

OIN Response to Public Procurement Public Consultation

Submission

The following represents the Open Ireland Network submission made to the public consultation on the National Public Procurement Strategy on May 20th, 2025.

This submission was created in collaboration with Open Ireland Community members from both the public and private sector in Ireland and Northern Ireland, alongside international experts from the EU and US.

Even since the submission, we have had some suggestions from the community on how to improve this text, which is included below.

National Public Procurement Strategy Consultation Questions

Q1. What is the most important thing that the strategy needs to deliver?

Open Ireland Network is a non-profit social enterprise representing those individuals and organisations in Ireland who are involved in the open source ecosystem. Our aim is to connect and enable open source practitioners operating in Ireland across government, academia, and the private sector. Since we formed in 2021, we have identified Irish government procurement processes as one of the major blockers to open source excellence in Ireland.

Procuring Digital Services is inherently different from other forms of procurement, and many of our existing frameworks and templates are not set up for excellence in procurement in this area. The procurement of open source solutions and services is a particular case of this.

Open source software and services have been identified by the EU and European Commission as critical to EU's digital strategies, including those focusing on areas of digital innovation and EU competitiveness. Recent research shows how investing in open source can generate significant positive economic impact, increased GDP, and an increase in startup formation.

Enabling excellent procurement of open source solutions and services can also better deliver other government priorities, specifically: the efficient re-use of key infrastructure and software (build to share); interoperability of our digital solutions across Europe; supporting the SME ecosystem; better security and risk management across our digital estate; compliance with the rapidly changing regulatory landscape (e.g. compliance with Cyber Resiliency Act, AI Act etc.); and increased transparency and trust in our digital services.

For these reasons, we propose that any new national procurement strategy include best practices for the procurement of open source software and services. Resources and training are required to ensure accurate assessment of the suitability of Open Source, where it can provide the greatest sustained economic and security benefits, and where the most suitable tooling is instead proprietary. Where Open Source is the best approach, there are currently significant blockers to successful procurement processes that have been identified by the Open Ireland Network community. We can learn from the experiences of our engaged community of over 100 individuals from across public and private sectors in Ireland, and leverage best practices from other jurisdictions to enable this.

Q2. What are the biggest challenges that you see in delivering the strategy over the next 5 years?

We recently held a workshop to gather feedback from our community members in government, representatives from those vendors who service the Irish government, and international experts in this area from Europe and the US. The following challenges were identified:

- Limited existing procurement capabilities for evaluating and acquiring digital and open-source solutions, within both national and local governments.
- Ensuring procurement processes keep pace with rapidly evolving technologies such as AI, cloud services, and APIs, requiring ongoing capability-building.
- Cultural and organizational resistance to change, driven by uncertainty regarding open source and lack of awareness of modern software development processes and methods.
- Lack of visibility into overall procurement trends and data, making it impossible to see how Ireland's procurement landscape compares to other similar countries with similar goals and profile.

Q3. Do you have any views on how these challenges can be met?

Open Ireland Network is one of the many communities in Ireland that could be leveraged to enable more detailed feedback on the challenges and potential solutions to enhancing our

National Procurement Strategy. We recommend engaging community representatives, like Open Ireland Network members, in a working group to work through all the issues/feedback raised here in more detail. We would work to not only deliver documented details of issues and fixes, but also international best practices that could be implemented in Ireland for accelerated impact.

To give an example of what that might look like, the following set of recommendations were gathered from local and international participants at our recent workshop:

- Enhance our procurement frameworks to enable the responsible procurement of digital services, acknowledging how they differ from traditional procurement processes, enabling agility and responsiveness.
- Provide clear policy guidance on when and how to procure open source software and services, including considerations in the planning and preparatory phases of procurement.
- Create procurement frameworks and make template text available that enable specific types of digital projects, specifically, open source software and services procurement, ensuring strategic alignment with key priorities like interoperability, transparency, security, and supporting local SMEs.
- Leverage best practices and resources from other jurisdictions to enable this.
- Foster inter-agency and cross-sector communities of practice to share experiences, overcome cultural barriers, and jointly address procurement-related uncertainties.
- Develop targeted capability-building programs similar to the US Digital IT Acquisition Professional Program (<https://techfarhub.usds.gov/get-started/ditap/>), emphasizing agile procurement, human-centered design, and strategic decision-making. The DITAP program curriculum will shortly be available for re-use and modification, so it could be easily adapted for Irish context.
- Establish enabling functions (e.g. Open Source Program Offices (OSPOs) or competency centers) to provide procurement guidance, maintain expertise, and ensure consistent standards.
- Create feedback loops from all stakeholders and enable continuous improvement.
- Provide more information and open data on the procurement process, to monitor trends, blockers, and opportunities for more efficient procurement and build trust with the ecosystem and citizens in general.

Q4. Do you have any specific feedback on Theme 1 – Strategic Public Procurement?

Strategic Public Procurement is an umbrella terms for green public procurement, socially responsible public procurement and innovation procurement.

- Open Source is not always the solution, we need to raise awareness of how and where open source software and services are central to achieving sustainability, social

responsibility, and innovation in public services, reflecting strategic public procurement goals.

- We need to ensure excellence in procurement that aligns with modern software development practices.
- Excellence in open source software and services procurement can help facilitate cross-sector collaboration, strengthening strategic partnerships (local and international), and mutualizing costs and risks of delivering digital citizen services.

Q5. Do you have any specific feedback on Theme 2 – Transparency?

Transparency is a fundamental principle of EU and national procurement law. It governs each stage of the process from tender publication to contract award.

- We also recommend embedding open source principles deeply within procurement practices, ensuring transparent and open procurement decisions, documentation, and processes, including:
 - Leverage OSS to reinforce trust through open audit trails, open data standards, and community-driven transparency practices.
 - Clearly communicate procurement decisions and rationale in accessible, open formats to reinforce public trust and accountability.
 - Provide open and accessible data on our procurement processes and outcomes, which allows us to track Ireland's activity in relation to international trends and identify and mitigate dependency risks.
- This focus also allows others to learn from what we do and demonstrates that Ireland is aligned with global best practices in this area.

Q6. Do you have any specific feedback on Theme 3 – Digitalisation?

Digitalisation: The objective of eForms and eTenders, and the desire for the phased provision of high quality, integrated, end-to-end digital procurement is to reduce administrative burdens for buyers and suppliers and create new pathways for Irish businesses to participate in public procurement.

Apart from the general recommendations above to better enable the procurement of digital services, the Open Ireland Network has identified a number of opportunities to specifically help the procurement of open source software and solutions. For example, we recommend the development of clear guidelines and checklists for assessing open source projects during digitalization initiatives, including project health and sustainability. This will ensure we are following international best practices in digital service delivery.

This is just one suggestion. Open Ireland Network would be delighted to work to facilitate gathering a list of more detailed recommendations from the local open source ecosystem and international experts.

Q7. Do you have any specific feedback on Theme 4 – Informed Delivery?

Informed Delivery refers to a process that helps people make well-informed decisions about policies, programs and projects by putting the best available evidence at the heart of policy development and implementation.

We recommend a focus on assisting the discoverability and assessment of open source solutions and services. For example, we recommend the creation and dissemination of decision making frameworks that cover:

- When and where open source software and services are optimal or appropriate.
- How to find relevant open source projects and collaborators.
- How to assess the suitability and health of open source projects and the resilience of associated vendors.

Q8. Do you have any specific feedback on Theme 5 – Public Trust?

Public Trust: Public procurement can play a critical role in maintaining and building public trust in government. The OECD has identified five key drivers of trust in public institutions which are responsiveness; reliability; integrity; openness and fairness.

The Open Ireland Network community has identified the following areas for increasing public trust in our procurement processes:

- Focusing on enabling excellence in open source software and service procurement demonstrates a commitment to facilitating open source digital public infrastructure, aligning with EU priorities and UN's sustainable development goals.
- Better enabling the procurement of open source software and services, which is inherently open and transparent in nature, can build and reinforce trust between collaborating software development teams.
- Clearly documenting and publicly sharing procurement processes, outcomes, and decision-making rationales enhances public accountability, and demonstrates alignment with international best practice in this area.
- Enabling excellent procurement of open source software and services can provide responsible managed pathways to involve the public and other stakeholders engagement with the delivery and maintenance of digital citizen services.

Q9. Do you have any specific feedback on Theme 6 – Capability building for public buyers?

Capability building for public buyers: Ensuring that public buyers and policy makers have the necessary skills and knowledge to deliver on the agreed actions will be crucial to the successful implementation of the strategy.

- Develop dedicated training modules focused on open source within procurement capability-building initiatives, mirroring successful programs like DITAP (Digital IT Acquisition Professional Program) in the US.
 - The curriculum of DITAP will shortly be available for free use and modification.
- Establish clear competence criteria for procurement professionals, emphasizing agility, strategic procurement skills, and digital innovation.
- Provide ongoing training and certification for procurement teams to remain updated on open source best practices, emerging technologies, and relevant procurement regulations.

Q10. Do you have any specific feedback on Theme 7 – Supports for SMEs?

Supports for small and medium-sized enterprises (SMEs): The Programme for Government commits to developing Ireland's enterprise base as a priority – from backing small businesses and start-ups, to scaling up indigenous firms.

- Open source procurement frameworks enable increased SME participation, because the nature of open source software allows for SMEs to more easily re-use, modify, and redistribute related software to provide complementary services. This ensures more equitable access to markets and lower entry barriers for SMEs both locally and across Europe.
- We recommend procurement guidelines actively facilitate SME involvement by clearly defining qualification requirements and eliminating exclusionary criteria.
- We also recommend the introduction of collaborative procurement frameworks that allow SMEs to build capacity, share resources, and engage effectively in procurement opportunities. Similar programs have been effective in other jurisdictions, and some Open Ireland Network members have related experiences to share.

Q11. Do you have any specific feedback on Theme 8 – Central purchasing?

Central purchasing: The OGP and its sourcing sector partners in Health, Education, Defence and Local Government have responsibility for sourcing common goods and services on behalf of the public service through “central procurement arrangements”.

Our workshop resulted in the following feedback on the central purchasing theme:

- Provide visibility of what software development services are being procured, what is available to re-use and modify. Work on discoverability and education on the benefits of software re-use can introduce significant efficiencies.
- Explore the potential for a marketplace for open solutions to encourage both service-oriented large companies and local SMEs to identify opportunities for collaboration and innovation. Work is underway on other European instances of this type of directory that Ireland could reuse and integrate with.
- Encourage collective procurement and joint governance models to pool resources and expertise in procuring and managing open source centrally.

- Focus on skills and knowledge transfer across departments.
- Even if open source is not the initial goal, by procuring custom software development services with the option to make them open source (e.g. ensuring the Irish government owns the IP and it is sufficiently well documented), the Irish government can enable greater efficiency and options in how that software is reused and or maintained in the future.

Q12. Do you have any specific feedback on Theme 9 – Efficient and effective public procurement?

Efficient and Effective public procurement refers to the optimal use of resources (both human and financial) and on-time delivery, quality and value for money but also using public procurement to deliver wider societal, economic and environmental impact.

Open source is not always the answer, but there are scenarios where it is the optimal approach for many reasons. We need to raise awareness of where open source software and services can deliver greater efficiency through shared software development, maintenance costs, and collaborative governance structures. For those cases, we recommend a focus on smoothing the pathway for the discovery and re-use of existing software assets.

Q13. Do you have any specific feedback on Theme 10 – Infrastructure?

Infrastructure: The Programme for Government identifies stable, long-term delivery of essential infrastructure as a priority for the Government.

Work has been done in the EU and elsewhere to identify scenarios where open source software is optimal for government goals. Where we want to prioritise adaptability, interoperability, and long-term sustainability, we should:

- Foster inter-agency collaboration (at national and international level) through shared open source infrastructure platforms, enhancing public-sector innovation and resilience. One example of where this is already in action is the international CSIRT (Computer Security Incident Response Teams) community, in which Irish National Cyber Security Centre representatives are active participants.
- Establish clear procurement frameworks to enable ongoing collaborative maintenance and support for open source infrastructure projects with other partners (government or private sector, or in some cases, motivated citizen experts).

Q14. Do you have any specific feedback on Theme 11 - Resilience?

Resilience: Challenges brought about by crises such as the Covid-19 pandemic and the high cost of energy prices, have highlighted the importance of resilience component to public procurement strategic planning to ensure the crises preparedness of the public procurement system.

Open technologies can minimize the dependence on a single supplier or supply chain, allowing alternative approaches and expansion of the market when needs rapidly change. Where change in technology use or adoption are required to mitigate or resolve a crisis, open solutions enable public bodies to seek adaptation and support competitively, even in emergencies.

Enabling the responsible procurement of open source software and services inherently enhances resilience by enabling the diversification of technology sources, reducing dependencies, and enabling rapid crisis response.

Q15. The objective of the strategy is to improve the lives of the people of Ireland through the delivery of strategic, innovative, sustainable and transparent public procurement practices. What do you think of this objective? Is there anything that we should add?

Governments the world over face many of the same challenges, enabling an open source approach to delivering digital public infrastructure means no one government has to shoulder the cost or responsibility of the creation and maintenance of their digital estate.

We recommend:

- Explicitly recognize excellent procurement of open source as one more strategic lever for achieving efficiency, sustainability, transparency, and resilience in public service delivery.
- Highlight open source as another way to foster local innovation and SME growth, aligning the procurement strategy with broader economic and societal goals.

Q16. Do you have any other feedback that you would like us to take into account when forming this strategy?

Recommendations:

- Establish structured feedback loops involving OSS communities, SMEs, and stakeholders for continuous improvement of procurement practices.
- Ensure that procurement guidelines and policies are regularly reviewed and adapted based on emerging technologies, stakeholder feedback, and evolving societal needs.

Resources Identified & References

- Open Source Business Alliance Selection Criteria for the Sustainable Procurement of Open Source Software:
<https://osb-alliance.de/publikationen/veroeffentlichungen/selection-criteria-for-the-sustainable-procurement-of-open-source-software>
- Maurice Hendrick's Document: <https://hackmd.io/@MauriceHendriks/ryZ9dWptJx>
- Civic Actions GitHub
- Medicare/Medicaid OSPO GitHub account:
 - <https://www.meity.gov.in/static/uploads/2024/03/Policy-Document.pdf>