the deliberate underestimation of project expenses and an overly positive outlook of the intended project results (Cantarelli et al., 2012: 55). Second, there is the possibility of a ‘scope creep,’ where the scope, size, and complexity of a project keep continuously growing (Capka, 2004: 6; Cantarelli, et al. 2012: 55). The third effect is ‘planning fallacy,’ reflecting the deliberate underestimation of lead time and other project planning aspects to influence decision-making (Lovallo & Kahneman, 2003: 3; Flyvbjerg, 2012).

The next step is *selecting*, during which technical, economic and financial qualifications serve as bases for determining whether a potential supplier is suitable to perform the relevant public contract (Voda & Justice, 2016: 124). This covers topics like the interested tenderers' level of experience in previous similar assignments, employees' qualifications and training or financial data. If the selection is based on unclear characteristics of a specific market player or the product, service or work being procured, it could result in engaging with a supplier who lacks the necessary qualities, which might have been available in that market (Dellarocas et al., 2011: 446). This phase also involves determining which supplier will be awarded the contract based on which agreements. It is important that the choice is made as intended beforehand so that the outcome of the procurement process corresponds to it.

Public procurement distance can arise in respect of not only mandatory policy but also discretionary strategic policy. Unlike the procurement process outlined earlier, implementation is – in principle – not required for discretionary policies. However, despite their predominantly discretionary nature, these instruments are so important to society that their implementation is inextricably linked to a successful procurement process, according to certain authors. For example, Telgen et al. (2007: 21-22) believe that public procurement should contribute to the use of discretionary policy instruments. Cross-border discretionary policies are important for promoting free cross-border trade in the common market and the economic development of the Union (Cox, 1993: 9; Bovis, 2007: viii). The significant economic and societal importance that can be served through the use of discretionary strategic instruments is why public procurement distance is measured for both mandatory and discretionary regulations.

The remainder of this chapter will explore possible causes of procurement distance, with certain expectations. Discretionary policies on the use of instruments and cross-border procurement are closely linked to the success of a procurement process. Therefore, the principle is that the expectations to be established are valid in terms of both mandatory regulations and discretionary regulations. The question is whether the factors creating distance are the same for mandatory and discretionary policies. Given the non-prescriptive nature of the discretionary instruments, it is quite conceivable that other issues could also have an impact.

3.4 Possible causes of procurement distance

The question concerning the causes of public procurement distance is discussed based on four theoretical perspectives, which will be briefly introduced below.

First is the perspective of *administrative organisation*. The basic principle here is that governmental organisations must have the necessary administrative capacity to comply with laws and regulations (Selznick, 1984: 5). This idea was extensively elaborated primarily by Tallberg (2002). Given that a lack of resources can also drive organisations to collaborate with other organisations (Aiken & Hage, 1968), collaboration can thus reduce public procurement distance.

The second perspective is *professionalism*, which focuses on the performance of individual policy implementers within organisations and their practices (Freidson, 2004). It is expected that professionalism can contribute to task performance in such a way that it supports the implementation of the intended policy and thus serves the public good. Freidson (2004) also refers to ideology in relation to professionalism. Central to this concept is motivation related to task performance. Professional practices and motivation can influence public procurement distance.

The third perspective is *policy discretion*, referring to the leeway that procurement officers have to interpret and implement their own policy in certain areas. Procurement officers believe that reducing policy discretion could hinder their ability to execute the prevailing policies effectively (Lipsky, 2010). Various actors can play a role in limiting policy discretion, each wishing to realise their own agenda (Wilson, 1989; Kelman, 1990; Phillips et al. 2007; Goldman et al., 2010; Steller, 2019). The actors that will be discussed alongside procurement officers are the own organisation meaning the contracting authority, politics, market players and media.

The fourth perspective analyses European public procurement policy implementation at the group level. This means that the ‘*culture*’ with which the decision-makers identify may not necessarily be the same across regions, countries or areas, given that public procurement – as examined in this study – is embedded in the tiered structure of the public administration system in which it is executed. While public procurement policy is established at the European level, the actual procurement is executed at various levels of government, such as by local, regional and national government organisations. There is evidence in the literature that the culture of public administration varies across groups and may therefore have an effect on public procurement (Le Galès, 1998; Pollitt & Bouckaert, 2000; Falkner et al.; 2005, 2007; Fazekas, 2017).

These theoretical perspectives will be examined in further detail based on the literature, with expectations formulated for each perspective.

3.4.1 Administrative organisation

This section concentrates on the inward-looking perspective of the administrative organisation by addressing the role that available expertise can play in realising sufficient administrative capacity to bring a public contract to market. It also discusses the possible role of collaboration between governmental organisations to gather the necessary capacity to implement the intended policy.

Capacity

Capacity is expected to be a key issue in the public procurement world, where issues such as the deployment of suitable people, collaboration between contracting authorities and deadlines can play a major role. In a public procurement context, lack of capacity means that procuring organisations cannot comply with directives – or not in full – due to a certain lack of expertise, people or resources, which might result in public procurement distance.

Tallberg (2002: 612-613) has found that political and economic capacity constraints can play a major role in non-compliance with European treaties. When there are political capacity constraints, a government lacks the ability to persuade private and public actors to comply with international obligations. Capacity constraints in the economic sphere arise when a government has financial constraints that prevent the (full or partial) implementation of international agreements. According to Tallberg, capacity constraints in the political sphere with no or partial fulfilment of obligations are not the result of a conscious political choice but arise under the influence of unexpectedly occurring capacity shortages in public administration and through unclear rules leading to misinterpretation. Such constraints can best be tackled through a strategy of capacity strengthening in terms of technical expertise, bureaucratic capacity and financial resources. The interpretation of rules is another important factor. There should be transparency concerning how the capacity will be strengthened as this enables actors to know where they stand and helps them to convince each other that they can implement regulations. Furthermore, a certain degree of enforcement as part of capacity strengthening is also required (Tallberg, 2002: 614).

Radin (2009: 371) approaches capacity strengthening from a public administration perspective in which central governments can support lower-level governments with knowledge strengthening to implement policy programmes. As for procurement, additional knowledge on implementing public procurement policies may come from outside one's own organisation, such as from other contracting authorities, although external experts can also be recruited to fill a capacity gap. These consultants may have certain competences and expertise that are unavailable within the organisation (Ylönen & Kuusela, 2019: 254). Such

measures to fill certain capacity gaps can be expected to help bridge public procurement distance.

More generally, it can be said that although there is a willingness to apply regulations and policies correctly, unforeseen constraints hinder the ability to do so. A note for consideration here is whether strengthening capacity as anticipated by Tallberg will indeed help to clarify the policy to be implemented. Would the deviation from the intended policy indeed be caused by ambiguities on how to implement the policy or in fact be due to a staff shortage? Whatever the reason, does it actually necessitate hiring external consultants or is the issue rather an organisational problem?

The foregoing indicates that there could be a mechanism at work where effective procurement involves deploying individuals and resources with expertise that may not be equally available to all staff within the contracting authority. This creates a risk that work cannot – or only partially – be performed. This gap must be filled to bridge any potential public procurement distance, from either within or outside the organisation. This leads to the following expectation:

Expectation 1a: As a government organisation's procurement expertise increases, public procurement distance decreases.

Collaboration

A second aspect of administrative organisation assumes the possibility of collaboration between contracting authorities to collate additional capacity and thus human and financial resources. This alternative network-oriented approach is expected to be used more often, especially in complex procurement processes. The extent to which an organisation succeeds in acquiring scarce human and other resources in a competitive environment is a measure of its effectiveness, according to Yuchtman and Seashore (1967: 891). Although Evan (1993: 8) argues that this entails uncertainties and dependencies, scarcity in available people and resources can also encourage organisations to collaborate with other organisations that have the necessary capacity. It leads to obtaining more specific knowledge for lower costs (Aiken & Hage, 1968: 927-929). The question here is whether organisations are willing to use their scarce people and resources to collaborate with another contracting authority if this might mean that they can no longer be deployed elsewhere in their own organisation. Leenders et al. (2002: 69) pose that working together in procurement consortia of two or more organisations has its advantages in the sense that it is possible to obtain more value for money, better service and more technology from suppliers than when an organisation procures independently.

Bovis (2016: 7) identifies advantages in terms of planning, execution, and delivery, in addition to the economies of scale that are already mentioned. Nieland and Schreiber (2013: 33) observe a trend in public procurement to increasingly combine procurement power to bundle available knowledge and combine volumes to reach better agreements with market parties. This should lead to greater procurement efficiency.

This literature suggests that collaboration can generate additional capacity in terms of people, resources and specific knowledge. This is expected to have a positive impact on bridging public procurement distance because collaborating contracting authorities will collectively have greater capacity in the form of people and resources than sole operators. This leads to the following expectation:

Expectation 1b: As collaboration between contracting authorities increases, public procurement distance decreases.

3.4.2 Professionalism: Practical experience and training

The second perspective of public procurement distance focuses on the professionalism of the individual, defined by Freidson (2004: 179) as the professional control over the work. This will be discussed here from two angles: first, in terms of the skills and experience acquired through practice, and second, by considering the knowledge acquired through formal education. Professional interventions based on intrinsic motivation grounded in ‘ideology’ will also be addressed. The recurring question in both approaches concerns the possible impact on public procurement distance. Both methodologies together constitute what Freidson (2004: 127) refers to as the ‘ideal model of professionalism.’

Ideology will be defined and elaborated in the following section (3.4.3) as a different (but related) outlook on public procurement distance.

The rest of this section is structured in such a way that it will first discuss what professionals’ occupational control over the work entails in practice, before exploring the potential influence of experience and training in this context.

Tacit knowledge

Professionalism in the performance of duties is important because professionals – as Parsons argues (1999: 469) – play a key role in ensuring the performance of policy and its implementation. Public service professionals are largely independent in the performance of their duties and are able to influence the policies that they implement (Walsh, 1995: 14). In this view, professionalism is primarily defined by the specialist experience and qualifications that employees possess rather than the

institution for which they work (Blau & Meyer, 1971: 72-73). Accordingly, Freidson (2004: 33-35) views professional action based on practical knowledge and professional skills ('savoir faire') as a form of specialisation, while knowledge acquired through training is another form. This section will discuss these forms of specialisation in relation to public procurement distance.

Freidson (2004) differentiates between two types of specialisation based on practical knowledge and technical expertise: 'mechanical specialisation' and 'discretionary specialisation.' He regards 'mechanical specialisation' as routine work that can be done somewhat more manually and with minimal individual discretion, learned through experience but also practical training (Freidson, 2004: 32). According to Freidson, 'discretionary specialisation' involves tasks that require more mental effort. These duties require some discretion or new judgement as well as special training to perform the work successfully. Both forms of specialisation play a role in procurement, and distinguishing between the two types of specialisation in procurement practice is challenging as they are both required to ensure proper task performance. As Freidson (2004: 23) put it, it is important to consider the variance in individual instances to make such a distinction. This is not feasible in the European procurement practice with thousands of new public contracts every year. Furthermore, it remains considerably doubtful whether a distinction between the two types of specialisation in each tender procedure would contribute to bridging public procurement distance. Freidson (2004: 31) also discusses the importance of tacit practical knowledge and skills. This is internalised knowledge based on experience and intuition, as opposed to expertise in the sense of factual concrete knowledge acquired through practice as referred to in Expectation 1a. Tacit knowledge is neither articulated nor recorded but essential for performing duties effectively within both forms of specialisation (Freidson, 2004: 31).

Given that both forms come together in the performance of duties in procurement practice, mechanical specialisation and discretionary specialisation are combined and internalised as 'tacit knowledge.' As tacit knowledge is increasingly applied more efficiently, the distance between the intended policy and its implementation diminishes, which leads to the following expectation:

Expectation 2a: As procurement officers' tacit knowledge about procurement increases, public procurement distance decreases.

Formal knowledge

The final form of specialisation follows from formal knowledge accumulated through education and training, which Freidson (2004: 24, 34) refers to as 'mental

discretionary specialisation.’ Here, the assumption is that this ‘mental discretionary specialisation’ can have a positive impact on the work performance as expected beforehand. For public procurement policy, this is a relevant factor as various authors suggest that the training for public procurement officers should be enhanced. The following is a brief summary of some views on training as they emerge in the literature.

As a result of the continuously evolving European procurement regulations, a need for specialised and professional development programmes arose to meet the rapidly developing professional requirements, according to Callender and McGuire (2007: 317-320). Freidson (2004: 17, 84) also emphasises the importance of training by arguing that work performed by professionals is so specialised that it cannot be done properly without the necessary education, skills and experience. Nonetheless, according to multiple authors, procurement education receives limited attention from training institutes. In this regard, Matthews (2005: 392) has found that many procurement officers hold no relevant diploma and apparently do not feel a need for any training to do their job. It is therefore unsurprising that procurement training courses are somewhat limited in what they offer, according to this author. In their study among American public procurement officers on the value of certification of procurement and contract management professionals, Abutabenjeh and Gordon (2015) found indications that some of the respondents did not consider certification necessary to perform the work properly because they felt they already had sufficient practical experience and education. Snider and Rendon (2012: 334) highlight that it is not attractive for training institutes to develop programmes that are specific to the field because public procurement is often considered a routine administrative task that does not contribute to any of an organisation’s strategic success criteria. Thai (2001: 40-41) suggests that while the need exists for education and training among procurement professionals, it is not always recognised by training institutions, while a form of certification can increase professionalism in implementation and contribute to improving the quality of public organisations write Streib and Kim (2010).

This literature suggests that for some procurement professionals, training may play a role when it comes to implementing procurement in line with policy. From this perspective, there may be a need for the education and training of (prospective) procurement professionals to reduce public procurement distance, which leads to the following expectation:

Expectation 2b: As procurement officers are better trained, public procurement distance decreases.

3.4.3 Professionalism: Ideology, intrinsic motivation and serving the public interest

Ideology is the second approach to professionalism at the level of the implementing individual. According to Freidson (2004: 127), this is a “*greater commitment to doing good work than to economic gain and to quality rather than the economic efficiency of work.*” In this sense, ideology is about professionals wanting to exercise their profession well and to a high standard based on a certain degree of responsibility.

The importance of ideology as Freidson describes also comes to the fore in other literature. People want to work in the public sector from a certain intrinsic motivation to serve the public interest and achieve better service delivery to the citizens, specifically in public administration. This idea has become known as public service motivation (Perry & Wise, 1990) and distinguishes public sector employees from those in the business world (Steijn & Leisink, 2009: 10). March and Olsen (2009) explain this type of human action from the belief among actors that the established rules are good, self-evident, legitimate and fit for purpose, and they term this the ‘logic of appropriateness.’ Obligations, expectations and identities associated with a particular role are seen as being logical and intended for that role and as such form part of procurement officers’ personal value system. This implies that procurement officers must have some inner ‘drive’ to implement mandatory policies as formulated in advance. A similar mechanism is expected to also occur in the implementation of discretionary instruments. The more procurement officers are affectively committed to implement sustainable procurement, the more willing they are to procure sustainable (Grandia, 2015: 138-139).

Based on this literature, it is conceivable that a certain degree of instinctive commitment to and belief in certain policy themes may lead to increased implementation of European public procurement policies from personal considerations of the individual procurement officers involved. This leads to the following expectation:

Expectation 3: As procurement officers’ intrinsic motivation to serve the public interest increases, public procurement distance decreases.

3.4.4 Leeway for action: Policy discretion

The third perspective used to investigate public procurement distance is the possible influence of policy discretion on the implementation of public procurement policy and the actors’ role in this. The premise of this study is that the implementation of regulations to the letter results in public procurement without public procurement distance. The analysis in this section focuses on the implementation

of legal policy, whereas the illegal implementation of policy – for example, under the influence of corruptive practices – lies beyond this research.

Discretionary leeway

Various actors are involved in public procurement, each with their own particular interests. To serve these interests, they sometimes want to discreetly deviate from the rules. Under the influence of the actors involved, policy discretion can lead to various unexpected and sometimes even undesirable situations in implementation (Bardach, 1979; Pressman & Wildavsky, 1984). For instance, Beunen et al. (2009: 66) found that during the implementation of some European environmental directives in the Netherlands, the emphasis among actors was primarily on adhering to the formal process¹⁵, which pushed the actual realisation of the environmental objectives to the background. The literature refers to a variety of actors involved in public procurement policy implementation, such as procurement officers, own organisation, politics, market and media (Gordon et al., 1993: 831-835; Thai, 2001: 30; Tátrai, 2006: 37). They are placed in the perspective of the implementation problems surrounding European public procurement policy in the remainder of this section.

Given that all member states operate with the same public procurement policy frameworks, in principle there should be no difference between the intended mandatory public procurement policy and its implementation. Policy discretion primarily concerns the mandatory part of procurement policy. In principle, policy instruments are used on a voluntary basis. However, from the moment when one or more policy instruments are actually used, the regulatory framework applies similarly as for the mandatory part of procurement policy. Nonetheless, it is conceivable that there are various incentives that encourage actors to deviate from the intended policy, resulting in procurement distance. This may lead to different implementation choices: for example, one contracting authority could decide to use one or more discretionary policy instruments in each and every tender procedure, while the other could choose not to use any instruments. Given that they have the discretionary freedom to do so or not, policy discretion is therefore defined as ‘the leeway that the policy leaves to actors to, if desired, interpret and implement certain parts of the policy within a given regulatory framework during the performance of their activities.’

When it comes to motivation, the expectation formulated based on the theory formation around ideology is used (Expectation 3). This assumes that when public procurement officers are intrinsically motivated, their procurement is in line with policy. When it comes to policy discretion, this study mainly addresses potential

15 Water Directive and Bird and Habitat Directive (Beunen et al., 2009).

differences in choices that different actors might make. Under the influence of the environment, the leeway to implement desired policies according to their own judgement can be expanded or limited (Lipsky, 2010).

It is possible that discretionary leeway does not lead to deviation from the intended mandatory and discretionary policy. However, based on the literature, the assumption is that actors indeed experience a certain degree of leeway to move public contracts in a certain desired direction. It is expected that this will lead to a public procurement distance between the intended policy and the way in which it is implemented, which leads to the following expectation:

Expectation 4a: As policy discretion increases, public procurement distance increases.

Public procurement officers

The public procurement officers examined who implement procurement policy in practice include the professional groups of procurement staff, lawyers, contract managers and consultants (Thai, 2001: 30; Tátrai, 2006: 37), including part-time public procurement officers, i.e. people who occasionally supervise a tender procedure in addition to their other daily duties. The question now is what the impact on public procurement distance could be if public procurement officers want to steer the procurement process in a specific direction to enhance its implementability in their view. This is an important issue as it involves the convergence of various aspects of European public procurement policy within this particular actor. One example is the possibility of public procurement officers allowing bidders to correct minor – unintentional – errors in their bid (Stellingwerff Beintema, 2012: 6-7).

The literature mentions progressive legalisation as an undesirable effect of the implementation of European public procurement policy. This arises because – according to some authors – regulations are so extensive, complex and strict that lawyers are required to realise policy implementation to the letter. The reason for this is that it has become too complicated for procurement officers to know how to apply the law, hence underlining the reason why public procurement is sometimes referred to in the literature as a “*lawyer’s paradise*” (Telgen et al., 2007: 18-19; Treumer, 2014: 10). According to Van der Horst and Schenk (2016), legalisation has indeed significantly increased under the influence of the European public procurement directives, better enforcement and the increased assertiveness of market players. Consequently, the role of lawyers has significantly grown, according to the authors. They even refer to “*a significant error*” (2016: 33) in this context, as a result of which policy intentions and their implementation may conflict as a result of overly complicated legislation.

The purpose of placing public contracts in the market is to extract from that market the offer that best matches the relevant demand, through competition. Chapter 1 described that the number of bidders in tender procedures is decreasing, with some calls receiving tenders from only one bidder. However, public services must be continued even if policy intentions and their implementation are not quite in sync. This raises the question of what should prevail: policy implementation to the letter or successful completion of the public contract? As is evident from the above, it is necessary to achieve effective execution of the relevant public contract within the existing framework of the regulations. This can give rise to local ingenuity and improvisation (Boskeljon-Horst et al., 2022: 3), which are often invisible to the outside world. This occurs spontaneously and unprepared if the parties involved believe that regulations applicable at that moment should be made better implementable at the ‘street level’ where front-line workers discretely interact directly with the public (Lipsky, 2010: 3). However, this ‘discrete rule interpretation’ may create distance between the intended policy and its implementation. The above examples of differences between the intended regulations and how they are implemented leads to the following expectation:

Expectation 4b: As procurement officers’ influence on the procurement process increases, public procurement distance increases.

The environment is expected to be important for the leeway that policies allow public procurement officers. Widely varying actors can play a role here, such as procurement staff (see previous paragraph), although their own organisation, politics, market parties, and the media could also potentially have an impact. These actors will be discussed in the remainder of this section.

Own organisation

The own organisation is the contracting authority within which European public procurement policy is implemented in the form of tender procedures. Safeguarding the organisational boundaries and avoiding risk-taking are often pivotal here to limit discreet deviation from the set frameworks as much as possible. Standardisation of processes and written accountability on policy implementation is one way to reduce the likelihood of non-compliance (Wilson, 1989: 133; Schneider, 2001: 86). The presence of a formal hierarchical relationship within public services is also a means of limiting discreet action and policy discretion (Weber, 1984: 126-127; Schneider, 2001: 86). However, in practice, non-compliance seems to occur often despite these mechanisms to prevent discrete deviation from the rules. This is underlined by the assumed increasing legalisation

of government procurement under the influence of supposedly overly complex regulations.

Governments, according to Kelman (1990), also have a certain degree of ‘fear’ of allowing employees to discreetly search for the best supplier and deviate from existing policies in order to extract the most value from procurement. This has led to extensive regulations and administrative procedures due to the fact that governments do not want to lose grip on their procurement processes and are afraid of promoting favouritism and improper behaviour if they allow employees too much autonomy (1990: 1, 3). This means that public procurement cannot be used to its full potential to achieve the intended policy. Another factor is that services are publicly accountable for the expenditure of public money and expected to comply with legislation. Contracting authorities are consequently mainly procedure-driven and less focused on results, according to Van Weele (2010: 106-107). However, in practice, avoiding all risks of non-compliance is unfeasible because regulations cannot anticipate every conceivable situation (Shavell, 2012: 3, 8-9). This implies that there is always a certain risk of non-compliance – and thereby public procurement distance – embedded in the rules. It is conceivable that contracting authorities against better judgment might still try to close all possible loopholes in laws and regulations and strictly monitor implementation to prevent deviation from the intended policy.

The above literature shows that procuring organisations consider risk aversion extremely important and actively focus on it. Drafting regulations that anticipate all practical situations in advance is impossible. Governments tend to focus on strict compliance regardless, for fear of losing control over implementation, which leads to increased supervision but is not expected to increase adherence because employees may need and actively seek a certain degree of autonomy to implement the intended policy as they deem the most appropriate. Therefore, it is conceivable that the effect of steering for strict compliance may actually be counterproductive, namely that public procurement distance will remain the same or increase rather than decrease. From this, the following expectation emerges:

Expectation 4c: As the own organisation’s influence on the procurement processes increases, public procurement distance increases.

Politics

We will now zoom in on politics as a possible influencing actor in the environment of procuring organisations. Politics refers to the democratically elected public administrations at the central, regional and local levels. Politics initiates European procurement policy, which is successfully deployed, as evidenced by the

many contracts awarded each day. However, given that the interests around procurement processes may not be the same for every stakeholder, this section focuses on process influence from politics, as it can impose restrictions on procurement.

Bureaucracies are susceptible to political influence (Hedge & Scicchitano, 1994: 149-150 Whitford, 2005: 44). For example, through direct orders (Chaney & Saltzstein, 1998: 763). Regarding procurement Goldman et al. (2010: 36) observe that if in the United States there are contacts with the winning political party, the likelihood of being awarded a public contract is greater than when the contacts are predominantly with the losing party. Chong et al. (2012) examined the motivation of French municipal procurement officers to award public works contracts through auctions or negotiations, finding that procurement officers' choice between a negotiation procedure or auction as a procurement procedure is partly determined by avoiding the impression of subjective influence. The greater the political majority, the weaker the pressure from political opponents and the lower the likelihood that an auction will be chosen (Chong et al., 2012: 23-24). Van Silfhout and Van den Berg (2014) examined plans to privatise the Dutch high-speed rail network through a public tender procedure, which led to heated discussions among actors involved, such as the Dutch railway company that wanted to operate the rail concession itself, the responsible ministry that wanted to call for tenders, government parties that were divided on the privatisation, and the national parliament that was considering awarding the contract to the Dutch railway company. The outcome was that the Dutch railway company would operate the high-speed network, albeit without a public bidding process. Politics had a major impact on the procurement process in the force field of the actors involved, with the result that the intended European public procurement policy to acquire public services in a supply-and-demand market was not implemented with public procurement distance as a consequence.

The cited literature shows that the actor of politics can exert influence on public procurement policy. It is possible that such influence can lead to the selection of a politically favourable rather than the best supplier. If so, the intended competition policy is not properly implemented and public procurement distance arises, prompting the emergence of the following expectation:

Expectation 4d: As the influence of politics on the procurement processes increases, public procurement distance increases.

Market parties

The next actor that can have an impact is market parties, namely the commercial contractors that carry out public contracts and collaborate with their

client – the relevant government organisation – for this purpose. If this is done as expected beforehand, the policy will be properly implemented, and there will be no public procurement distance. However, the latter will arise if the predetermined policy is not – or not fully – followed, which could even be considered improper conduct. This will be discussed in further detail in the remainder of this section.

In a study of the Brazilian situation in construction, De Souza Dutra et al. (2017) found that market parties may be reluctant to implement discretionary sustainability policies if they feel that legislation does not sufficiently align with practice. This means that parties must find each other so that the market can do its work and pre-formulated policies are implemented. In other words, a good relationship between clients and contractors is essential to fully utilise market knowledge in policy implementation, according to Steller (2019). He also observes that equality in the relationship between clients and contractors is key to an outcome that meets both parties' expectations (2019: 231-232). Macaulay (1963: 61, 63) also reasons along these lines when stating that arguments over non-compliance with agreements are often resolved through mutual consultation rather than in court. On the other hand, Schooner et al. (2008: 22) observe that market parties want to influence procuring organisations to buy from them instead of from a competitor, which might lead to improper conduct. According to Arnáiz (2009: 107), procurement is even one of the most susceptible government activities to corruption. Implementing policy as specified in advance is extremely important to prevent such corruption, although improper influencing of governments by market parties occurs for instance through price-fixing agreements or dividing the market between them. This happened in the Netherlands in a large-scale construction fraud (Van der Horst & Schenk, 2016: 41). However, when government staff suspect an improper practice, they want proof before taking any action. Because it is often difficult and time-consuming to find this evidence, procurement officers regularly keep their suspicions to themselves, according to Heimler (2012: 12-13). It is conceivable that they do so because they prefer to reach a workable solution by mutual agreement with the relevant market parties to avoid aborting an ongoing procurement process.

The studies cited suggest that the role of market parties in public contracts can lead to divergence between policy intentions in advance and their implementation, resulting in public procurement distance. This raises the following expectation:

Expectation 4e: As the influence of market parties on procurement processes increases, public procurement distance increases.

Media

Finally, the media can also influence procurement practices. Media refers to the various channels of communication through which information is conveyed to the public. Schooner et al. (2008) acknowledge the role of the media as a watchdog on public procurement and state that the media exists to provide information to the public, albeit motivated by certain interests (2008: 20). Dzur (2008: 149-150) agrees, while also stating that the media make certain normative choices about what they believe audiences want to know. Under the influence of these normative choices, certain important information about procurement practice can be withheld or adapted to be less vulnerable to criticism from media. Tátrai (2006: 34) has established that the Hungarian press mainly writes about the outcomes of court proceedings, which leads to the development of the procurement profession primarily from a legal perspective. These elements not only have an impact on public opinion but can also influence policy. This could result in a daily practice that is aimed at strict rule following instead of procuring the best goods, works and services possible for tax payer's money, resulting in procurement distance.

Other literature also shows that political pressure and attention of media can influence policy implementation. Professionals sometimes apply 'blame-avoiding policy implementation' (Hinterleitner & Wittwer, 2023: 760). This means that government employees adjust the intended policy during the implementation to reduce the influence of possible scandals and media criticism. However, this can affect the quality and effectiveness of public services (Hinterleitner & Wittwer, 2023: 760). This may lead to procurement practices that focus more on responding to the daily front page headlines rather than effectively meeting societal goals (Phillips et al., 2007: 147). After all, according to Knight et al. (2007: 1), procurement frequently garners negative attention in the media due to issues such as fraud, corruption, and mismanagement of projects, resulting in public procurement distance.

The literature indicates that the media has the potential to exert influence on public procurement policies. They can do this by prompting governments implicated in misconduct, to address the issue to mitigate negative publicity swiftly. However, this may have the effect that the root causes of the misconduct that should actually be tackled will not be addressed. It is thus conceivable that the media influence the implementation of procurement policy, although the underlying causes persist so that the existing public procurement distance remains or even increases rather than decreases. This leads to the following expectation:

Expectation 4f: As the media's influence on procurement processes increases, public procurement distance increases.

3.4.5 Public administration culture and segmentation

This section will focus on the fourth and final perspective regarding possible causes for the emergence of public procurement distance. This perspective is based on differences between member states, sectors and public administration tiers at the aggregation level of these segments as a whole. While public procurement policy is established at the European level, it is executed by governmental organisations operating at either the local, regional or national level. This means that ‘culture’ in the sense of collections of values, assumptions and judgements that can influence the behaviour of groups of professionals does not necessarily have to be the same in different regions, countries, areas or public administration levels. This assertion is supported by the literature (Le Galès & Lequesne, 1998; Pollitt & Bouckaert, 2000; Falkner et al., 2005; Falkner & Treib, 2007; Fazekas, 2017) and is used in this study following the notion that potential differences in values, assumptions and judgements may be characteristic of a particular common implementation practice. If this is the case, a certain culture exists within or between contracting organisations. This section aims to identify potentially relevant segmentations at the collective level based on the literature to verify this, addressing sectors, administration levels, compliance, geographical regions and administration systems.

Sectors

The classification to be examined first involves a segmentation based on public sectors –encompassing works, services and supplies procured by non-utility public organisations focused on specific government service provision¹⁶ – and utility sectors, encompassing works, services and supplies procured by organisations providing services for the general good of the population, such as gas, water or railways (Bovis, 2007: 49-50).¹⁷ The question is whether respondents show differences based on other assumptions or values between public and utility sectors in their responses and what emerges as potential influencing factors on public procurement distance. Under the influence of the liberalisation of the utility sectors, the directive for these sectors is no longer as strict as for the public sectors (Bovis, 2016: 21). This leads to the expectation that because the public sectors are more regulated than the utility sectors, the likelihood of public procurement distance occurring within the public sectors is weaker than in the utility sectors. Hence, the following expectation emerges:

¹⁶ Also known as classical sectors.

¹⁷ Also known as special sectors.

Expectation 5a: Within the public sectors, public procurement distance is smaller compared to the utility sectors.

Public administration tier

Public contracts can also be segmented by tier of government, whereby a distinction can be made between national, regional and local authorities.¹⁸ Given that a division by administration level can reveal differences in the implementation of the procurement process, this segmentation is also included in the analyses as a possible influencer of public procurement distance.

This study is based on the premise that policy implementation does not always align with the original intentions. Pressman and Wildavsky (1984) analysed the implementation of a federal employment programme at a local level and concluded that the centrally formulated policy had been delayed and changed during the implementation under the influence of local actors who each represented their own interests. The part of this chapter that focused on capacity referred to Radin (2009), who explored the provision of knowledge by central governments to assist lower-level governments in implementing policies more effectively. Telgen and De Boer (1997) surveyed 211 Dutch municipalities to examine procurement practices and compliance with European directives, finding that the implementation of the public procurement policies in the included municipalities left much to be desired. The main reasons for this were the expected high administrative burdens due to complex and time-consuming procedures with excessive paperwork and a preference for local suppliers.

Traces of implementation differences at the various administration levels can also be found in more recent literature. Guccio et al. (2014) examined the execution of 9,622 Italian public works at various levels of public administration to determine whether they were completed within the agreed time. They found that local authorities were less efficient in this regard than other contracting governments, particularly in comparison with central governments and regional governments (2014: 246-249). A contributing factor was the often small size of the municipalities studied, resulting in a local lack of capacity in terms of substantive professional expertise and available people. Moreover, another relevant factor was that if an infrastructural project was mainly funded by the central government, local governments would try to make the amount received as high as possible, even if this came at the expense of efficient planning (Guccio et al., 2014: 248-249). Sylvest et al. discovered that local governments engaged in less cross-border procurement than central governments (2011: 77-78).

18 Government agencies are excluded from this study.

Based on the above literature, it is conceivable that there is a culture-based difference between various administration levels in the implementation of public procurement policies. Lower-level governments may have less interest in using public resources efficiently because they want to serve interests other than those of higher levels of government. Such interests may – for example – lie in their preference for awarding contracts to companies from the same region. Another reason why it is conceivable that the procurement policy at municipal level is less well implemented compared to other administrative levels might also lie in a lack of capacity in terms of professional knowledge and available resources. This could potentially result in a situation where European procurement policy is not as effectively implemented at the local level. It is possible that no such self-imposed restriction is felt at the higher administration levels, resulting in a greater willingness to execute procurement policy compared to the local administration level. This leads to the following expectation:

Expectation 5b: Public procurement distance is greater at the municipal level compared to the regional or national level.

Compliance by member states

Compliance with transposed regulations may be subject to different emphases from one member state to another, as various reports in the literature indicate. An example from the public procurement world is Portugal, where a relative evaluation method for tenders is not allowed¹⁹ (Mateus et al., 2010: 208), whereas it is permitted in other member states, such as the Netherlands. Versluis (2003: 13) provides another example, characterising Spain as the most lenient enforcer in her research on enforcing a directive for chemical substances. The United Kingdom and the Netherlands have a moderate level of enforcement, while Germany has a legalistic enforcement style. Falkner et al. (2005) and Falkner and Treib (2007) also discuss different enforcement styles between countries from a slightly different perspective. Based on the results of their study into the implementation of social policy, they propose four possible compliance cultures that might exist in Europe. They operationalised the potential differences between countries in transposing directives in the social domain by classifying them according to the degree of transposition and compliance. This resulted in a division of nineteen member states into four different groups of countries, which they called the ‘worlds of compliance.’

¹⁹ That is to say that scores are related to another tender to arrive at a ranking of bidders.

A first 'world' distinguished by Falkner et al. (2005) and Falkner and Treib (2007) is that of 'law observance.' These countries (Denmark, Finland and Sweden) promptly transpose directives into national legislation and implement them successfully. In their grouping of countries, Falkner et al. (2005) mainly explored the extent to which implementation obligations are carried out procedurally in line with national legislation (Falkner et al., 2005: 321). This is undertaken most dutifully in countries belonging to the world of law observance compared to the other countries studied (Falkner et al., 2005: 321-323). If implementation is not going well, immediate adjustments are made, so the likelihood of public procurement distance occurring in these countries is expected to be small. This does not mean that during implementation no discretion can be sought to make procurement regulations better implementable in the opinion of procurement professionals.

A second group is that of 'domestic politics.' In these countries (Austria, Belgium, Germany, Netherlands, Spain, and the United Kingdom), implementation and adjustment are also successful after a difficult transition phase influenced by the political preferences of national actors and interest groups. For procurement distance, this means that the likelihood of its occurrence is expected to be higher in this group of countries compared with the first group.

In the 'transposition neglect' world, implementation and adjustment regularly fall short (France, Greece, Luxembourg and Portugal), although this is not the significant differentiator. With these countries, the differentiating factor is negligence in transposition into national regulations under the influence of strong domestic bureaucratic traditions.

A fourth world is that of the 'dead letters.' Although these countries (Czech Republic, Hungary, Ireland, Italy, Slovak Republic and Slovenia) transpose directives into national legislation in accordance with agreements, they stand out for deficiencies in national institutions in enforcing compliance and application of transposed directives. This is expected to lead to a higher chance of public procurement distance occurring in this world than in the other groups of countries.

The above shows that the chance of public procurement distance is expected to be lowest in the world of law observance. The division found by Falkner et al. (2005) and Falkner and Treib (2007) is used to explore the possible emergence of corresponding patterns of member states that may confirm that this division by member states also exists in a public procurement context. This leads to the following expectation:

Expectation 5c: In countries that belong to the world of law observance, public procurement distance is smaller compared to countries that belong to other worlds.

Geographical regions

In the literature, there are differences between regions on various professional areas. Regarding the quality of government, Charron and Lapuente (2013: 567) highlight differences between regions in the field of corruption, the extent to which the rule of law functions, the effectiveness of public administration, and the protection of property rights. These authors explain this based on historical legacies of clientelism, the degree of trust in people who do not come from their own region, and economic inequality between regions (Charron & Lapuente, 2013: 580-581). In the field of healthcare, Weziak-Bialowolska (2014) notes a difference in the health of the population between West, East and Central Europe. In his research into 'good governance' in government procurement, Fazekas (2017) finds striking differences between European regions.

Bubbico et al. (2017) find that in European regions, the quality of public administration improves when regions compete with each other, predominantly because they fear losing investments. The authors investigate the intensity of this geographical effect separately for Northern and Southern Europe, finding that this effect is stronger at a more local level in the south of Europe. By contrast, in the north competing regions are more dispersed across Europe as a whole, which means that this competitive pressure is spread over a larger geographical area.

The cited literature clearly shows that there are regional differences in the quality of public administration. Because the present research has government procurement as a subject, in the remainder of this section the research conducted by Fazekas (2017) will be further discussed.

Fazekas examined the quality of regional administrations using data on public procurement from the central European procurement website Tenders Electronic Daily (TED) from 2006-2015 (2017: 2-3). His study focused on possible differences in the implementation of European policies between European regions. If this ran as expected beforehand, there was what he referred to as 'good governance.' This was assessed against four components derived from the 2016 European Commission's annual procurement monitor: 1) 'transparency' in the sense of publicly accessible information about public procurement; 2) 'competition' in the sense of the number of bidders and optimal procurement outcome; 3) 'administrative efficiency' in the sense of minimising costs to achieve the desired procurement outcome; and 4) 'no corruption,' to be achieved through open and fair competition for a public contract, without favouring any particular tenderer over others. Fazekas (2017: 19) found significant differences in these components between regions within and between member states.

Strikingly, Fazekas found that for the transparency indicator, the Scandinavian countries scored lower than countries with an expected high risk of a lack of transparency, such as Greece, Poland and Romania, although these countries have domestic differences in this respect. Baltic states had an average to good score. Western European countries such as the United Kingdom, Belgium, Netherlands and France also scored low, albeit with regional differences (Fazekas, 2017: 19, 23). In terms of competition, the picture presented is that Scandinavian countries scored well, likewise certain regions in Spain, Greece, Ireland and the United Kingdom. The Baltic states also scored well on this component, while some regions in Germany, Benelux, France and Eastern Europe scored average (Fazekas, 2017: 19, 25). Where the administrative efficiency component was concerned, regions in countries like Spain, Italy and France emerged as performing well (Fazekas, 2017: 19, 26). According to Fazekas (2017: 19, 22), the risk of corruption was high in regions in Italy, Greece, Bulgaria and Romania, while high institutional quality was found for regions in Spain, Portugal and western Europe, Scandinavia and the Baltic states.

For the purpose of this study, the 27 member states have been grouped into several geographical areas to determine whether there are certain patterns of member states that emerge in relation to public procurement distance. Based on the literature the northern states Denmark, Finland and Sweden will serve as a reference category to explore this possibility (Falkner et al., 2005). The chosen geographical areas are North (Denmark, Finland and Sweden), West (Austria, Belgium, France, Germany, Ireland, Luxembourg, the Netherlands and United Kingdom), South (Cyprus, Greece, Italy, Malta, Portugal, Slovenia and Spain), Central (Bulgaria, Czech Republic, Hungary, Poland, Romania and the Slovak Republic) and East (Estonia, Latvia and Lithuania). The above raises the following expectation:

Expectation 5d: In Northern European countries, public procurement distance is smaller compared to Eastern, Western, Southern and Central European countries.

Public administration systems in general

In the concluding chapter of a book on the state of regional public administration in an ever-integrating Europe, Le Galès (1998: 244-245) argues that European regions' influence is to some extent driven by the administration system of a member state. According to this author, in centrally governed countries such as the Scandinavian countries, Portugal, Ireland, and Greece, regions are relatively weak in terms of autonomy, disposal of resources, policy capacity, and legitimacy. In federal countries such as Belgium, Germany and Spain, regions have strong control over their own government and therefore these countries' regions are a decisive political factor in their administration system. It is thus conceivable that due to their different cultural backgrounds, federally governed EU member states (Austria, Belgium, Germany, and Spain) deal with public procurement implementation practices in different ways than centrally governed member states (the other member states). Because the steering and decision-making power in unitary, centrally organised administration systems is to some extent concentrated in the central government (Pollitt & Bouckaert, 2000: 41-43), policy implementation may be easier, making the intended policy more likely to be better executed.

The underlying mechanism might be that procurement processes are predominantly centrally controlled. This could restrict the leeway to deviate from the intended policy and means that steering from a unitary or federal system may influence the occurrence of public procurement distance. This raises the following expectation:

Expectation 5e: In countries with unitary administration systems, public procurement distance is smaller compared to countries with federal administration systems.

3.5 Overview of approaches and expectations

In this chapter, a theoretical framework regarding public procurement distance has been developed and the possible influences of various theoretical perspectives on its formation have been argued, with expectations set for each component. In summary, the overview below shows the corresponding expectation for each theoretical perspective:

TABLE 1

Theoretical perspectives and expectations

No.	Perspective	Indicator	Expectation
1a	Administrative organisation	Capacity	As a government organisation's procurement expertise increases, procurement distance decreases
1b		Collaboration	As collaboration between contracting authorities increases, public procurement distance decreases
2a	Professionalism	Tacit knowledge	As procurement officers' tacit knowledge about procurement increases, procurement distance decreases
2b		Formal knowledge	As procurement officers are better trained, procurement distance decreases
3		Intrinsic motivation	As procurement officers' intrinsic motivation to serve the public interest increases, procurement distance decreases
4a	Policy discretion	Discretionary leeway	As policy discretion increases, public procurement distance increases
4b		Public procurement officers	As procurement officers' influence on the procurement processes increases, public procurement distance increases
4c		Own organisation	As the own organisation's influence on the procurement processes increases, public procurement distance increases
4d		Politics	As the influence of politics on the procurement processes increases, public procurement distance increases
4e		Market parties	As the influence of market parties on the procurement process increases, public procurement distance increases
4f		Media	As the media's influence on the procurement processes increases, public procurement distance increases
5a	Public administration culture	Sector	Within the public sectors, public procurement distance is smaller compared to the utility sectors
5b		Public administration tier	Public procurement distance is greater at the municipal level compared to the regional or national level
5c		Compliance	In countries that belong to the world of law observance, public procurement distance is smaller compared to countries that belong to other worlds
5d		Geography	In Northern European countries, public procurement distance is smaller compared to Eastern, Western, Southern and Central European countries
5e		Public administration system	In countries with unitary administration systems, public procurement distance is smaller compared to countries with federal administration systems

3.6 Conclusion

In this chapter, a theoretical framework has been constructed to explain the potential emergence of public procurement distance in mandatory European procurement policy, discretionary policy regarding the use of strategic instruments, and cross-border procurement practices. Sixteen associated expectations have been established.

The next chapter will present the methodology and analysis framework to test these expectations against the results of this study among European procurement officers.