

## **Abstract**

### **The concept and types of public procurement contracts**

The title of the thesis is „**The concept and types of public procurement contracts**“. The thesis is based on current legislation of public procurement law (Act No. 137/2006 Coll., on Public Contracts), which is heavily influenced by European Union legislation.

The basic purpose of public procurement law is to regulate the effective distribution of public funds. The basic aim of this thesis is an analysis and evaluation of some basic legal institutes of public procurement law.

The thesis is divided into four chapters:

The first chapter can be considered as an introduction. This chapter is divided into three parts. The first part includes a short definition of the law on public procurement. Public procurement law is divided into two main areas (1. awarding public contracts; 2. revision of the awarding process). Finally, this part describes the position of public procurement law in the Czech legal system. Part Two deals with the legal sources of this type of law (national, international, European Union) and its development on the national level. In the third part are defined the basic principles of procurement law: principle of transparency, principle of equal treatment and non-discrimination principle.

The second chapter is divided into two parts. Part one deals with the definition of the concept of public contract and its basic elements (contractual basis, contracting parties, object of fulfillment, element of payment). The second part contains the definition of specific public contracts which may be procured outside the regime of the law. These specific cases of public contracts are known as exceptions from the scope of the law.

Chapter three deals with the personal scope of the public contracts Act. This chapter is divided into four parts. In the first one the most important entity by law known as public purchasers is defined. Public purchasers are entities that are required to follow the procurement arrangements by process contained in Act No. 137/2006. In the other parts of the third chapter entities contractors, subcontractors and specific central purchasing body are defined.

Chapter four deals with various types of public contracts. Act No. 137/2006 divides public contracts based on the object of fulfillment into public contracts for supplies, services and construction works. Furthermore are public contracts divided by the

estimated value into three categories: above the limit, under the limit and small scale public contracts.

An amendment to the Act of public contracts is being prepared at current time. This amendment aims to save 90 billion Czech crowns per year. The most significant change in this amendment is a significant reduction of the upper limit for small scale public contracts.

***Key words***

Public contracts

Financial limits

Small scale public contracts