

Academic Year: ( 2022 / 2023 )

Review date: 20-05-2022

Department assigned to the subject: Public State Law Department

Coordinating teacher: ASIS ROIG, AGUSTIN EUGENIO

Type: Electives ECTS Credits : 3.0

Year : 1 Semester : 1

## OBJECTIVES

Related to the subject .

- Identify , manage and implement the applicable national, European and international laws .
- Discuss and solve complex legal problems that may require the application of different rules and criteria.
- Critically analyze doctrinal , administrative, legal and jurisprudential texts.
- Perform complex legal documents.
- Intervene , formulate strategies and resolve legal disputes inter-privatos or with public authorities.

## DESCRIPTION OF CONTENTS: PROGRAMME

1. Public procurement foundations; its application at regulated sectors procurement.
2. Scope and definitions on public procurement and regulated sectors procurement law. Contracting authorities and entities
3. Criteria for the selection of participants: exclusion grounds and capacities
4. Procurement preparation: definition of content. Procurement documents
5. Procurement procedure principles: equally treatment. Competition, publicity, transparency and confidentiality
6. Tender procedure, specialties of the electronic procedure
7. Award of contracts: criteria, publication and effects
8. Procurement procedures: open procedure, restricted procedure, negotiated procedures, Competitive Dialogue and Innovation Partnership.
9. Special regimes: Electronic Auctions, social services and design contests by jury procedures
10. Techniques and instruments for electronic and aggregated procurement: Framework agreements, Dynamic purchasing system, Electronic catalogues, Centralized purchasing activities and central purchasing bodies an joint procurement
11. Contract performance: Subcontracting, modification of contacts during their term and termination
12. Governance and special Administrative appeal

## LEARNING ACTIVITIES AND METHODOLOGY

Theoretical lectures developing key concepts supported on audiovisual media and recommended specific literature. Commented readings by the teacher about the subject (newspaper articles, reports, manuals and / or academic papers) followed of in class discussions to expand and consolidate the knowledge of the subject.

Discussing and case' resolution, individually or in groups.

Legal issues and cases exposition and discussion under teacher moderation.

Drafting legal documents and informes.

Readings of theoretical and practical materials provided by the teacher in the virtual learning platform .

In the event that it is impossible to teach face-to-face classes, teaching will be carried out entirely online, in its synchronous mode without recording the classes, on the platforms made available by the Carlos III University of Madrid.

## ASSESSMENT SYSTEM

Continuous assessment (40%)

- Making individual or group work
- Individual reviews

Final assessment (60%):  
Resolution of a practical case

The assessment in the extraordinary call would be under the same requirements than in the ordinary one.

<b>% end-of-term-examination:</b>	60
<b>% of continuous assessment (assignments, laboratory, practicals...):</b>	40

#### BASIC BIBLIOGRAPHY

- José Luis Vicente Iglesias Comentarios a la Ley 30/2007, de 30 de octubre, de contratos del sector público, La Ley, 2008
- LUCIANO PAREJO ALFONSO Lecciones de Derecho Administrativo, Tirant lo Blanch, 2020

#### BASIC ELECTRONIC RESOURCES

- BOE . Código de Contratos del Sector Público: <a href="https://www.boe.es/legislacion/codigos/codigo.php?id=31&modo=1&nota=0&tab=2" target="\_blank">https://www.boe.es/legislacion/codigos/codigo.php?id=31&modo=1&nota=0&tab=2</a>
- MINISTERIO DE HACIENDA . TRIBUNAL ADMINISTRATIVO CENTRAL DE RECURSOS CONTRACTUALES: <http://www.minhfp.gob.es/es-ES/Áreas%20Temáticas/Contratacion/TACRC/Paginas/Tribunal%20Administrativo%20Central%20de%20Recursos%20de%20Contratos%20del%20Sector%20P%C3%BAblico.aspx>
- UNIÓN EUROPEA . UNIÓN EUROPEA NORMAS Y DIRECTRICES: [https://europa.eu/european-union/business/public-contracts\\_es](https://europa.eu/european-union/business/public-contracts_es)