

## **Abstract**

The main aim of this diploma thesis is to provide a comprehensive analysis of legislation of evaluation criteria with its main focus on quality criteria taking account of decision practice of the Office for the Protection of Competition, case law of administrative courts and foreign and also domestic practice of awarding of the public contract.

The diploma thesis is divided in five chapters, with each chapter being split in subchapters. The first chapter presents a brief overview of the public procurement legislation and intends to describe its basic aims and purposes. The second chapter focuses on legislation of quality criteria. The subject of the third chapter is the act of contracting authority prior to the launching of the procurement procedure and with it relating preliminary market consultation and award criteria. The fourth chapter deals with individual evaluation criteria including unnamed criteria and proposes the outline of the foreign practice of evaluation with the Best Value Procurement method. Furthermore, the chapter deals with the subjective award criteria in the light of the case of administrative courts and decision practice of the Office for the Protection of Competition. The last fifth chapter is devoted to the evaluation of tenders, deals with the changes to the award procedures of public contracts related to the possibility of executing of the evaluation of tenders prior to the assessment of compliance with the selection criteria. Furthermore, the chapter describes selected institutes related to procedure of evaluation including the method of evaluation of tenders under the individual criteria, deals with weighting or another mathematical relation among the criteria and deals with a written report on the evaluation of tenders.