

# **Position Paper**

## **EU Public Procurement and Construction Products: A strategic competitiveness lever anchored in the Construction Products Regulation**

14 October 2026

### **Executive Summary**

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The European Commission's (EC) Public Procurement Act (PPA) proposal, COM(2026) 590, offers a powerful tool to turn public procurement into a stronger driver of Europe's competitiveness, productivity, resilience and industrial renewal.

For the PPA to support investment and innovation by European construction product manufacturers, deliver measurable simplification, safeguard fair and transparent competition and establish workable and consistent rules across the EU Single Market this horizontal Public Procurement-reform needs to remain anchored in the EU Construction Products Regulation (CPR, EU 2024/3110) as the unique reference framework that determines how performance of construction products is expressed and assessed on essential product characteristics in this context. Public procurement and any related European preference, Lead Market policy, or regulatory framework must be based on clear, objective and harmonised EU-level criteria based on actual performance and environmental outcomes as part of the essential characteristics of the CPR. Information available under the CPR and through verified EU Digital Product Passports (EU DPPs) should support implementation where they provide reliable information without creating duplicative testing, reporting or data sharing obligations. The Best Price-Quality Ratio (BPQR) should become the effective default for public contracts, supported by proportionate, transparent and product-relevant criteria, commercially viable conditions and effective remedies.

### **Make public spending work for Europe's strategic interests**

In line with the Draghi competitiveness report, the EC's proposal marks a decisive political shift: public procurement can no longer remain a neutral, price-driven exercise. It should become a strategic lever for investment in Europe's manufacturing capacity, reliable supply chains, innovation and industrial resilience, while preserving fair competition and value for public buyers.

### **Adopt an ambitious Regulation that gives the market certainty**

Public investment in roads, schools and hospitals represents nearly one-third of European construction revenue. Procurement policy therefore directly influences demand for construction products, manufacturers' investment decisions, innovation, production capacity and the resilience of supply chains across the EU Single Market. Construction Products Europe strongly supports the objectives of the EC's Public Procurement Regulation (PPR) proposal, while recognising that replacing three directives with a directly applicable regulation is a major legal and practical change. The European Parliament and Council should assess its interaction with national administrative and contractual frameworks and provide a realistic transition for manufacturers, other economic operators and public authorities. A regulation should be judged by whether it delivers greater legal certainty, consistency and predictability in practice, not by its legal form alone.

### **CONSTRUCTION PRODUCTS EUROPE AISBL**

Avenue Louise 54 Box P03 - 1050 Brussels, Belgium

Enterprise number: 0465.221.205 – EU Transparency Register: 48010783162-91

RPM Bruxelles - BNP Paribas Fortis BE04 0017 1257 6931

+32(0)472 47 72 23 - [info@construction-products.eu](mailto:info@construction-products.eu) - [www.construction-products.eu](http://www.construction-products.eu)

## **Anchor European Preference where it can deliver real impact**

Measures intended to strengthen European industry should preserve the integrity of the EU Single Market and fair competition. A European Preference framework is therefore a necessary political choice to ensure that public money supports reliable, compliant and strategic European supply chains rather than the lowest-cost sourcing of structural products from “non-covered” countries. It should apply clear, objective and harmonised EU-level criteria, avoid divergent national procurement approaches, and define precisely what qualifies a construction product as European. A product should be considered European where most of its manufacturing and processing takes place in the EU, even when individual raw materials are sourced internationally. The framework should be anchored firmly in the CPR, enabling public tenders to rely on established EU performance classes and verified information. CPR information and EU DPPs can provide a common evidence base, although a DPP is not in itself proof of European origin. Procurement rules should neither alter the CPR’s purpose nor impose requirements outside its harmonised framework. In line with the “once-only” principle, existing CPR data infrastructure should be used, companies should not have to resubmit information already available through public systems, and no parallel reporting or data systems should be created. All requirements should remain proportionate, particularly for SMEs.

Additionally, it is important that any procurement preference linked to lead markets must remain tied to CPR-based performance and lifecycle outcomes. Lead-market treatment cannot override or bypass CPR performance of construction products. It is important to avoid creating parallel systems under the Industrial Accelerator Act (IAA), PPR or Ecodesign Regulation that could classify the same product differently, undermine the CPR’s technology-neutral, performance-based approach.

## **Keep simplification at the heart of the reform**

The simplification agenda must be defended throughout the legislative process. Policymakers should resist attempts to reintroduce complexity, fragmented national requirements or excessive administrative burdens. Product-related criteria should rely on harmonised definitions, standards, performance classes and verified data already available under applicable EU legislation. If Europe wants strategic procurement to become an effective market tool rather than a political slogan, procedures must be simpler, more predictable and easier to apply for public buyers, manufacturers and other economic operators.

## **Reward sustainable product performance and whole-life value**

Making the BPQR the effective default award criterion would help move procurement beyond the lowest upfront price and prevent a race to the bottom. The final regulation should reward quality, sustainability, resilience, innovation and whole-life value through transparent, proportionate and product-relevant criteria. For construction products, award criteria should assess performance over the entire life cycle, including energy efficiency, service life, recyclability and recycling, rather than focusing only on purchase price or the carbon footprint of manufacturing. Public buyers should rely on harmonised assessment methods, declared performance and verified product information without duplicating testing or documentation obligations. Market consultation, functional specifications and acceptance of equivalent or alternative solutions should support innovation and avoid favouring particular technologies or manufacturers.

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## Ensure fair access and effective remedies

Conditions for participation and product-related requirements should remain proportionate and should not create unnecessary barriers for manufacturers, including SMEs, seeking to supply public projects directly or through construction value chains. Intellectual property, confidential technical information and commercially sensitive product data must be protected. Legislators should ensure that these principles are not diluted in negotiations and that the final Regulation actively rewards quality, sustainability, resilience and strategic European production. In-house awards should remain transparent and appropriately limited. A modernised procurement framework should also be accompanied by a fair, effective, coherent and predictable remedies system, ensuring legal certainty and consistent access to redress across the EU Single Market.

## Parliament and Council must turn ambition into law

The European Parliament and Council now have a clear responsibility. Parliament should defend the political ambition of this proposal by ensuring that public procurement supports European competitiveness, resilience, quality and value for citizens. Council should ensure that the Regulation is legally robust, workable within national administrative and contractual frameworks, consistently applicable across Member States and supported by a realistic transition. Both co-legislators should prevent fragmentation, protect fair competition and confidential business information, and ensure that Europe's public money actively supports Europe's industries, workers and strategic future. The reform's success should be measured by stronger competition, investment, productivity and innovation, lower administrative burdens and the effective delivery of high-quality buildings and infrastructure.

## Conclusion

Europe's public procurement framework can become a powerful instrument for competitiveness if ambition is matched by clear, harmonised and workable rules. By making BPQR the effective default, using verified CPR and EU DPP information without duplication, and ensuring proportionate requirements, fair access and effective remedies, the final Regulation can stimulate resilient European manufacturing and deliver better long-term value for public authorities and citizens.

### List of acronyms

Best Price-Quality Ratio (BPQR)  
Construction Products Regulation (CPR)  
EU Digital Product Passports (EU DPPs)  
Industrial Accelerator Act (IAA),  
Public Procurement Act (PPA)  
Public Procurement Regulation (PPR)

Founded in 1988, Construction Products Europe is a Brussels-based international non-profit making association. The association is made up of national and European associations that represent Small and Medium-size Enterprises and world-leading companies. Construction Products Europe aims to promote the European construction industry, to share information on EU legislation and standardisation and to provide input in all European construction-related initiatives.

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