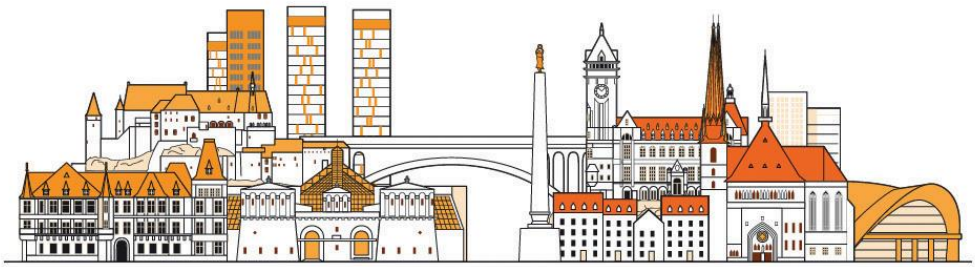
Luxembourg Declaration on Public Procurement

Adopted in Luxembourg, 15 May 2025
on the occasion of the conference
Architects + Engineers: Partnership for Resilient Design
organised by ACE, EFCA, ECEC and OAI representing almost
1.5 million architects and consulting engineers in Europe



1. **Strengthen the internal market with overarching public procurement rules beyond lowest price**
2. **Better recognition of the specific nature of intellectual services**
3. **Ensure quality- and innovation oriented procurement procedures**
4. **Improve access to procurement for SMEs and new entrants**

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In recent years, the New European Bauhaus (NEB) has sparked greater political recognition of the positive impact that a high-quality built environment has on society. While the initiative invites us collectively to reimagine our living spaces, it also promotes greater collaboration between stakeholders in the buildings and construction sector, rightly emphasising that a transdisciplinary approach is a prerequisite for high-quality places.

The procurement phase is crucial in a construction project's lifecycle, as the choice of procedure, its characteristics, and the project brief greatly influence the design and construction works and the ultimate quality of what is built.

In the spirit of the NEB, and while the European Union is embarking on a modernisation of the Public Procurement Directive (PPD), we, the representative organisations of the architectural and consulting engineering professions, call for the following revisions to the PPD:

1. Strengthen the internal market with overarching public procurement rules beyond lowest price

According to the EU's procurement framework, public buyers are given the option of awarding public contracts based on the "most economically advantageous tender" principle (MEAT) – or lowest price. Yet, in the EU, more than half of procurement procedures are still awarded based solely on the lowest price criterion, overlooking quality, sustainability and long-term cost-efficiency. We consider that, instead of simply procuring the cheapest option, public authorities should guarantee the best value for money, by factoring in quality, environmental and social factors, as well as life-cycle costing. When it comes to intellectual services, the award of a public contract based solely on the lowest price can only lead to poor design quality, increased long-term costs, or lack of innovation.

We call on the EU to revise the PPD to guarantee high-quality solutions with the best value for money by forbidding the use of lowest price as the sole criterion of choice for intellectual services.

2. Better recognition of the specific nature of intellectual services

The distinctive nature of planning and design services, often referred to as intellectual or creative services, lies in the inherent unpredictability of their outcomes. While it is possible to define needs and set economic, local, functional, and other parameters that frame a project, the actual solution emerges through the creative process itself. This characteristic fundamentally differentiates intellectual services from the procurement of goods, where the quality and specifications of the final product can be detailed in advance. Given this distinction, we consider that the procurement of intellectual services should be treated differently from standard services. With a clear definition, a specific chapter on intellectual services would allow issues to be handled differently.

We call on the EU to include in the PPD a special chapter for intellectual services. This special regime for intellectual services should: mandate quality-based selection criteria; include a definition of adequate procurement thresholds; specify access and eligibility rules that support SME participation; and simplify the collaboration between professionals during procedures.

3. Ensure quality- and innovation oriented procurement procedures

We consider that the award criteria for intellectual services must be based on quality, including as far as design services are concerned: technical merits, combination of design and constructive solutions, accessibility, social, environmental and innovative characteristics. The PPD allows for this but contracting authorities make insufficient use of it, preferring the lowest price as the sole criterion. Architectural design competitions offer a good way to procure intellectual services, offering quality- and innovation based, project orientated selection procedures. Regulations should incentivise public buyers to promote quality criteria as well as measures to upskill procurement authorities.

We call on the EU to revise the PPD to:

- ***guarantee high-quality solutions for the built environment by making quality-based selection obligatory for intellectual services and by promoting the use of design competitions when architectural services are procured;***
- ***ensure best value for public money by taking into account broader environmental and social costs and forbid requirements to carry out planning work during the procurement phase without payment.***

4. Improve access to procurement for SMEs and new entrants

SMEs make a significant contribution to the EU's economic growth, are drivers of innovation and contribute to the EU's economic resilience in times of crisis. Their participation in public procurement and access for new entrants are hindered by too many constraints, such as complicated procedures, different regulations at the national level, and too many other requirements such as turnover and past experience. We consider that access to procurement for SMEs and new entrants must be improved.

We call on the EU to revise the Public Procurement Directive to improve access for SMEs and new entrants by simplifying administrative complexity and considering whether division of contracts into lots would have a positive effect on SMEs. In addition, we recommend the use of more flexible technical and financial criteria (eg. expanding the three-year reference period or reducing the minimum turnover).

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Intellectual services provided by architects and consulting engineers play a central role in the planning and design of our built environment – from buildings to public spaces and infrastructure. The services they provide therefore contribute significantly to the public interest.

A high-quality built environment can only be the outcome of quality processes. Implementing the aims of the New European Bauhaus in the construction sector requires high-quality procurement procedures that enable excellent and innovative solutions for the built environment.

We therefore strongly appeal to the European institutions to legally and practically ensure quality instead of price competition for architectural and engineering services that play a crucial role in striving for excellent sustainable solutions for the current societal challenges in Europe and worldwide.

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#LuxDeclaration25

Luxembourg Declaration signed on 15 May 2025 in Luxembourg

Ruth SCHAGEMANN
President ACE

Inès FERGUSSON
President EFCA

Nina Drazin LOVREC
President ECEC

Michelle FRIEDERICI
President OAI

The Architects' Council of Europe (ACE) is the representative organisation for architecture at European level. Its membership currently consists of 52 Member Organisations, including the regulatory and professional representative bodies in all EU Member States, 6 Observers Members (Serbia, Kosovo, Ukraine, Montenegro, Republic of North Macedonia and Moldova) from the Accession Countries plus Members with special status (UK, Switzerland and Norway), thereby representing the interests of over half a million architects from 36 countries in Europe.

https://ace-cae.eu

The European Federation of Engineering Consultancy Associations (EFCA) is the only federation to represent the engineering consultancy industry in Europe.

Founded in 1992, EFCA has member associations in 26 European countries representing over 10,000 companies and more than one million staff in engineering and related services.

https://www.efcanet.org

The European Council of Engineers Chambers (ECEC) is the umbrella organisation of European Engineers Chambers. It represents the professional interest of Chartered Engineers on European level. Its members are national Chambers or other legally established public bodies representing authorized Chartered Engineers. Currently the ECEC represents 17 Chambers and over 300.000 highly qualified European Chartered Engineers who are members in these Chambers.

https://www.ecec.net

The Order of Architects and Consulting Engineers (OAI), established in march 1990 by the luxembourgish law of 13th December 1989, gathers 5 professions
architects, interior architects, consulting engineers, urban designers
and master planers, and landscape architects / landscape engineers.

Beyond its missions as a legal body, as a professional organisation and as an institution of public interest, the OAI enhances the real dimension of its members' work at an economic, social, artistic and cultural level, to attain a sustainable, smart and high quality living environment.

https://oai.lu

ANNEX: FURTHER SUPPORT AFTER THE SIGNING ON 15 MAY 2025

Organisations supporting the Luxembourg Declaration.

Signed on 2 June 2025

Platonas STYLIANOU
President ECCE

The European Council of Civil Engineers (ECCE) established in 1985, is the voice of civil engineers in Europe, representing professional bodies from 25 member countries. It was founded on the belief that civil engineers working together can significantly contribute to advancing the built environment and protecting the natural one. ECCE promotes the highest technical and ethical standards, advises European and national institutions, and works to harmonize regulations and standards across Europe. Active in areas such as sustainability, education, ethics, and safety, ECCE supports civil engineers in building a better, more resilient future for all.

http://www.ecceengineers.eu/

Signed on 23 Jun 2025

Evangelitsa Tsoulofta
President ISHCCO

International Safety and Health Construction Coordinators Organisation ISHCCO) is a non-profit organization founded in 2002, registered under Luxembourg legislation, representing Safety and Health Construction Coordinators (SHCCs) through its national member organizations. ISHCCO represents approximately 60,000 SHCCs. Our vision for ISHCCO is to affirm our members' professional identity and collaborate with occupational safety and health (OSH) and construction professionals and institutions for a safer, healthier and sustainable construction industry and infrastructure. Integrating occupational safety and health (OSH) into procurement is essential for delivering safe, high-quality, and sustainable built environments and societies. Early consideration of OSH ensures worker protection, cost-efficiency, and long-term social, environmental, and economic benefits — fully aligned with the New European Bauhaus vision and the European sustainable development goals.

https://www.ishcco.org/

Signed on 23 June 2025

Katerina Gkoltsiou
President IFLA EUROPE

IFLA Europe - the European Region of International Federation of Landscape Architects in Europe is a not-for-profit organisation that represents, supports and promotes the unique and stand-alone profession of landscape architecture across Europe recognising excellence in educational courses and promoting best practice operations in all member countries.
IFLA Europe has 34 members – National Associations of Landscape Architecture representing nearly 20.000 landscape architects. It aims not only at promoting the landscape architecture profession, recognising excellence in educational courses and promoting the best practice operations in all member countries, but also striving to enhance the quality of landscape planning, monitoring and management in collaboration with the European Union, Council of Europe, UN and any other related organisations.

https://www.iflaeurope.eu