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COMPLETING THE PUZZLE OF EUROPEAN PUBLIC PROCUREMENT REFORM: TOWARDS A EUROPEAN SYSTEM OF SUPPLIER QUALIFICATION?

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Completing the Puzzle of European Public Procurement Reform: Towards a European System of Supplier Qualification?

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Abstract

Forthcoming reforms of EU public procurement coincide with a broader shift toward a more strategic role of the state, in which procurement is increasingly expected to deliver sustainability, resilience, innovation and, in sensitive sectors, European preference, alongside value for money. This paper argues that supplier qualification constitutes a pivotal but under-examined design variable, particularly in works and infrastructure procurement. It develops an analytical framework to assess qualification systems along three dimensions — trust-building, cost, and timeline effects — and applies it to the Italian SOA system, the most advanced mandatory pre-qualification regime for public works in the EU. The analysis combines legal and institutional assessment with original survey evidence collected in December 2025 from SOA-certified Italian construction firms. Findings show that direct cross-border participation remains extremely limited and is mainly deterred by information gaps and administrative duplication rather than discrimination at award stage. The paper demonstrates that reusable, legally constitutive pre-bid qualification can reduce public verification costs, compress award timelines, and enhance trust. It concludes by outlining three EU policy pathways: strengthened mutual recognition of qualification evidence, an EU-enabled system of harmonised supplier qualification bodies issuing reusable passports, and the creation of a European Supplier Qualification Authority ("Euro-SOA").

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Foreword

Amid growing anticipation surrounding the imminent reform of European public procurement, this paper offers a valuable contribution to one of the Union's most strategic challenges: establishing a competitive and transparent procurement market capable of supporting Europe's ambitions for resilience, innovation and sustainable growth. Central to this is the idea that the Single Market for public contracts is incomplete without interoperable and trusted systems for qualifying suppliers.

The authors rightly elevate supplier qualification from a technical formality to a foundational pillar of procurement governance. Just as qualifying contracting authorities ensures professionalism and accountability, qualifying economic operators safeguards competition based on verified quality. Far from being a bureaucratic burden or a barrier to cross-border participation, quality assessment emerges as a driver of innovation and fair competition.

Among the various approaches adopted across Europe, the Italian model is one of the most noteworthy. Italy's SOA system provides a rigorous certification process to verify the legal, financial and technical requirements for participating in public works. Mandatory for contracts of works above €150,000, it ensures that only qualified operators may compete in construction and infrastructure tenders. Certification is entrusted to independent, authorised bodies (SOAs), operating under the supervision of the National Anti-Corruption Authority, which guarantees the integrity of the entire process.

The paper's exploration of the Italian model as a potential blueprint for Europe is particularly interesting. It shows how reusable prequalification can minimise administrative burdens, speed up award timelines, and foster trust: three key objectives of ongoing EU reform.

In this perspective, digitalisation proves decisive.

Since 1 January 2024, the entire procurement cycle in Italy must run on certified platforms interoperable with the National Database of Public Contracts. Within this framework, the enhanced Virtual Dossier of Economic Operators represents a significant development: qualification can now rely on dynamic, continuously updated digital evidence rather than static certifications. As much of the data required by certification bodies is already included in the Virtual Dossier, the system's architecture should evolve accordingly, towards two directories.

Firstly, SOAs can draw on the Virtual Dossier for their audits. This will make their work progressively simpler. At the same time, they will be allowed to upload into the Virtual Dossier the data they verify that is not already held in public databases, including private certificates of execution of works (CELs). The transition from paper-based certifications to data-based verification will streamline processes, eliminate duplication and lower costs.

Secondly, since basic legal and economic requirements could be verified through the Virtual Dossier, the SOA system should increasingly focus on assessing a company's actual capacity, including organisational strength, technical expertise and fulfilment capability. This approach aligns with the original intent of the Italian Public Contracts Code (art. 109), designed to reward firms that invest in professionalism and performance. A system able to recognise excellence would strengthen the sector and raise competitive standards.

In view of upcoming reforms, this evolution provides Europe with valuable insights, since the Union already has the foundations for a more integrated approach. Existing tools such as e-Certis and the ESPD, though useful, remain underutilised. By expanding their scope, the Union could establish reusable and interoperable pan-European qualification documents, reducing fragmentation and strengthening mutual trust among Member States.

Digitalisation is therefore essential to simplify tender participation for economic operators, as well as the work of SOAs – and clearly, the work of contracting authorities in the services and supplies sectors, to which the system created with Virtual Dossier would equally apply – and to improve the quality and consistency of assessments. Furthermore, by transforming data into interoperable evidence, digitalisation provides the connective tissue capable of uniting national systems into a truly integrated European framework.



Giuseppe Busia
President
Italian National Anti-Corruption Authority (ANAC)

Executive Summary for Policy Makers

Public procurement accounts for approximately 14% of EU GDP and is increasingly expected to serve strategic objectives such as environmental sustainability, innovation, industrial resilience, and security of supply, in addition to achieving value for money. As the European Union prepares a new reform of its public procurement directives, this paper argues that supplier qualification should be treated as a central design lever, rather than a technical or procedural detail.

Over recent decades, EU procurement law has evolved beyond a price-centred model toward more complex evaluation criteria. While this enables strategic public investment, it has also produced a fragmented and administratively burdensome system, shaped by divergent national rules and verification practices. These divergences disproportionately affect cross-border participation, particularly in works and infrastructure procurement, where assessing technical and financial capacity is central. Direct cross-border bidding remains exceptionally low, not primarily due to discrimination, but because many firms do not submit bids at all.

Three reform strands currently structure EU-level debates:

- Enabling strategic procurement while preserving competition;
- Digitalisation and structured, interoperable data (eForms, the Public Procurement Data Space);
- Improving fairness of access, especially for SMEs and cross-border entrants.

Digitalisation improves data availability but does not resolve a fundamental institutional bottleneck: who verifies supplier capacity, under what standards, and with what legal effect. Tender-by-tender verification remains costly for contracting authorities, lengthens award timelines, and generates uncertainty for firms operating across borders.

The paper highlights the Italian SOA system as the most advanced example of mandatory, reusable prequalification for public works in the EU. Under this hybrid model, accredited private bodies perform detailed verification under strict public supervision, and the resulting certificate constitutes a necessary and sufficient condition for participation in covered tenders. This approach shifts verification ex ante, reduces duplication, compresses timelines, and lowers public administrative costs while preserving public control.

Survey evidence from Italian firms confirms that lack of information and administrative duplication are the main deterrents to cross-border participation. Firms strongly prioritise a unified EU procurement portal and improved mutual recognition.

Building on this analysis, the paper outlines three policy pathways:

- strengthened enforcement of mutual recognition of equivalent qualification evidence;
- an EU-enabled system of harmonised supplier qualifications, issuing reusable passports;
- and, most ambitiously, a European Supplier Qualification Authority ("EuroSOA").

Together, these measures would reduce public costs, preserve competition, and strengthen the Single Market by enabling interoperable trust in an increasingly strategic and data driven European procurement system.

1. The EU Public Procurement Reform in context

Public procurement is a key pillar of Europe's economy, particularly in a period marked by challenges so broad that state power has returned to the centre of political debate. The public sector accounts, in the EU, for approximately 45% of the GDP; procurement activities, alone, represent nearly a third of that, or approximately 14% of GDP. Public procurement is therefore not only economically crucial, but also strategically fundamental, since it is the tool that allows public authorities to gain access to goods, services and infrastructure it needs to pursue its goals. For a long time, public procurement activities have been considered very close to any other market, which in turn implied that (given the role played by politicians and policy makers) particular attention had to be paid to ensure equality of treatment of companies. This, coupled with the progressive retreat (since 1987) of the public sector from direct intervention in the markets and the dominance of state aid and competition policy, has meant that, for nearly three decades, price and price alone constituted the main parameter of comparison and discrimination between competing offers. This is now changing in fundamental ways. Since 2019, the European Commission has explicitly pursued a strategic procurement agenda, aimed at empowering public authorities in the use of public procurement activities not just to gain access to goods, services and infrastructure, but also to pursue strategic objectives which are facilitated when public procurement is conducted in certain ways, for instance prioritizing green products or goods manufactured in specific regions, and when procurement is enacted centrally, to exploit economies of scale and monopsony power (Beetsma and Nicoli, 2024). Enabling strategic procurement without undoing the fundamental principle of fair competition is, however, easier said than done. Hence, the European system of public procurement has grown immensely complicated, with a large number of directives, regulations, and sector-specific implementing acts, to which one needs to add the very diverse national legislative interpretations and extensions, very often stemming from different local problems (e.g. corruption), sensibilities (e.g. attention to environmental issues) and legal-policy traditions (civil vs common law, flexibility afforded to street-level bureaucrats, etc). The resulting system is incredibly unwieldy and segmented heavily along national borders, which in turn makes cross-border operations exceedingly complex.

This evolution has important institutional consequences. As procurement moves beyond price-only evaluation, contracting authorities must assess a growing set of non-price conditions related to firms' technical capacity, organisational reliability, and compliance with strategic objectives. These requirements increase the importance — and the cost — of verifying supplier capacity, particularly in complex works and infrastructure contracts. It should come to no surprise, then, that a further reform is in the books. The forthcoming revision of the Directive 2014/24/EU and its sister directives aims to simplify and streamline the use of procurement as a strategic tool for public policy: leveraging contracts for environmental sustainability, supply chain construction and resilience, innovation and social inclusion. These objectives are, per se, sometimes in tension, among themselves and with regard to other priorities of the Union (see for instance the trilemma proposed by Lappe and Nicoli, 2025). These tensions notwithstanding, the Commission has put forward several ideas regarding how to change the multiple pieces of the enormous puzzle that is public procurement. At the highest level of abstraction, proposed changes aim at fundamentally changing the way public procurement officers see the act of procuring, so to include strategic considerations like mainstreaming non-price criteria (moving beyond lowest-price-only), introducing 'buy European' or European-preference measures in key sectors, and encouraging joint procurement for strategic investment. For public purchasers, this means designing tenders not only around cost and delivery, but around enabling resilience, circular economy outcomes, innovation uptake, and supply-chain autonomy. The potential impact is more integrated evaluation criteria, stronger demand aggregation, and possibly longer-term contracts or framework agreements that reward value creation over pure cost minimisation.

A second line of intervention pertains the modernization of procurement practices. In pursuing this, the EU is accelerating the shift toward modern, data-driven procurement. The launch of the Public Procurement Data Space (PPDS) fits this agenda, aiming at standardizing and making interoperable procurement data across member states (something that many scholars, e.g. Bellanova & Gluftsios, (2022) have identified as a fundamental act of capability-building which often enabled state-building). In addition, the Commission's digitalization plan includes the standardization of formats (eForms, CPV codes) to enable joint analytics, simple transparency, and cross-border learning. Concretely, contracting authorities will be required and encouraged to publish structured data; digitally integrate tendering, e-invoicing and awarding phases; and leverage dashboards to monitor competition and outcomes.

Another major track of reform is improving the fairness of access to procurement tenders, particularly for SMEs and new entrants, both domestically and cross-border. A key limitation of pursuing strategic procurement is that this increases the conditions and administrative burden for participants, making it harder for smaller, less established players to compete. As a result, the potential pool of competitors for

any given tender tends to shrink, decreasing competition pressure and therefore increasing equilibrium prices, even before we account for the inherent higher cost of higher quality products (such as green products, goods produced in Europe, etc). The natural counter to this issue is the widening of the pool of potential participants in any given tender, in particular facilitating the participation of companies farther away from the contracting authorities. In the European Union, this often means crossing administrative and political borders, which still carry significant linguistic, administrative and supply costs on its own. Furthermore, as identified in this paper too, access to information regarding cross-border opportunities remain extremely limited, creating huge informational asymmetries. It came to no-one's surprise, therefore, that the evaluation of the procurement directives (consultation launched December 2024) highlighted so far that simplification, harmonisation, and lowering entry barriers remain key gaps. Some of the concrete proposals advanced so far to address this include mandating easier lot splitting and standardized self-declarations (such as the European Single Procurement Document (ESPD)). A major issue with self-declarations, even when standardized, is their credibility. Here, the current European legal system leaves ample margin of maneuver to countries and even to individual procurement authorities on how to assess precision, credibility and compliance. Some countries, therefore, have opted for mechanisms of certification of suppliers.

EU public procurement law, notablyDirectives 2014/24/EU and 2014/25/EU, permits Member States to establish supplier qualification and certification systems for public works, provided that they are objective, transparent, non-discriminatory, and open to economic operators from all EU Member States.

Importantly, available evidence suggests that low levels of cross-border participation are not primarily driven by discrimination at the award stage, but by the fact that foreign firms often do not submit bids at all. In works and infrastructure procurement, this reluctance is closely linked to qualification and capacity verification requirements, which are applied repeatedly, differently, and with significant uncertainty across Member States, increasing administrative burden and deterring cross-border entry.

While often under-studied in academic and policy circles, supplier qualification represents today an important requirement in several countries, and could offer a pathway to smooth the transition towards an EU-wide public
procurement system where suppliers from very diverse countries and backgrounds can be seen as all equally trustworthy. Qualification systems therefore play a structural role in shaping who can realistically participate in procurement markets, how costly verification is for public authorities, and how long award procedures take. These effects become particularly consequential in works and infrastructure markets, where capacity screening is both unavoidable and resource-intensive.

This paper investigates, therefore, the role played by a systematic extension of suppliers' qualification at European level, in the context of the broader EU public procurement reform. We do so by studying the most advanced system of supplier certification in the European Union, the Italian SOA system. Italy's SOA system implements the qualification framework introduced by the directives by applying uniform, objective qualification criteria under the central supervision of the Italian Anti-Corruption Authority (ANAC), while remaining accessible to foreign firms on the same terms[1].

This paper argues that supplier qualification should be treated as a central design variable in the forthcoming reform of EU public procurement, rather than as a purely technical or procedural accessory to tendering. To structure the analysis, it develops a framework comparing qualification systems along three dimensions: trustbuilding, cost, and timeline dilation.

In the paper we focus, respectively, on the legal features of the European supplier qualification system (section 2), the specific functioning of the SOA system (section 3), on the perceptions that users (*i.e.*, Italian companies active in the public works sector) have of it when it comes to their European activities (section 4), and on its potential benefits, but also possible drawbacks, as a blueprint for a EU-wide supplier certification scheme (section 5). Legal and policy analysis is used in sections 2, 3 and 5, while section 4 makes use of a large firms survey run among Italian SOA-certified companies in December 2025, whose results also partially inform our policy proposals in section 5.

The conclusion synthesises the findings and reflects on the role of interoperable qualification systems in completing the Single Market for public procurement.

The timing for this assessment is also relevant as the European Commission's ongoing review of the public procurement directives provides a unique opportunity to reconsider whether existing EU-level rules and national practices on supplier qualification remain fit for purpose. Current reform priorities — digitalisation and structured data, simplification and SME access, and a stronger strategic use of procurement — will all interact directly with how qualification is designed and applied in practice, especially in works and infrastructure where capacity screening is most consequential.

2. European supplier qualification systems

Supplier qualification is a cornerstone of effective public procurement, yet it is a significant friction point for both buyers and suppliers. Qualification systems directly shape speed, competition, and procurement market dynamics. Well-designed qualification systems reduce the need for repetitive, case-by-case verification of suppliers' technical, financial, and professional capacity, allowing contracting authorities to accelerate procedures and focus resources on evaluation and contract management rather than administrative checks.

To perform well, alternative supplier qualification systems need to score high under three parameters: trust-building, cost, and timeline dilation.

2. European supplier qualification systems

Table 1 – optimization criteria	
Criterion	***Definition***
Trust-building	The extent to which the results of a compliance or qualification assessment outcomes are trustworthy to multiple purchasing authorities across borders[2].
Cost	The extent to which compliance or qualification assessment practices result in additional costs for the public authorities.
Timeline dilation	The extent to which compliance or qualification assessment practices result in increments in the time span occurring between the closure of a tender and the formal adjudication of a tender winner.

These parameters are essential whenever strategic procurement, which implies a deviation from best price as a sole awarding criterion, becomes the rule. Since strategic procurement introduces additional, non-price conditions, these are very likely to result in additional costs. Some of these costs are structural (e.g. lower available supply or costlier materials; some are administrative, e.g. certification of bidders' compliance with these strategic objectives/conditions. However, not all systems generate the same administrative costs, and these costs can be bore by different parties. It is however in the public interest to select the system that minimizes the total cost for the public party, which is the procuring authority. Since assessment of compliance takes place, it is fundamental that the public authorities (across borders) can confidently trust the results of any assessment made by other parties than themselves, be them self-declarations, independent private certifications, or assessments made by authorities in a different member state. Finally, since verification is a burdensome process, it is essential that systems of supplier compliance assessment, verification or qualification compress the additional time needed to pursue these checks. There are obvious trade-offs between these objectives: for instance, it would be possible to have centralized, very high level assessment at a fast pace, but costs would escalate consequently; or it would be possible to maximize cost reduction, but quality assessment (and therefore trust) as well as timelines would suffer.

Trust-building

Qualification regimes, overall, score higher in trust than similar systems, for instance ISO certifications. Models based upon supplier qualifications/certifications (such as the SOA) differ fundamentally from ISO certification in both institutional design and legal effect. ISO certifications are voluntary, market-driven standards issued by private certification bodies to demonstrate that a firm's internal processes comply with predefined management or quality norms; they do not grant legal rights of market access and are typically used as supporting evidence in procurement. Since certifying authorities are usually fully private companies with no additional legal responsibility and no strong mechanisms of public supervision, the capacity of ISO- built systems to build trust in a supplier is inferior to alternatives where the public power systematically assesses compliance. By contrast, a supplier certification is a more stringent requirement, requiring suppliers to present a mandatory, legally constitutive qualification to access a tender that requires them. This applies, for instance, to public works contracts above specific thresholds in Italy. Notably, on the one hand trust-building works both ways: the public knows it can trust the validity of a certification it designed and carried over itself (either directly, or through a system of highly qualified and tightly supervised third parties). On the other hand, the perspective contractor knows that once it is qualified/certified for a certain type of contract, that qualification is a necessary and sufficient condition to bid. As discussed, the system can be organized in different ways, as long as the resulting certification process acquires legal validity.

In practice, private certification bodies can and do act as certifying authorities within these systems, insofar they act under explicit mandate of the public authority and are continuously supervised. Unlike ISO, where certification bodies compete primarily on service provision and bear limited regulatory responsibility, a fully-functioning system of supplier certification assigns to the certifying authority a quasi-public verification function that substitutes ex ante qualification checks by contracting authorities, without transferring regulatory authority or procurement liability away from the state.

Financial costs and timeline dilation

Having assessed that trust-building is superior under public or hybrid systems of supplier qualification over ISO-like certifications, we need to compare these two when it comes to costs and timeline dilation, the other two criteria. The public economic rationale for a hybrid supplier certification system is quite strong, in fact. Consider a tender with Ncompeting firms bidding an equilibrium price A, where assessing compliance entails a cost Cper firm.

If compliance is checked by the public authority, the winning bid remains A, but the total cost for the authority is $A+C\cdot N$, since all applicants must be assessed; this cost therefore increases mechanically with the number of bidders. Under private certification, by contrast, compliance costs are borne upfront by firms and incorporated into bids. Because certification is reusable, its effective cost depends on the market size B (*i.e.* the number of bids the certification can be reused):

the winning bid becomes $A + \frac{C+P}{B}$ where P denotes the certifier's profit, and the public authority pays only this amount. Even in the limiting case where certification is valid only once (B=1), private certification is cheaper for the public authority than public certification as soon as N>1, provided P<C, because part of the certification cost is borne by losing bidders and does not enter the public cost function. As Nincreases and B grows, the gap widens further: public certification costs scale with the number of competitors, whereas private certification costs are delinked from competition and decline with the reusability of certification. Figure 1 below synthetically represents this. As shown, in a purely public model, the cost for the public escalates as the number of bidders increase, since the cost of verifying them is borne by the public.

This does not happen in the private model, where the public effectively pays only for the verification of the winning bid. Moreover, that cost is reduced as companies can reuse the certification for multiple bids (B > 1). Hence, a private, pre-bid, reusable certification system consistently delivers lower costs when compared with a purely public system, especially one that checks compliance tender per tender (but the logic remains valid even if the certifications were not reusable). The same logic applies to awarding timelines: a public system that checks actual bids must effectively assess every received bid after the bids have been submitted, elongating timelines as the number of bidders increase; in contrast, a pre-bid certification ensures that assessment takes place beforehand, with limited impact on awarding timelines.

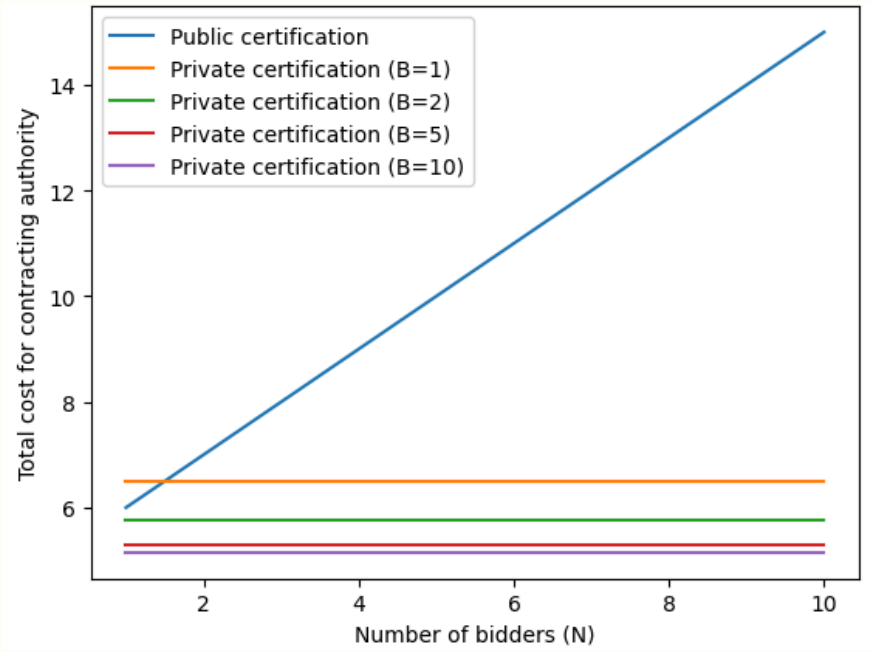


Figure 1- comparison of total public costs by type of certification, number of bidders and reusability of the certificate.

2. European supplier qualification systems

Qualification regimes across the EU

Available evidence shows that qualification regimes shape cross-border participation as much as procurement rules themselves. Systems based on repeated, tender-by-tender qualification tend to discourage foreign participation due to duplication and unpredictability, while centralized qualification systems can improve speed but may still limit access if criteria are rigid or costly to obtain (European Commission, 2023; OECD, 2022). In fact, recent evidence confirms that direct cross-border bidding in EU works and infrastructure procurement remains limited, with qualification requirements playing a central role in shaping participation. Analyses of EU procurement data for 2018–2023 show that only around 2–4% of contracts, by value or number, are awarded directly to firms established in another Member State, whereas indirect participation through locally established subsidiaries is substantially higher (European Commission, 2023; ECIPE, 2024). Commission evaluations and academic studies consistently find that the main constraint is not discrimination at the award stage, but the fact that foreign firms often do not submit bids at all, particularly in works contracts where qualification and capacity requirements are more stringent and sector-specific (European Commission, 2023). Qualification systems are therefore identified as a key structural barrier to cross-border entry in construction and infrastructure markets. While EU instruments such as the already-referenced ESPD and eCertis have reduced some documentary burdens, suppliers still face difficulties in demonstrating equivalent technical references, financial capacity, professional registration, and insurance or bonding requirements across borders (OECD, 2022; European Commission, 2023). In works procurement, where past project experience, certified technical capacity, and compliance with local standards are central, national qualification regimes — whether centralized registers or tender-specific verification — often require significant local knowledge and repeated adaptation of evidence, increasing entry costs and uncertainty for foreign firms (ECIPE, 2024).

Across the European Union, governments designing supplier qualification systems for public procurement typically (but not exclusively) face a choice among three institutional models, each involving distinct trade-offs among efficiency, risk management, competition, and cost. The first option is a fully government-run, centralized qualification system in which a central authority pre-qualifies suppliers for use across contracting authorities; examples include Spain's ROLECE and France's central professional registries, which offer uniform standards and strong public control but often entail a high administrative burden and slower qualification updates.

The second option is a decentralized, contracting-authority-led model, in which qualification is assessed on a case-by-case basis within individual tenders, as is common in Germany, the Netherlands, and the Nordic countries; this model maximizes flexibility and competition but increases duplication of effort, legal uncertainty, and verification costs for both authorities and suppliers.

The third option involves delegating the qualification function to accredited private entities under public supervision, as in Italy's SOA system for public works, which can improve technical rigor, standardization, and execution performance. The core policy challenge is therefore not simply choosing who performs the qualification, but calibrating institutional design to balance ex ante risk reduction and delivery efficiency with price competition, proportionality, and market access, in line with EU procurement principles. This is critical because qualification frameworks influence who can realistically participate in public markets: proportionate and transparent requirements lower entry barriers and support broad competition, while overly burdensome or fragmented approaches can discourage participation and entrench incumbents. By structuring access to procurement markets, supplier qualification also affects longer-term market dynamics, including incentives for firms to invest in capacity, compliance, and innovation. In this sense, qualification is not merely a procedural safeguard but a key policy lever that determines how quickly public buyers can act, how competitive tenders remain, and how public procurement shapes the evolution of supplier markets over time. Consequently, current EU reform discussions increasingly emphasize reusable, interoperable, and proportionate qualification mechanisms, supported by digital supplier profiles and shared data infrastructures such as the Public Procurement Data Space, as key enablers of deeper market integration in works and infrastructure procurement (European Commission, 2024).

De facto, in many Member States — including Germany, the Netherlands, Austria, and the Nordic countries — qualification for works contracts above threshold remains decentralised and tender-specific, with contracting authorities verifying technical capacity, financial standing, and professional experience within each individual procedure, typically using the European Single Procurement Document (ESPD) as an initial filter.

While this model preserves flexibility and facilitates broad market access, it often leads to longer procurement timelines, repeated verification of similar documentation, and uneven application of qualification standards across authorities — challenges that become particularly salient in medium-sized infrastructure projects where administrative capacity varies significantly. It can also result in higher costs for the public. By contrast, a smaller group of Member States has introduced centralised qualification mechanisms for works contracts above comparable thresholds to streamline procurement and reduce execution risk. Spain's ROLECE and Portugal's IMPIC system allow construction firms to pre-register qualifications that can be reused across works tenders, improving speed and consistency while remaining fully public and administrative in nature. These systems, however, typically verify compliance at a relatively high level and do not substitute for detailed technical scrutiny in complex works contracts. Within this landscape, Italy's SOA system is unique in making pre-qualification mandatory for works contracts above

€150,000 and in delegating detailed verification to accredited private bodies under public supervision. The key element, here, is trust: as argued above, the private certifying authorities must be completely trustworthy, and therefore strong mechanisms for supervision must be in place. The Italian system makes use of a hybrid approach to achieve that: through this notary-like system, the Italian approach is a good candidate for scalability at European level, since it can complement existing public certification systems without the need of completely altering them from the start. We explore this more in detail in the next sections, deep-diving in the Italian SOA system.

3. The Italian SOA system

An overview of the Italian system

The Italian SOA system is an attestation mechanism that ensures companies meet legal, financial, and technical requirements to participate in public works contracts in Italy. It currently represents a unique, formal system that applies only to public works above €150,000, and not to services or supplies. In practice, a SOA certification is a mandatory qualification for companies that want to bid on public construction or infrastructure contracts.

Certification is issued by independent, authorised SOA bodies, which operate under the supervision of the Italian Anti-Corruption Authority (ANAC). A first defining feature of the Italian system is that SOA entities are delegated a quasi-notarial function, with SOA certificates bearing public validity, and are subject to a strictly limited and exclusive business scope (oggetto sociale unico).

Therefore, SOAs exercise a public-interest function and are legally prohibited from operating outside the narrowly defined scope set by the Code. They cannot diversify their business activities or offer ancillary services unrelated to qualification, thereby reinforcing their institutional neutrality and functional specialisation.

A second, and particularly distinctive, feature of the Italian model is that SOA certification constitutes a “necessary and sufficient” condition under the Public Contracts Code for admission to public works tenders. In other words, possession of a valid SOA certificate is the sole legally required proof of compliance with technical, economic, financial and organisational requirements for participation. Contracting authorities are neither permitted nor required to conduct parallel or supplementary assessments of those same requirements. This principle has been consistently reaffirmed over time through administrative case law and regulatory practice, including multiple rulings by the Consiglio di Stato, regional administrative courts (TARs), and ANAC decisions[3].

Institutionally, the SOA system reallocates a specific segment of the procurement function (namely, the ex ante verification of eligibility requirements) to a strictly regulated private sector operating under public oversight, while all procurement decisions remain firmly within the competence of contracting authorities. The state does not merely outsource a service; rather, it delegates ex ante verification while retaining full control over the qualification framework, eligibility criteria, thresholds, enforcement mechanisms, and legal consequences of certification.

3. The Italian SOA system

As a consequence of this institutional separation between qualification and procurement, the government transfers the risks associated with supplier qualification while keeping qualified firms institutionally at arm's length. Workload and liability are delegated and procedural quality enhanced, without relinquishing regulatory authority. Where the qualification process fails - for example, due to an inaccurate assessment of capacity - the certification body is in breach of its regulatory obligations. Because qualification is legally distinct from the procurement procedure, challenges to tender decisions remain separate from supervisory or sanctioning proceedings that ANAC may initiate against the certification body or the certified firm.

Therefore, the system functions through a hybrid governance model. The National Anti-Corruption Authority (ANAC) authorises SOA companies, defines certification criteria, approves fee structures, and conducts ongoing supervision, including inspections, audits, sanctions, and, where necessary, the withdrawal of authorisation. SOA entities are legally bound to apply uniform rules, rely on verifiable documentation, and update qualification data in the central public registry (Casellario).

Procurement decisions remains with contracting authorities, whereas SOA entities are accountable for the accuracy and integrity of their assessments within a tightly regulated scope. This structure differentiates the SOA system from both pure public qualification and conventional private outsourcing: it combines private-sector operational capacity and technical specialization with centralised public oversight and rule-setting, creating a model aimed at reducing information asymmetries and risk without relinquishing regulatory control.

BOX 1

The SOA certificate confirms that a company meets all requirements in the following areas:

1.Legal standing (duly registered and authorized)

2.Financial capacity (minimum turnover and liquidity thresholds)

3.Technical qualifications (past experience)

4.Organization structure (adequate staff, equipment, and quality systems)

SOA certificates are granted per category of work, *e.g.* civil and industrial buildings, roads, highways, railways, or electrical systems. Each category has different classifications based on the maximum contract value the company is qualified for (from Class I = €258,000 to Class VIII = €15.5M+).
Companies apply to an SOA body, submitting financial statements, records of past public/private contracts and staff qualifications and technical documentation.
Certification is valid for 5 years, with a mandatory check at year 3 (called *verifica triennale*).
All certifications are tracked in ANAC's digital systems. Public buyers verify SOA compliance through the ANAC database before awarding contracts.

3. The Italian SOA system

Strengths and limitations of the Italian system

A central strength of the Italian SOA system is its role in reducing information asymmetries and execution risk in public works procurement, particularly for contracts above the EU thresholds. Empirical evidence based on Italian procurement microdata suggests that firms holding full SOA qualification perform better during contract execution than firms relying on partial qualification or subcontracting arrangements. Ancarani, Guccio and Rizzo (2019, Public Money & Management) show that SOA-qualified firms display higher efficiency in public works delivery, supporting the view that standardized ex ante verification of technical and financial capacity improves implementation outcomes. Similarly, Moretti and Valbonesi (2015; 2017, Journal of Law, Economics, and Organization) find that SOA-related qualification requirements shape entry and subcontracting behavior in ways that limit opportunistic participation by underqualified firms, thereby strengthening risk control mechanisms. At the same time, these studies also point to a key trade-off: higher qualification thresholds and mandatory certification can raise entry costs and restrict participation, potentially affecting competition and price dynamics, particularly for small and medium-sized firms.

A further strength of the SOA model lies in its administrative efficiency and institutional scalability, achieved through the delegation of technical verification tasks to accredited private entities operating under close public supervision. According to ANAC (2022, Relazione annuale), the SOA system reduces duplication of qualification checks across contracting authorities, ensures uniform application of criteria nationwide, and allows contracting authorities to rely on continuously updated certification data stored in the central Casellario. This structure can significantly lower transaction costs for public buyers and enhance procedural predictability. However, the literature and policy debate also highlight important pitfalls. Studies and regulatory assessments note that the SOA regime entails non-negligible compliance costs, is governed by mandatory but regulated fees, and requires intensive oversight to prevent certification errors or overly rigid rule application (ANAC, 2021; OECD, 2015, Public Procurement for Innovation). Moreover, scholars caution that delegation to private certifiers creates risks of market concentration and regulatory capture if supervision weakens, underscoring the need for strong public control mechanisms. Overall, the evidence suggests that the SOA system is a robust system when potential pitfalls are managed. it enhances risk management and execution reliability in complex public works, but also requires careful calibration to preserve proportionality and risk-sharing in line with EU procurement principles. Done well, it can save substantial amounts of administrative burden and taxpayers' money and improve procedural efficiency, transparency, and trust in procurement systems.

4. Firms perspectives on European public procurement and supplier certification

To place the Italian SOA system in the context of the broader debate on EU public procurement reform — and, more specifically, to assess the potential and limitations of pre-certification mechanisms in facilitating cross-border market access — we conducted an exploratory survey of companies active in the Italian construction sector. Previous survey evidence on public procurement, albeit wider in scope, did not in fact take directly into account the issue of supplier pre-qualification (see for instance OECD 2024). Our survey is designed to capture firms' perceptions, experiences, and priorities at a moment in which public procurement reform is both politically salient and institutionally fluid at the European level, with a particular focus on alternative strategies including (but by no means limited to) supplier certification.

The survey was administered online throughout December 2025. Approximately 8,000 companies were contacted, and around 700 responded to at least part of the questionnaire, resulting in a sample-to-population ratio of roughly 8%. As is common in firm-level surveys, not all respondents answered every question; the number of observations therefore varies across sections. While the survey is not intended to be statistically representative of the entire Italian construction sector, it provides a rich snapshot of how firms that are directly exposed to public procurement perceive cross-border opportunities and constraints.

The survey pursues three closely related objectives. First, it examines whether and to what extent firms perceive administrative and regulatory complexity as a barrier when considering participation in public tenders outside Italy. Second, it explores firms' actual experiences — where present — with cross-border procurement, including whether national pre-certification mechanisms such as SOA are recognised, partially considered, or disregarded in other EU member states. Third, it investigates firms' preferences regarding possible EU-level reforms, with particular attention to the trade-offs between simplification, harmonisation, and strategic policy goals.

Given the very low incidence of cross-border participation among Italian construction firms, the survey combines descriptive questions with an embedded experiment aimed at identifying how different types of perceived barriers shape assessments of cross-border complexity. This approach allows us to distinguish between structural constraints that reflect firms' size and experience, and barriers that systematically affect perceptions of market access even in the absence of direct experience abroad.

The remainder of this section first describes the characteristics of survey respondents and their limited cross-border

4. Firms perspectives

Who responded

Given the context of the survey, it is unsurprising that the large majority of respondents are employees or individuals working in companies active in the construction industry (Figure 2).

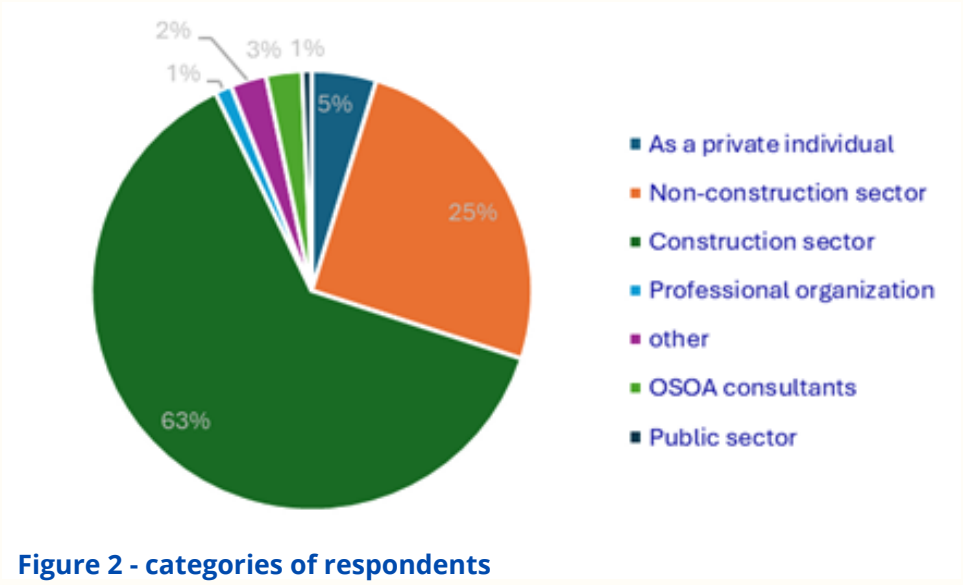


Figure 2 - categories of respondents

The great majority of respondents' companies has a revenue between 1 and 5 million Euros per year, with a few, very large outliers (Figure 3) with over 100 million Euros in gross operating income, with size being an important factor in determining both the number of employees and the likelihood of a given company of carrying cross-border operations.

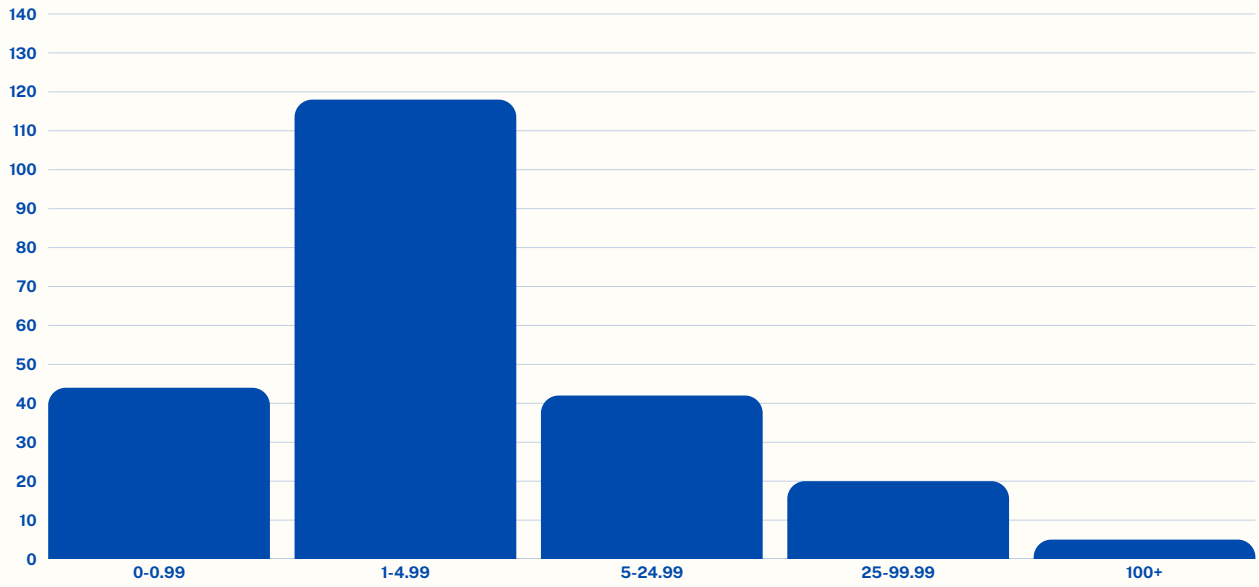


Figure 3 - Revenue of responding companies, M. Euros

4. Firms perspectives

Overview of the interviewees' cross-border footprint

An absolute majority of respondents (323 out of 486, or approximately 62%- see Table 2) consider that doing business in another European country is "hard or very hard" vis à vis doing business in Italy. This remains true even though only a very small fraction of responding companies actually does have any experience in cross-border activities. Only 28 companies out of 511 which responded to the survey question, or approximately 5.5%, had any experience abroad, and of these only 5 were successful.

Table 2- Perceptions *vis à vis* cross-border procurement

How easy do you think it is doing business in a different European country?	**N**	**%**
very simple	2	0.41%
somewhat simple	24	4.94%
neither simple nor hard	137	28.19%
somewhat hard	137	38.48%
very hard	136	27.98%
Did your company ever apply for a tender in a different European country?	N	%
No, never	483	94.52%
Yes, always or mostly successfully	5	0.98%
Yes, never or seldom successfully	23	4.5%

The companies active in other countries are, in fact, quite internationalized, insofar they often act in multiple countries. The 28 companies active in different countries reported a total of 45 experiences in another country (Figure 4), but this represents a floor rather than a ceiling to estimating their activities abroad, as they might have been participating in multiple tenders in each country, over time. France represents the most important market for internationalized companies surveyed in this wave, with Germany and Spain a distant second, followed by Romania and Croatia in the third place.

4. Firms perspectives

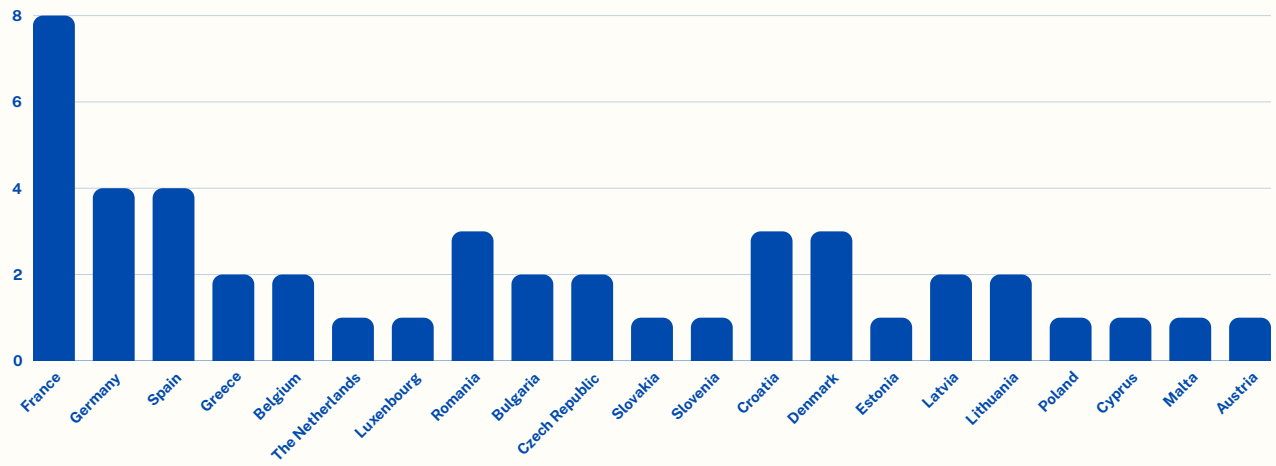


Figure 4 - Geographical distribution of cross-border procurement activities

In their cross-border operations companies do not report a significantly higher or lower regulatory burden. About 38% report a similar administrative burden, 33% a substantially higher burden, and 28% a substantially lower burden; however, given than only 21 companies responded to this question, the absolute numbers are too small, however, to interpret these data in any statistical sense. Similarly, when reporting whether their Italian SOA certificates were accepted or not (Table 3), respondents who said that SOA was not required abroad indicated a substantially lower burden; respondents who indicated that their SOA was accepted indicated a similar burden to the Italian system; and respondents who indicated that SOA was considered but seen as partial or incomplete, indicated on average a higher administrative burden than in Italian tenders. Even with small numbers, this suggests that unifying administrative requirements may contribute to stronger single market integration.

Table 3 - Was your SOA considered outside Italy?

	N	%
SOA considered as incomplete or insufficient	7	30.43%
SOA not needed or not considered	10	43.48%
SOA accepted	3	13.04%
other - indicate your experience	3	13.04%

Before moving to discussing experimental results, it is worth exploring the reasons deterring companies from applying for tenders in other EU countries, given that the great majority of the surveyed companies had never participated in a tender abroad. We report these results in Figure 5 below.

The relative majority of respondents – 34%- indicates that the lack of opportunities and information is the likely culprit; this is also reflected on the desired actions (discussed later in this report) and, in a way, it is echoed by some of the initiatives currently being considered by the European Commission.

The structural barriers that are typically seen as a limit for cross-border operations – unfair competition, additional administrative burden, supply chain issues and language – represent, together, the second group of issues, with about 30% of respondents selecting these as the main showstoppers. Accordingly, in the next section of this report, we experimentally explore how these specific structural barriers affect the perception of ease of doing business in a different European country, before moving to analyse preferred EU-level responses in the final section of the report.

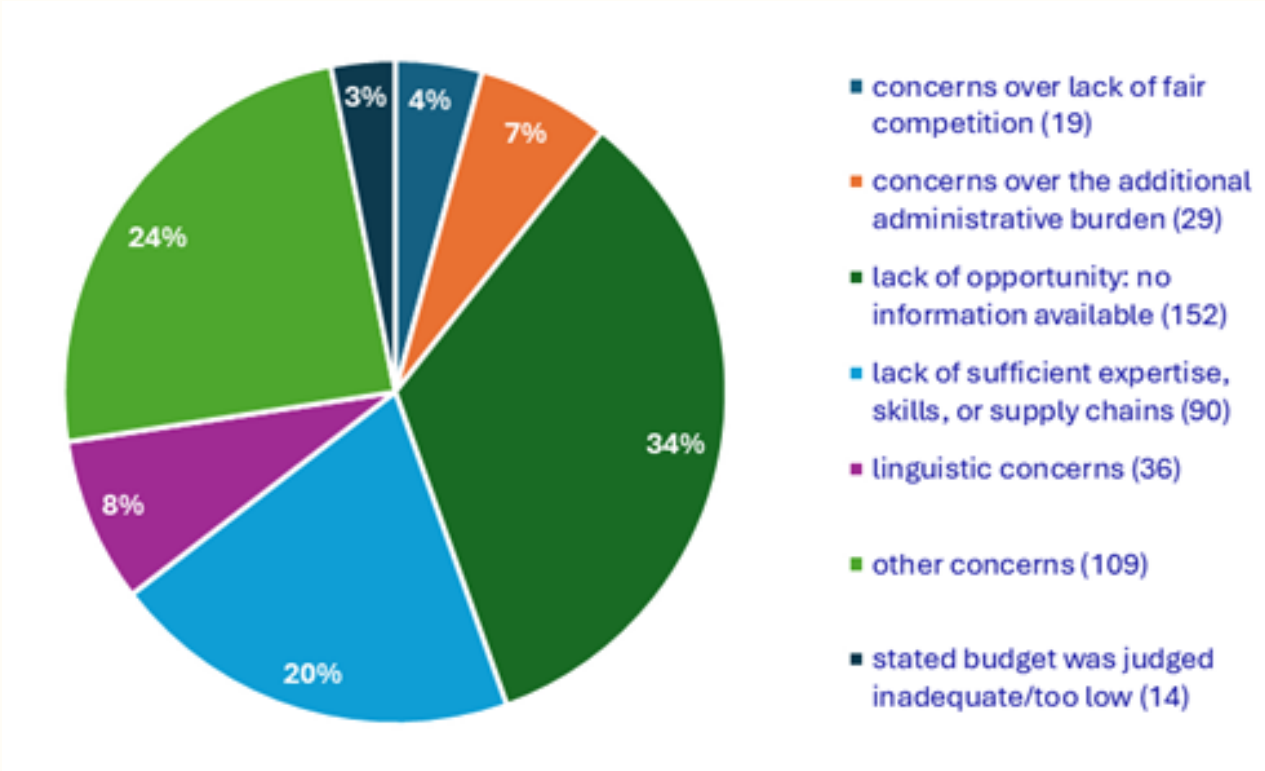


Figure 5: why companies do not apply abroad?

Which structural barriers matter? Experimental results

We explore the role played by traditional structural barriers by running a fully randomized survey experiment. Unsurprisingly, extant internationalisation as well as company size play a role in the interpretation of these barriers; experience and size are critical in smoothing operations abroad. To investigate this, we design a randomized experiment so to identify the causal link between structural barriers and perceptions about complexity of cross-border operations. In the experiment, respondents are asked to asses how complicated they think it is to apply for a tender in a different EU country. They are randomly assigned either to a control group, or to a treatment group where they are invited to think about, respectively, regulatory differences, cultural and linguistic differences, and differences in access to materials, supply chains, and human capital (see Table 4 for a comparison of the treatments). This experiment allows us to understand the causal effect associated with different types of barriers with the perception of complexity in cross-border operations.

Table 4 - Overview of experimental conditions

Control	Condition 1	Condition 2	Condition 3
What is your opinion about how easy it is for you do do business in a different European country?	Considering regulatory heterogeneity across the European Union, what is your opinion about how easy it is for you to do business in a different European country?	Considering linguistic and cultural heterogeneity across the European Union, what is your opinion about how easy it is for you to do business in a different European country?	Considering the availability of materials and human resources across the European Union, what is your opinion about how easy it is for you tobusiness in a different European country?

Results of this simple experiment help shed light on the role played by perceived barriers on companies' perceptions about the ease or complexity of doing business in a different country. Experimental results are tabulated in Table 5. Importantly, while the treatment conditions on their own are not statistically significant, company size and actual experience

abroad both negatively and very significantly correlate with perceived cross-border complexity, the larger the company and the more experienced it is in acting abroad (regardless of past successes or failures), the lower the likelihood that they consider cross-border operations hard or very hard. Moreover, some of the treatments significantly interact with company size, suggesting that company size is crucial when assessing cross-border barriers. In particular, all else equal, larger companies are more concerned than their smaller peers over regulatory barriers, and less concerned than their smaller peers about supply chains and human resources availability, likely reflecting a more internationalized employee base and global supply chains. Importantly, these are to be seen as quasi-causal effects; moreover, the direct, negative impact of experience abroad on concerns suggests that initial steps to be taken to act cross-border are the fundamental barrier to address.

Table 5 - Experimental results

Treatment: regulatory heterogeneity	-0.00234	(0.170)
Treatment: linguistic and cultural heterogeneity	-0.119	(0.175)
Treatment: material and human resources availability	0.144	(0.169)
Company gross income (m. eur)	-0.00272**	(0.00127)
Regulatory heterogeneity#company income	0.00309**	(0.00135)
Cultural heterogeneity#company income	0.00295	(0.0151)
Material availability#company income	-0.0161*	(0.00882)
Lack of experience abroad	0.678***	(0.247)
Constant	3.247***	(0.254)
Observations	238	
R-squared		0.074
Standard errors in parentheses: *** p<0.01, ** p<0.05, * p<0.1		

This is perhaps most evident when looking at the treatment's marginal component effects at levels of company turnover (Figure 6a and 6b). Since the dependent variable is a 5-point scale, very large companies are about 10% more concerned than small companies (or a full 0.5 point) about the impact of regulatory barriers in their activities abroad (Figure 4a). Conversely (Figure 4b), very large companies are up to 80% less concerned than small companies over the effect of supply chains on their activities abroad[4].

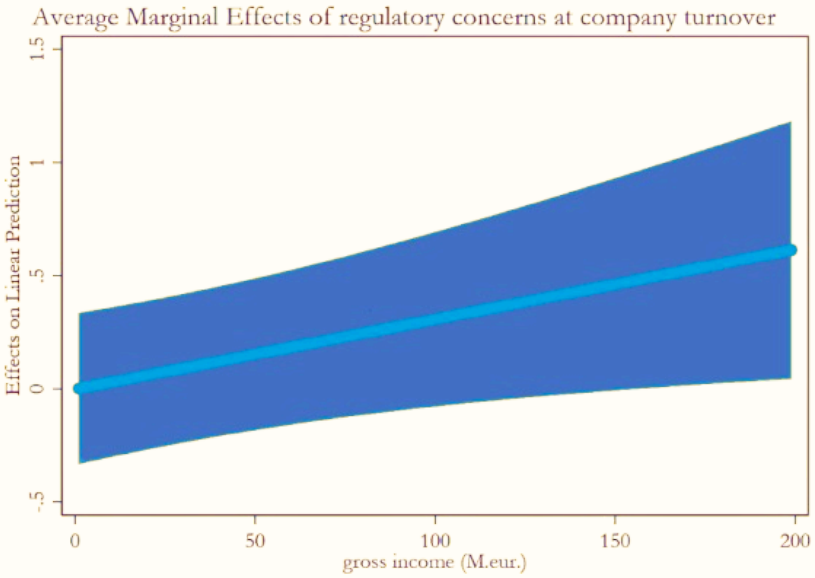


Figure 6a -Experimental marginal effects

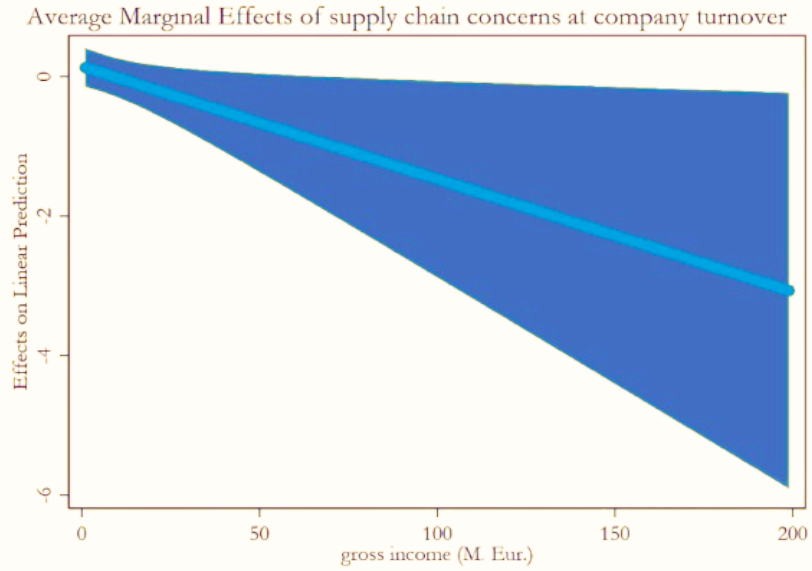


Figure 6a - Experimental marginal effects

The European Union's public procurement reform in the view of Italian firms

Finally, we come to the Italian construction sector's preferences for the reform of public procurement. Given the centrality of strategic procurement in the discussion of the reform (see Lappe and Nicoli 2025 for a discussion), the role played by environmental criteria, and the impact these might have on two key inputs for the construction sector- steel and cement- the legislative package under discussion is critical for the Italian construction sector. As discussed in the introduction, the political traction for such reform is strong, although ill-defined when it comes to its objectives. Moreover, public opinion is clearly supportive of introducing green criteria, legitimizing, to an extent, the Commission's ambitious agenda; a view that is in turn shared by policy experts, as experimentally demonstrated in Nicoli & Lappe (2025).

Hence, we dedicate a substantial portion of the survey to investigating preferences towards reform. We begin by looking at whether the surveyed companies are at all aware of such reform. To our surprise, the absolute majority of respondents (about 60%) did not know that a comprehensive reform of public procurement was in the making (Figure 7). This aligns well with the intuition that lack of information is a critical bottleneck for Italian construction companies in their attempt to act in the broader European market, even when such information might have a direct effect on their domestic operations.

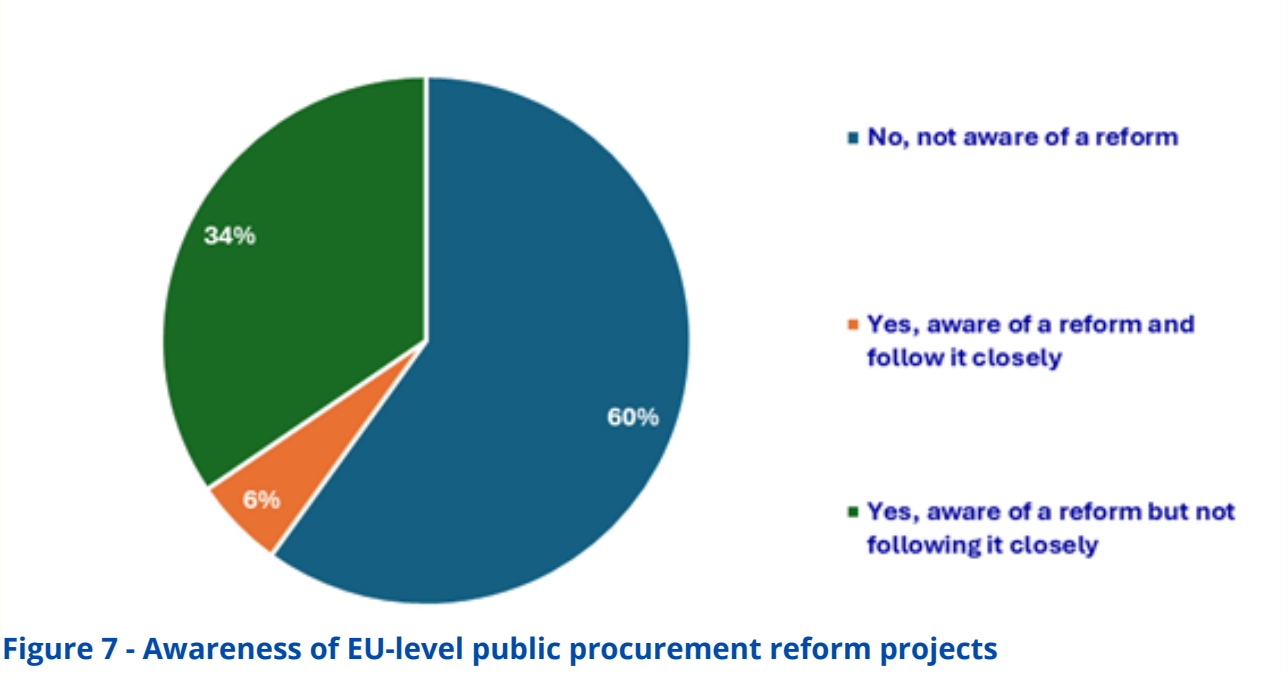


Figure 7 - Awareness of EU-level public procurement reform projects

4. Firms perspectives

When it comes to assessing the main areas of intervention, we asked company representatives to assess whether the EU's strategic procurement priorities – green procurement criteria, buy European criteria, digital product passports, and regulatory streamlining – represented more of a risk or more of an opportunity for their firms, or whether they were not sure.

Results are displayed in Figure 8. Strikingly, a large number of respondents was not sure how to assess these areas of intervention, once again underscoring the essential informational void over international developments in which many Italian companies currently act, even when they are deemed to impact them quite directly. This is particularly clear for the introduction of digital product passports and green procurement criteria, but also in the case of *buy European* criteria. Green procurement criteria, in particular, are quite polarizing, with a substantial opposition to them despite relatively high levels of support, both among the surveyed companies and in the population at large.

*Relatedly, we asked respondents to assess the level and type of intervention, following the matrix developed in Lappe and Nicoli (2025). There, it was argued that strategic procurement criteria can take place at the level of product or at the level of firm, and at stage of eligibility (*i.e.*, a firm not fulfilling a criteria would not be eligible) or at the level of award (*i.e.*, a certain criterion would have a certain weight in the award). We asked respondents to tell whether they think that interventions in each of these four categories would be suitable, unsuitable or neither. In this context, given that we are explicitly referring to the introduction of new, and likely stringent, criteria, it is reasonable to consider neutral responses as favouring the status quo, and therefore as a form of (weak) opposition to change. Flexibility afforded to firms increases when we move from product to firm, and from eligibility to award.*

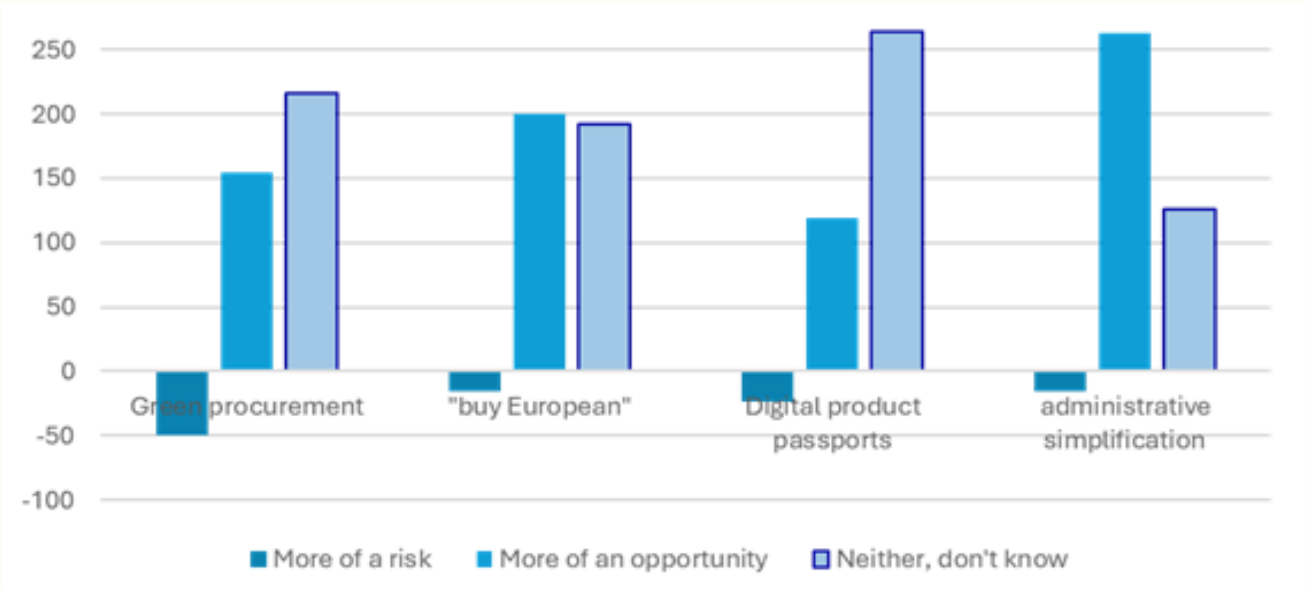


Figure 8 - Strategic procurement, risk or opportunity?

4. Firms perspectives

Figure 9 provides a snapshot of the responses given by the firm representatives to these trade-offs, computing neutral assessments as negative for the reasons explained. Strikingly, only one category of intervention is met with net positive support: eligibility-stage, firm-level actions. This type of actions allows firms to adjust across different product lines, for instance specializing in the greening of one particular type of product, or by reducing overall emission footprint. This, in turn, favours larger firms with several product lines, while it penalizes smaller firms for which product- and firm-level requirements often coincide. At the same time, the preference for eligibility rather than award criteria ensures that, should firms make the necessary investments needed to meet the targets, these guarantee access to the competition, rather than representing one element among many criteria, under which other competitors might fare better. In sum, level flexibility rewards larger firms, while eligibility criteria reward serious investment, which in turn requires much stronger legal oversight of the criteria against which eligibility is checked, reinforcing the case for a EU-wide supplier certification market.

Next, we analyse which specific actions the Commission should take to improve firms' capacity to compete in other EU countries. We asked respondents to rank, from 1 (high priority) to 5 (low priority) a series of actions that European officials are considering to create a Single Market for procurement.

These are, in particular,

1. a unified procurement portal,
2. cross-border recognition of (pre)certifications,
3. extension, simplification and generalization of labels,
4. standardization and harmonization of national legislation, and
5. stronger competition authorities.

We consider respondents assigning high priority to an action if they rank that action first or second, and low priority if they rank it third, fourth or last. The results are provided in table 5 below.

As displayed, a unified procurement portal across all European public administrations is very strongly seen as a high level priority, with 83% of respondents ranking it first or second. This confirms our prior intuition that national boundaries generate informational asymmetries that segment the Single Market. The next two priorities (cross-border recognition of pre-certification and standardization of national rules) are quite close to each other, aiming at easing the bureaucracy and administrative burden associated with operating under different single market jurisdictions. Under this light, systems similar to the Italian SOA would be quite useful, if transposed at the European level and extended beyond their current scope.



Figure 9

In fact, over 73% of respondents agree, in a follow-up question, that an an EU-wide system inspired by the Italian SOA would be helpful in the process of reforming EU public procurement rules, while only about 7% disagree. Finally, we asked respondents to indicate the main contributions and added value that a SOA-like system might have if transposed at European level. As earlier, respondents had to rank from 1 to 6 a series of motivations (Table 7). We indicate statements which are ranked first or second as communicating a 'strong rationale' for a SOA-like system, while statements ranked from the third place downward as communicating a weaker rationale.

4. Firms perspectives

Table 6 Ranking of specific actions, by priority level				
	Priority: high	%	Priority: low	%
A unified procurement portal across EU public administrations	229	0.83	48	0.17
Cross-border mutual recognition of (pre-)certifications	175	0.63	102	0.37
Extension, simplification and generalization of labels	13	0.05	264	0.95
Standardization/ homogenization of national legislation and award criteria	118	0.43	159	0.57
Stronger EU-wide supervision and competition authorities to prevent favouring of local/national players	19	0.07	258	0.93

As shown, reducing the documentation burden and accelerating timelines are generally seen as the strongest motivations to implement a SOA-like system, while the proportional increment of requirement and legal certainty are not seen as very important motivations behind introducing a SOA-like system at European level.

Table 7- For which aspects would a EU-wide SOA or SOA equivalent system be the most helpful? Please rank them according to their importance to you				
	Stronger rationale	%	Weaker rationale	%
Avoiding documents and reports duplication	186	0.70	81	0.30
Shorter verification times	175	0.66	92	0.34
Higher legal certainty	53	0.20	214	0.80
Requirements proportionally growing with business size	41	0.15	226	0.85
Easing of technical equivalences	78	0.29	189	0.71
Other (please specify)	1	0.00	266	1.00

5. Towards a European System of Supplier Qualification

As discussed in this paper, systems that legally pre-certify certain features of suppliers can contribute to substantially speeding up bidding processes. Moreover, when hybrid in nature (that is, when the system shifts part of the cost of assessing compliance from the public to the bidders themselves) it can also substantially decrease the public cost of strategic procurement. As documented elsewhere (Lappe & Nicoli 2025) strategic procurement can increase costs substantially, even if it remains a priority for the European Union. Process-related cost increases can be contained by a hybrid system of suppliers certification/qualification, for the reasons detailed here. Analysis of firms' perspectives also shows that EU-wide systems of supplier certification may be critical in extending the capacity of firms to act cross-border as it contributes to reduce ad-hoc administrative burden, therefore reinforcing the Single Market. Hence, the relevance of a European supplier qualification system with hybrid features is not driven by institutional preference or national specificity, but by a convergence of structural pressures reshaping public procurement across the European Union. To meet global challenges, European strategic public investment is expanding in scale, speed, and technical complexity, driven by the green transition, digital infrastructure, defence spending, and strategic resilience objectives.

At the same time, contracting authorities face persistent constraints in administrative capacity and technical expertise. Procurement is increasingly expected to deliver not only cost efficiency but also execution reliability, sustainability outcomes, and long-term value. As a result, the consequences of supplier underperformance have intensified, raising the importance of robust ex ante capacity screening. In this context, hybrid qualification systems offer a way to strengthen risk management without overburdening individual contracting authorities.

The EU's digitalisation agenda creates the technical conditions for reusable, data-driven qualification, but also exposes the limits of tender-by-tender verification models. These cannot systematically scale expert judgment and result in higher total costs for the public, and longer award timelines for bidders.. Digitalisation primarily automates the transmission and availability of data; it does not substitute for the assessment, interpretation, and verification of that data. For example, in works procurement, where qualification depends on evaluations of past performance, project complexity, and firm-specific capabilities, the bottleneck will not be access to documentation but the institutional capacity to interpret it consistently and accountably. Without redesigning who performs qualification and under what accountability framework,

digital tools risk accelerating fragmented and inconsistent checks rather than eliminating them. Consequently, cross-border participation, essential for resilience, competition, and strategic autonomy, is unlikely to scale under fragmented, tender-by-tender qualification regimes that impose high uncertainty and duplication costs on suppliers, particularly in complex works and infrastructure markets.

Three pathways EU-wide supplier certification systems

Earlier in the paper, we assessed that notary-like, hybrid systems of supplier certification are likely to perform best under three criteria (trust-building, cost, and timeline dilation). The question remains, however, how to design a system that, at scale, also reduces clashes between administrative and procurement cultures, which vary substantially in the European Union. We identify three pathways to strengthen the system.

A first, less ambitious option is to pursue stronger enforcement of mutual recognition of relevant documentations across Member States. As identified in the firms' survey discussed in section 4, fears over administrative duplication represent a serious barrier to the completion of the procurement's Single Market; among those few firms which were actually active cross-border, very few reported that their supplier qualifications were accepted or even considered in a different member state. A mutual recognition system would therefore greatly facilitate cross-border operations of firms. This could apply to fiscal, financial, and previous experience documentation. This approach would be fa-

-litated by some of the actions already under discussion, for example the creation of common digital product passports, the extension of the ESPD and the PPDS. This approach would build on existing EU legal principles by ensuring that contracting authorities more consistently accept equivalent national evidence, technical references, and relevant documentation issued in other Member States, unless there is a clear and proportionate justification for refusal. By improving recognition of existing national documentation, this option would reduce the need for firms to repeatedly prove validity when bidding cross-border, thereby lowering administrative costs and uncertainty — especially for SMEs and occasional cross-border bidders.

A second option would be a European System of Supplier Qualifications. Under this option, the EU public procurement reform would harmonize qualification systems across the EU, by encouraging Member States to allow private, accredited pre-qualification bodies to operate under a harmonised regulatory framework. In this approach, supplier qualification — particularly for works and infrastructure contracts — would be delegated to nationally-licensed private entities that apply national and EU-defined criteria, while public authorities and legislators in in each member state retain rule-setting powers, oversight, and legal responsibility for procurement decisions. If adopted more widely, this model could allow certifying companies to establish operations across multiple Member States, reducing duplication of qualification checks, accelerating procurement procedures, and

lowering transaction costs for both contracting authorities and suppliers. By creating reusable, standardised qualification outcomes, such systems could also facilitate cross-border participation, especially for firms active in multiple EU markets, while preserving competition and proportionality through strict accreditation, supervision, and transparency requirements at the EU and national level.

For example, in Italy the SOA is a single document that includes specific categories and classifications. In this policy proposal, a company could hold a similar document for another Member State reflecting national legislation, all within a single EU-recognized qualification Passport. This way, each national framework remains validated but benefits from stronger recognition at the EU level, with centrally authorized SOA like entities taking on the responsibility, and liability, of issuing the unified qualification. In practice, this system could go through an experimental implementation. Countries could opt in and offer the possibility of using the EU-wide passport while maintaining their current qualification process. There could also be higher thresholds or options limited to larger companies or projects (for example, those above €5 million or other meaningful thresholds). This approach would already generate a positive impact without disrupting markets, as countries could choose to allow the use of an EU passport while keeping their previous model fully valid.

Finally, the most ambitious option is the creation of a European Supplier Qualification Authority ("Euro-SOA"), designed to provide a single EU-wide system of pre-certification and qualification for works and infrastructure procurement. Under this model, economic operators could obtain a single, EU-recognised qualification certifying their technical, financial, and professional capacity, reusable across Member States and contracting authorities. This implies not only mutual recognition or allowing private entities to certify suppliers in different countries, but also a convergence of the national regulatory framework into common lines, and – likely- a single Authority responsible for assessing the quality and effectiveness of the certification bodies, much like ANAC currently does in Italy. Such a system could be operated either by a central EU body or through nationally designated entities that apply fully harmonised EU rules, with data integrated into shared infrastructures, such as the Public Procurement Data Space. An EU-wide qualification would significantly reduce duplication, accelerate procurement, and lower entry costs for cross-border bidders, particularly in complex infrastructure markets. At the same time, this option would require a high degree of political agreement, careful calibration to respect subsidiarity and proportionality, and robust governance to ensure trust, oversight, and adaptability across diverse national construction markets.

6. Conclusions

This paper has argued that supplier qualification should be treated as a central design variable in the forthcoming reform of EU public procurement, rather than as a purely technical or procedural accessory to tendering. As the Union moves towards a more strategic procurement paradigm — embedding sustainability, resilience, innovation, and potentially European-preference objectives — the administrative and verification burdens associated with participation are likely to rise. Without institutional redesign, this trajectory risks narrowing bidder pools, reducing cross-border participation, and weakening the Single Market effects that EU procurement law is intended to deliver.

The analysis identified three core performance dimensions for any qualification regime: trust-building, cost, and timeline dilation. These criteria matter acutely in works and infrastructure markets, where execution risk is high and contracting authorities must assess complex, experience-based capacity claims. While digitalisation and structured data initiatives such as eForms and the Public Procurement Data Space improve the availability and interoperability of procurement information, they do not by themselves resolve the bottleneck of consistent, accountable interpretation and verification. In other words, digitising documentation does not substitute for a credible institutional architecture that determines who verifies supplier capacity, under what standards, and with what legal effect.

The Italian SOA system offers a particularly instructive model because it converts qualification from an ad hoc, tender-by-tender exercise into a reusable, legally constitutive market access instrument. Its key institutional feature is a hybrid governance arrangement: accredited private bodies perform verification under tight public supervision, and the resulting certificate becomes a necessary and sufficient condition for participation in defined works tenders. This structure can lower duplication for contracting authorities, compress award timelines by shifting verification ex ante, and enhance trust by standardising how capacity is assessed. At the same time, the system's strengths are contingent on calibration: if compliance costs, rigidity, or oversight weaknesses increase, the model can generate entry barriers, market concentration, or risks of regulatory capture. The trade-off between execution reliability and market openness therefore remains a core policy question.

The survey evidence presented in the paper reinforces the relevance of this institutional perspective. Italian firms report limited cross-border participation and widespread perceptions of complexity, with lack of information emerging as a do-

-minant barrier. Respondents place clear priority on EU-level measures that reduce informational asymmetries and administrative duplication, particularly a unified procurement portal and mutual recognition of certifications. These findings align with the paper's broader claim that supplier qualification is not only a risk-management tool but also a lever for market integration.

The paper concludes by outlining three reform pathways: strengthened mutual recognition of equivalent evidence; an EU-enabled ecosystem of harmonised, supervised qualification bodies producing reusable supplier passports; and, most ambitiously, a European supplier qualification authority. Each pathway entails different feasibility constraints and institutional risks, but all share the premise that a data-driven procurement Single Market will require not only interoperable information systems, but also interoperable trust.

Finally, the most ambitious policy option would be to create a genuine European Supplier Qualification Authority (a "Euro-SOA"), establishing an EU-wide pre-certification or qualification system for works and infrastructure procurement. Under this model, economic operators could obtain a single, EU-recognised qualification certifying their technical, financial, and professional capacity, reusable across Member States and contracting authorities. This implies not only mutual recognition or allowing private entities to certify suppliers in different countries, but also a convergence of the national regulatory framework into common lines, and – likely- a single Authority responsible for assessing the quality and effectiveness of the certification bodies, much like ANAC currently does in Italy. Such a system could be operated either by a central EU body or through nationally designated entities that apply fully harmonised EU rules, with data integrated into shared infrastructures, such as the Public Procurement Data Space. An EU-wide qualification would significantly reduce duplication, accelerate procurement, and lower entry costs for cross-border bidders, particularly in complex infrastructure markets. At the same time, this option would require a high degree of political agreement, careful calibration to respect subsidiarity and proportionality, and robust governance to ensure trust, oversight, and adaptability across diverse national construction markets.

Notes

[1] Given the complexity and risk profile of public works, EU law permits stricter qualification requirements, and the European Commission has not challenged the SOA model, as it complies with EU principles of proportionality, transparency, and market access

[2]Notably, trust is not just a procedural or political requirement. In fact, the progressive expansion of the Italian certification markets show that supplier trust often delivers actual value. Qualification mechanisms are increasingly being used not only to access public tenders but also as signals of reliability and compliance in private and mixed markets. This evolution suggests that supplier qualification is no longer perceived merely as a procedural hurdle, but as a credibility device valued by a broad range of counterparties, including financial institutions and private buyers.

[3]Italian administrative case law and ANAC decisions have consistently clarified the legal effects of SOA certification, establishing it as a "necessary and sufficient" condition for participation in public works tenders. The following excerpt illustrates this interpretation (our translation) in the original language: "*SOA certification constitutes a "necessary and sufficient" prerequisite for participation in works procurement procedures, without there being any need for the tenderer to prove additional qualification requirements. As clarified in certain precedents of the Authority, [...] possession of an appropriate SOA certification for the category of works forming the subject of the award is sufficient to demonstrate possession of the required economic-financial and technical-professional capacity requirements. The possession of SOA qualification, in fact, satisfies every documentary burden relating to the demonstration of the existence of technical and financial capacity requirements for the purposes of the award of public works, and complies with the prohibition on aggravating evidentiary burdens in matters of qualification, with the result that any further requirement of additional qualifications, imposed on pain of exclusion, must be regarded as unlawful.*" (cfr. Delibera n. 430 del 5 novembre 2025, Delibera n. 14 del 10 gennaio 2024; Delibera ANAC 140 del 4 aprile 2023; Delibera n. 601 del 31.05.2017; Parere n. 108 del 9 giugno 2011.

[4] It should be noted that here the quality of the estimate is substantially likely due to the small number of companies at
each of the estimated level). In both cases, the estimates are significant at the 90% confidence interval (95% in the case
of regulatory concerns).

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