

Abstract

Qualifying requirements and evaluating criteria in public tenders

The purpose of my thesis is to analyse selected areas of public tenders awarding, namely qualifying requirements and evaluating criteria, which are used for selection of the most advantageous contractor for performance of the public tender object.

The thesis is composed of four main chapters.

Chapter One summarizes the development of public tender legislation in the Czech Republic, defines current legislation both in the Czech Republic and in the European Union. Chapter Two defines basic terms of the public tenders area which are typical and characteristic only for public tenders and which are not used in other fields of Czech law.

The two remaining chapters are devoted to the qualifying requirements and evaluating criteria, their role and types. Through qualifying requirements contractors are divided into those who are qualified to perform public tender and those who are not. Regarding its importance, it is necessary to stick to the binding provision of the Public Procurement Act while setting the qualifying requirements.

Chapter Four is devoted to the evaluating criteria. On the basis of the evaluating criteria the contractor whose bid best fulfils the idea of performance of the contracting authority is chosen from those who are qualified enough and decided to compete for the awarding of public tender. It is necessary to set the evaluating criteria legally and suitably for choosing the bid which best meets the required proportion of quality and price. In this chapter I also deal with the pervasion of qualifying requirements and evaluating criteria and I try to argue against the ban set in the Public Procurement Act.