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**ENV.2013.WATER INNO&DEMO-2:** Ensuring the integration of water and innovation demonstration projects and support to trans-national networks of procurers:

**b)** Promotion and development of innovation-oriented public procurements in the domain covered by the proposed European Innovation Partnership on 'Water' [...]



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## D5.4. Final conference proceedings



Coordinator contact: [f.touchais@oieau.fr](mailto:f.touchais@oieau.fr)

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## List of abbreviations

IOPP – Innovation Oriented Public Procurement

PCP – Pre-commercial Procurement

PPI – Public Procurement for Innovation

EC –European Commission

SME –Small and Medium Enterprise

PBS – Performance-Based Specification

MTM – Meet the Market

ICT – Information and Communication Technology

IPRs –Intellectual Property Rights

PIN – Prior Information Notice

## List of relevant terms

**Pre-commercial procurement (PCP)** is the procurement of research and development services that operates fully under the governing rules of the EC Competition law framework. However, it is an exception from the procurement directives. PCP is a mutually binding and risk-benefit sharing procurement contract.

**Public procurement of innovation (PPI)** is a procurement procedure where the contracting authority acts as a first buyer of innovative products and services newly arriving on the market. Research and development services however are out of the scope of PPI procedures.

**Innovation Partnership** allows the combination of research and procurement in a single procedure with three phases (competitive phase, research and development and commercial phase).

## Part I: Outcomes of the Water PiPP Final Conference (Zaragoza, Spain, 9-10 November 2016)

### 1. Introduction

The final conference of the Water PiPP project -- “Empowering public procurement for innovation in the EU water sector” - took place from the 9 to 10 November 2016, in Zaragoza, Spain.

The two-day conference brought together 76 water practitioners, including public procurers working in local authorities and public water operators as well as representatives of the private water sector to debate and advance approaches on public procurement of innovation in the water sector and thus help solve some of local governments’ most pressing water challenges. The attendees came from various European countries, mainly from Spain, France, Germany, Italy and the Netherlands.

The conference provided a platform for the different stakeholders to discuss needs of local authorities and utilities for innovative solutions in the water sector, challenges in identifying these needs as well as the public demand for private sector products. Suppliers also got to showcase exemplary innovative solutions under development and highlighted their stake and position in public procurement of innovation processes.

The final conference also gave an opportunity for sharing the final recommendations for public procurers and policy-makers that were produced by the Water PiPP project. These recommendations focus on how to better provide and implement innovative approaches in the public water sector in the context of existing European Union (EU) procurement directives. They also offer guidance on fostering a dialogue between suppliers and procurers to drive innovation-oriented public procurement (IOPP) forward by sharing challenges and opportunities on both sides.

The first day of the conference helped set the scene from a policy perspective: Severina Markova, Research Programme Officer at the Directorate General (DG) for Research & Innovation of the European Commission who has supported the Water PiPP project as the officer in charge, outlined the role of the water sector in driving innovation in the EU in the context of the new Procurement Directives. Moderated by Michiel Blind from the Water PiPP partner Deltares, other Water PiPP partners from The European House-Ambrosetti (TEHA), the University of Zaragoza and the Regional Agency for Technology and Innovation of the Region of Puglia (ARTI) provided a comprehensive overview of the difference between PCP, PPI and Innovation Partnership as well as the Water PiPP recommendations for procurers and policy makers. At the end of the day, the ‘Procurers Lounge’ session focused on how to best prepare procurement of innovation in the water sector. The panellists shared their experience in looking for new solutions to their water-related challenges. Particular emphasis was put on the lessons learnt from the Water PiPP pilot projects of which two – the Italian operator Viveracqua and the Finish Helsinki Region Environmental Services Authority – were panellists in the discussion.

The second day of the conference highlighted the importance of the cooperation between public buyers and suppliers. Aude Glénisson, Project Officer at the Directorate General for Communications Networks, Content & Technology (DG CONNECT) of the European Commission, presented the EU ICT4Water Cluster and Strategy and possible implications for finding innovative solutions in the water sector. Following this presentation, two parallel Market Dialogue sessions were organised, during which procurers and suppliers had the possibility to discuss innovative solutions developed for the water sector as well as challenges in providing them to the market, respectively procuring them. One session – moderated by Ville Valovirta from the Water PiPP partner VTT – targeted the theme of “Water and ICT”, while the other – moderated by Monica Altamirano from Deltares – looked into “Water, waste and energy”. In the last session of Day 2 of the conference, suppliers got

the possibility to explain what are the main challenges and opportunities of IOPP for the private sector and outline their experience so far. This session was moderated by Durk Krol from the Water PiPP partner the European Technology Platform for Water (WssTP).

While the main discussion points for policy-makers, public procurers as well as suppliers are compiled below, the conference resulted in the confirmation that IOPP in the water sector can have broader societal impacts and to support the SME sector. IOPP can provide higher quality products and services for the end-users of public services and also improve their efficiency.

The detailed conference agenda as well as all presentations are available [here](#).

## 2. Discussion points from the conference relevant for policy makers

Main discussion points relevant for European policy-makers were the following:

### **Water and IOPP have been receiving more attention in EU research agenda since the start of Water PiPP with the aim of providing further knowledge and evidence**

Water continues to be pivotal in the EU research agenda. While the previous FP7 programme took a rather multidisciplinary approach, the current Horizon 2020 programme has a cross-sectoral perspective. Water is now a cross-cutting topic at the centre of calls for proposals focusing on eco-innovation, the circular economy and nature-based solutions. The EC representatives at the conference emphasized – and the audience agreed – that the water sector is a key for a prospering economy. EC policies and funding aim at unlocking public and private investments to accelerate innovation in the water sector. The number of calls related to IOPP have increased since Water PiPP started three years ago, so that Water PiPP can be regarded as a precursor to further projects in the domain of procurement that have started recently or are about to start.

Policy-makers need to keep in mind:

- Projects answering the EC's EU Research and Innovation programme H2020 calls focusing on IOPP for proposal will provide policy makers with better evidence and solutions enabling them to further improve the quality of public services at European, national and local level.
- Policy makers can contribute to increasing demand for innovation by challenging the public institutions to identify and assess their needs while using public resources more efficiently. By means of different financial instruments and by setting ambitious policy objectives policy makers also have the possibility to promote joint procurements.
- In the future, policy makers at EU level should develop supply-side innovation policies that are complementary to the corresponding demand-side actions.
- Policy makers need to raise awareness on the purpose and benefits of IOPP among suppliers as not all SMEs and companies are sufficiently informed of this procedure and the opportunities it provides them in developing and bringing innovative solutions to the market.

### **Requirements for promoting IOPP in the water sector through policies**

Sara Bedin, IOPP expert from TEHA and Water PiPP project partner, gave a more detailed presentation on the concepts of PCP, PPI and Innovation Partnership. Umberto Fratino, from the University of Bari and from the Water PiPP partner ARTI showcased the recommendations the Water PiPP project has developed for European policy-makers and the European Innovation Partnership (EIP) on Water.

Some of the conclusions following the discussions after these two presentations, which policy-makers should consider, were:

- Water challenges cannot be effectively tackled by local or regional strategies only, as many of these challenges are present in all EU Member States and frequently are transboundary challenges. There is therefore a need for transnational and global strategies to help utilities tackle these issues collectively.
- EU level cooperation in IOPP is important. By pooling demand and thus significantly reducing risks, this cooperation has the potential to speed up public sector modernization, to provide better value for the taxpayers' money, create jobs, foster economic growth in the EU and fuel competition by avoiding vendor lock-in. Specific instruments and legal frameworks are nevertheless needed to facilitate procurers' pooling of demand.
- The needs of the public water sector are quite specific. Therefore, conclusions from IOPP practices implemented in other sectors cannot be simply converted to the water sector.
- One of the main barriers of implementing IOPP policies successfully is that the public water sector sees procurement predominantly as an administrative activity whose main aim is to buy existing solutions and not as a field of work that has potential to offer innovative solutions.
- Another significant barrier is related to risk: as a sector guided by long-term investments and constrained by strict budgetary rules, the water sector is naturally risk-averse.

Ville Valovirta from the Water PiPP partner VTT in Finland had one key message for policy-makers: Set ambitious policy targets (e.g., in terms of climate, service quality etc.) to drive the procurement of innovative solutions forward.

### 3. Discussion points relevant for public procurers

The target audience of the Water PiPP project as well as the conference were public procurers. The main message for procurers from the conference was clear: The risk in procuring innovative solutions can be significant, yet there is also the risk of missing its benefits. Developing an IOPP strategy helps reduce such risks whilst availing of the benefits of IOPP.

The role of procurers as well as their lessons learnt in finding and procuring innovative solutions were discussed throughout the two days. Pedro Bueso, IOPP legal expert from the University of Zaragoza, member of the Spanish Observatory of Public Procurement and Water PiPP project partner, presented some of the most important recommendations the Water PiPP project produced for public procurers. Two more sessions were specifically tailored to the needs and interests of procurers: the Procurer's Lounge and the Market Dialogue. In the first of these two sessions, procurers from the Helsinki Region Environment Authority and from the water operator of the Venetian region (Italy), Viveracqua, (both involved in Water PiPP pilot activities) and the Catalan Water Agency shared and discussed their approaches in formulating their needs and ways of identifying innovative solutions. In the Market Dialogue procurers from the public sector and suppliers from the private sector came together to share their different perspectives. Results of the presentation and discussions that are particularly relevant for procurers are summarised in the following.

#### **Developing an organisation internal IOPP strategy for water**

Only very few authorities have developed IOPP strategies, particularly for the water sector. Pedro Bueso pertained that procuring authorities need to develop such an IOPP strategy. It should not only outline the procurement of innovative solutions, but also emphasise the importance of new procurement approaches. The IOPP strategy should also set out the identification and planning of needs, i.e. where a study of the state of the art and a market analysis is required. Approaches to engaging users, potential suppliers and other contracting authorities should be included, too. In addition to this strategy, procurers are advised to set out an Intellectual Property Rights (IPR) strategy, which takes into consideration the business case of the procurer and (potential) suppliers and generates a win-win situation – an aspect that was raised a number of times during the conference.

## **Need for capacity building and training of procurers**

Procurers operating in the water sector have to better understand how they can benefit from IOPP. However, in order to engage procurers more effectively in IOPP more capacity building in the form of training and by other means is required. Indeed, IOPP is not 'business as usual' in relation to 'traditional' (and well-known) public procurement procedures. Training is also essential for making sure that the outcome of the procurement procedure really meets the organisation's objectives. Pedro Bueso also emphasised that training enables staff to professional expertise capable of handling Innovation procedures, that implies organisational changes which are not always easy to achieve.

## **Fostering continuous dialogue and cooperation with suppliers and clusters**

By managing and deciding well on the most suitable IOPP procedures the public procurers can avoid depending only on one supplier, leading to the so-called 'vendor lock-in'. In line with this, a higher number of suppliers should be involved in the IOPP procurement procedure. In addition, the dialogue with suppliers, in particular SMEs, needs to be sustained throughout the entire procedure as it also stimulates the competition in providing more innovative products and services. Procurers should also take note that different purchasing organisations have been working together in the past with regional and national clusters, i.e. networks of procurers and suppliers. Cooperating with cluster organisations can lead to more extensive market dialogues and an increased engagement of SMEs in IOPP procedures. Ville Valovirta also highlighted the need for procurers to not only engage markets, but also to analyse supplier readiness and select the appropriate procurement approach accordingly.

## **Selecting the most suitable procurement approach**

Following the input by Pedro Bueso and the discussion with procurers throughout the day, Ville Valovirta presented aspects that procurers need to consider when selecting the procurement approach (i.e. conventional procurement, PPI, PCP or Innovation Partnership) that fits their needs and organisation best.

Procurers need to:

- Look at how much time is needed to develop a new solution and to check whether this innovative solution can be expected to be developed:
  - i) within the tendering process (e.g., in a competitive dialogue procedure),
  - ii) within the pre-procurement phase (e.g., through a market consultation), or
  - iii) within a distinct R&D phase (e.g., PCP, innovation partnership).
- Set out the scope of the innovative solution, i.e. whether they are in search of a complete turn-key solution or modular pieces that can be integrated into current processes or products.
- Ask themselves – and then set their procurement requirements accordingly – whether this solution should have the potential to be scaled up and be replicable.
- Specify the results of the innovative solution, not the design and therefore create room for alternative solutions. This requires defining the:
  - i) functional requirements of the solution (e.g., the solution must allow for flexible transport, fast to deploy, incorporate a self-generating power source),
  - ii) performance-based requirements (e.g., high-yield water purification capability)
  - iii) lifetime costs (e.g., cost-effectiveness over the product life cycle) and
  - iv) environmental impacts (e.g., carbon footprint, CO2 emission)
- Discuss the intellectual property rights (IPR) the innovative solution they aim to procure should have.

Furthermore, procurers are recommended to manage risks by conducting pilots and experiments before full scale deployment.

### **Creating reliable, transparent and easily comprehensible procurement practices**

Previous good examples can prove that innovation procurement is a legally safe way of procuring better quality at a lower price and accelerating innovation at the same time. During the discussion it was agreed that PCP has a great potential to reduce the risk in procuring innovation. The contracting authority does not necessarily need to buy the outcome of the research and development activities resulting from the PCP process. In order to promote IOPP, organisations should work on developing and incorporating IOPP practices into their procurement policy and make innovation a daily practice. Ville Valovirta emphasised that procurers should also anticipate large investments and upcoming regulation.

To help procurers apply IOPP in a transparent, yet less risky way, the Water PiPP partners developed recommendations for procurers which were presented by Pedro Bueso Guillen, Water PiPP partner from the University of Zaragoza. These recommendations can be found integrated into a "[How-to Guide for implementation of IOPP procedures in the water sector](#)", which is available to the public on the Water PiPP website. The guide addresses public and semi-public water authorities that are involved in procurement.

It emphasises that:

- the early identification of the needs of public authorities and the communication of these needs to the market is essential;
- it is advisable to pool demand by procuring jointly with other organisations;
- proper training and awareness raising are key to build the capacity of procurement professionals to apply innovation procurement successfully.;
- applying performance-based specifications instead of describing the desired technologies helps accelerate innovation

### **Exchange with other procurers with experience in IOPP**

During the procurer's lounge as well as the market dialogue, experiences from the Water PiPP pilots were shared that revealed a number of issues essential for preparing for IOPP. Amongst the most important messages were:

- Early market engagement and market dialogues can be used to learn whether the public need has been defined well enough to start a procurement procedure, whether the technological state of the art is well known and whether the supply side is ready to invest in the development of new technologies.
- An increased exchange of international case studies presenting good practices can foster the implementation of more effective innovation procurement procedures.
- First time implementation of PCP is key as the procuring organisation can benefit from the experience for future PCP procedures. Still, the need of the organisation has to be clearly defined before going to the market. This enables the suppliers to provide innovative solutions that can meet the need in an adequate way.

### **4. Discussion points relevant for suppliers**

To enable both sides of IOPP – the procurer's as well as the supplier's side – to be discussed, three Spanish suppliers were invited to tell their story of providing the public market with innovative solutions as well as challenges and opportunities for suppliers, particularly SMEs, in public procurement procedures. It became clear that larger companies – such as Aguas de Valencia – face similar as well as very different barriers than SMEs, represented, e.g. by NoNO3 and IDEYA.

Amongst the discussion points most relevant for suppliers were the following:

- More ambitious policy targets are needed that encourage procurers to request innovative solutions.
- Reducing leaks, early detection of pollutants, diffuse pollution, alternative (eventually 'green') infrastructure and the integration of 'big data' and ICT to manage activities are among the most important

challenges in the water sector where innovative solutions are required and private suppliers, especially SMEs, play an important role.

- Two crucial issues that suppliers are facing when bidding for public contracts are the i) short length of the contract and ii) the limited exploitation capacities after the solutions have been developed.
- Suppliers are often not sufficiently aware of the innovation needs of the public sector. They should be informed at an early stage about upcoming public procurements, through, for example Prior Information Notices published on TED. Nevertheless, alternative communication and publicity mechanisms should also be explored.

## Part II: Overview of recommendations to policy-makers and public procurers developed by Water PiPP

Water PiPP has issued recommendations for public procurers at local as well as for policy-makers and the EIP Water at European level. They should aid in strengthening the role and use of IOPP in the public water sector.

The project's recommendations to policy makers at European level will be available to the public on the [Water PiPP website](#) at the end of December 2016.

The final recommendations developed by Water PiPP for public procurers on how to best implement IOPP procedures in the water sector can be found on the project website in [English](#), [French](#), [Italian](#) and [Spanish](#). To ease application, they were designed as a step-by-step handbook guiding procurers towards the IOPP procedure.

## Part III: Plan for the future of the Water Innovation Procurement Group

The Water Innovation Procurement (WIP) Group is an online platform created and maintained by the Water PiPP project. It is a discussion group focusing on IOPP in the water sector, which was set up in the [Procurement Forum](#) managed by ICLEI.

The WIP Group serves as an information and knowledge exchange hub on all topics related to innovation procurement in the water sector. This group enables the user to network, build their capacity and knowledge and helps disseminate project results and products.

In December 2016, the last month of the Water PiPP project, the group counted 55 international members. Most of them are professionals from different public institutions interested in applying PCP/PPI procedures and private companies supplying innovative water technologies.

The Water PiPP consortium intends to ensure that the WIP Group will be available beyond the project's duration. On the one hand this is possible as the group is not a stand-alone platform, but is integrated into the Procurement Forum, a larger on-line platform which is made up of a number of virtual discussion groups covering different aspects of public procurement. The WIP group will therefore continue to exist and be open to other members of the Procurement Forum or new registries.

The Water PiPP consortium also proposes to open the WIP Group to other projects working on IOPP in the water sector now and in the future. There are a number of calls from the European Commission that may result in projects that are interested in tapping into a pool of experts in the WIP Group and use the group as a communication platform to reach out to interested stakeholders. One such project has already been

identified: The SMART.MET project (H2020) has agreed to assess how it could use the WIP Group for their purposes.

To support the promotion of the WIP Group as well as the results of the Water PiPP project, ICLEI has published two postcards highlighting the benefits of joining the WIP Group as well as the products produced by the project. All partners have received them and actively share them in their networks and at events, also beyond the project duration.

## List of Water PiPP consortium partners

### Office International de l'Eau (OIEau) – Coordinator

OIEau is an independent non-profit-making organization whose principal aim is to develop skills for improving water and river management.

### Central Procurement Company (ARCA)

The Central Procurement Company (ARCA) operates in Lombardy Region (more than 9,9 million of inhabitants, and the Italian region with the highest number of municipalities – 1,547). Set up in 2007 as the direction “Centrale Regionale Acquisti” of “Lombardia Informatica Ltd”, 100% owned by the Region, from April 2014, ARCA is set up as a Public stock company.

### University of Zaragoza (UniZar)

The research team involved in the project will be made up of the researchers linked to the Spanish Observatory of Public Procurement, located at the Law School of the University of Zaragoza. UNIZAR coordinates this think tank that involves academic members from several Spanish Universities, who have focused their research on public procurement, and professionals, including members of advisory committees of regional and state governments.

### ICLEI European Secretariat GmbH (ICLEI Europe)

ICLEI – Local Governments for Sustainability is an international membership network embracing over 1,000 cities, towns, counties, regions and their associations, of which some 200 are located in Europe. ICLEI works with these and numerous other local governments through performance-based, results-oriented campaigns and programmes to achieve tangible improvements in global environmental and sustainable urban development.

### Agenzia Regionale per la Tecnologia e l'Innovazione - Regione Puglia (ARTI)

Established in 2004 by Apulia Region (Regional Law no.1/2004), ARTI became fully operative in 2005. ARTI is a main tool to realize the specific objectives set in the Puglia Region Innovation Strategy, based on the role of Research and Innovation for economic growth and social cohesion.

### Technical Research Centre (VTT)

VTT is a multi technological research organization providing high-end technology solutions and innovation services. From its wide knowledge base, VTT can combine different technologies, create new innovations and a wide range of world-class technologies and applied research services, thus improving its clients' competitiveness and competence. VTT Group is the largest public applied research institution in Northern Europe with a staff of 3,200 and turnover M€316 (2012).

### Stichting Deltares (Deltares)

Deltares is the Dutch national institute for applied geophysical, ecological and policy-related research and development applied to and in delta areas. The mission of Deltares is to develop, acquire, apply and disseminate integral, multidisciplinary knowledge and knowledge products related to living and working in delta (coastal, estuarine and riverine) areas, on an internationally leading level. With this, Deltares supports public authorities, private parties and society in their operations and ambitions, related to sustainable development of delta regions and adjacent areas.

### The European House – Ambrosetti SpA (TEHA)

TEHA is a consultancy firm that has developed services, tools and innovative method to develop companies/public administration and that has developed a leadership position in Italy within the specific area

of pre-commercial public procurement and procurement of innovative solution. By the initiative of TEH-Ambrosetti, the delineation of the framework for carrying out PCP in Italy started in 2007, following the EC's definition of the PCP concept and having activated a pragmatic discussion with the public and private sector in Italy to develop a knowledge base about possible implementation scenarios.

#### [Water supply and sanitation Technology Platform \(WssTP\)](#)

WssTP is the Water supply and sanitation Technology Platform, initiated by the European Commission in 2004 to promote coordination and collaboration of Research and Technology Development in the water industry. WssTP provides strategic answers for the water research future challenges and has 70 members and 210 contributors from Industries, Academics, Research, Policy Makers and Water Utilities.

#### [Aqua Publica Europea \(APE\)](#)

APE is a Belgium-based non-profit making international association which brings together publicly owned water utilities (and their regional/national associations) from different European Countries. Overall, its members provide water and sanitation services to over 80 million European citizens. The mission of APE is to promote excellence in the public water sector.

#### [Knowledge Transfer Network \(KTN\)](#)

Knowledge Transfer Network is the UK's Innovation Network. KTN connects people to speed up innovation, solve problems and find markets for new ideas.

#### [City of Rotterdam](#)

The city of Rotterdam has the largest port in Europe, and is one of Europe's biggest logistics hubs. To adapt with the changing climate, Rotterdam needs to redevelop the city and undertake the necessary climate adaptive measures. The Rijnhaven development, a 22ha redevelopment starting in 2015, will be a pilot case where an innovative procurement scheme is used which strongly relates to 'best value procurement'.

Established by Innovate UK to build better links between science, creativity and business, the Knowledge Transfer Network has specialist teams covering all significant sectors of the economy.