

Responsible public procurement

Abstract

The thesis deals with the issue of responsible public procurement in the Czech Republic. Responsible procurement in the context of this work means the award of public contracts in which, in addition to satisfying the primary needs of the contracting authority, the secondary needs are otherwise satisfied or partially satisfied, which is mostly enshrined in the adopted policies of the state. That means public funds are used at a maximum efficiency. The aim of this work is to describe the legal environment of public procurement in the Czech Republic and to describe the possibilities for responsible procurement, which Act No. 134/2016 Coll., On the award of public contracts to contracting authorities. This work is divided into an introduction, seven chapters and a conclusion. The first chapters are devoted to the sources of public procurement law and basic concepts. Furthermore, the basic principles of public procurement law are described here. The following chapters deal in more detail with the concept of responsible public procurement and the possibilities that the contracting authority has for such procurement, including a description of the possibility of using the Best value approach. Chapter six briefly focuses on the issue of responsible procurement and the protection of competition in light of the judgment of the Regional Court in Brno and the decisions of the Office for the Protection of Competition. The last chapter presents my proposals for a possible amendment to Act No. 134/2016 Coll., On the award of public contracts in favour of expanding the possibilities for responsible public procurement.

In this work, I come to the conclusion that the current legal situation provides contracting authorities with several options to take into account the objectives of responsible public procurement in public procurement, but that in most cases such a procedure is more difficult for contracting authorities, especially in preparing a public contract than the so-called "price competition", although even such a procedure may not be in conflict with responsible procurement.

Klíčová slova: public procurement, responsible public procurement, contracting authority