

ERASMUS – INTENSIVE – SYLLABUS**2020**

CÓDIGO <i>Code</i>	NOME DA DISCIPLINA <i>Course</i>	CARGA HORÁRIA <i>Hours</i>
	Public Procurement and competition in a globalized world	10h.

PROFESSOR OU PROFESSORES*Professor(s)*

Nuno Cunha Rodrigues

Overview:

I - Introduction to public procurement;

II - Economics of public procurement and public contracts;

III - Globalization, international trade and public procurement:

3.1. Developed countries;

3.2. Economic analysis;

3.3. Secondary policies;

IV - The WTO and the GPA;

4.1. Principles:

4.1.1. Most favoured nation (MFN);

4.1.2. National treatment rule;

4.1.3. Exceptions

4.2. The Government Procurement Agreement (GPA):

4.2.1. History of the GPA

4.2.2. The new GPA (2014)

4.2.3. The legal framework of the GPA:

4.2.3.1. Scope and coverage;

4.3.3.1. Evaluation of contracts;

4.3.3.2. Negative lists;

4.3.3.3. Positive lists;

4.3.4.4. Off-sets;

4.3.4.5. The defense exceptions;

4.3.4.. Case law under GPA

V Public procurement in the European Union;

5.1. Effect of GPA in European law;

5.2. History of public procurement in European Law;

5.3. Main principles of European law and public procurement;

5.4. The legal framework of 2014;

5.5. Secondary policies under European Law:

5.6. Case law;

5.7. Defense exceptions

5.8. Connection between competition law and public procurement

5.8.1. General framework

5.8.2. Article 101 of the TFEU (*bid-rigging*)

5.8.3. Article 102 of the TFEU

5.8.4. Merger control and public procurement

5.8.5. State aid and public procurement

5.8.6. Case law

VI – Other agreements:

6.1. Economic institutions:

6.1.1. World bank (tied-aid and tied-loan)

6.1.2. IMF;

6.1.3. Other institutions;

6.2. The UNCITRAL public procurement model;

6.3. Bilateral agreements;

6.4. Regional agreements;

VII – The future of public procurement in a globalized world;

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