

Course Name : Prokurim Publik							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 204	N/A	Spring	3.00	0.00	0.00	3.00	4.00
Lecturer		Ada Güven, PhD					
Assistant		Albana Laknori, PhD					
Course language		Albanian					
Course level		Program i Integruar					
Description		The subject "Public Procurement" studies the way of organization and the basic rules of operation of Public Procurement, according to the meaning of this law no. 162/2020 "On Public Procurement" which defines the rules for procurement procedures by authorities and contracting entities for public contracts and design competitions. Procurement, according to the meaning of this law, is the purchase of works, supply of goods or services through a public contract by one or more contracting authorities or entities from economic operators selected by these contracting authorities or entities, regardless of whether the works, supplies of goods or services are used or not for public purposes. This course studies the basic elements of this law, providing detailed concepts on the way of action, the organization of institutions such as the Public Procurement Agency, the Public Procurement Commission, etc. Also, a special place in the study of this subject is the research of some of the main directives of the EU with the aim of aligning the Albanian legislation with the acquis of the EU, by transposing or adapting the specific directives, which cover procurement procedures in the classic sector, sectoral and administrative review directives.					
Objectives		"Public Procurement" undertakes to provide complete knowledge on procurements, Concessions/Public Private Partnerships, auctions as well as the procedures for granting Mining Permits. In particular, the course provides detailed information on some of the most important institutions in the field of public procurement, with the aim of acquainting students with the basic principles of formation, activity and various administrative problems that they present in practice. Another important goal of this course is to acquaint students with the basic principles of this law and the solution provided by administrative and judicial practice to administrative disputes that arise in the context of its implementation. The course aims to enable students to do high-level scientific work (essays, course assignments, projects). To encourage critical observation and the act of legal correction in cases of deviations from legal standards, etc.					
Core Concepts		1. Public contract 2. Public auction 3. Public procurement 4. Administrative investigation 5. Concessions 6. PPP (Public Private Partnership)					
Course Outline							
Week	Topic						
1	Introduction to Public Procurement Legislation; The history of public procurement in Albania; Its evolution from creation to the present day. General introduction on public contracts, the basic elements and meaning of public contracts will be given in a general perspective. (Law on Public Procurement)						
2	Concepts and principles of public procurement. Explanation of some main concepts which are the key words of this subject and which will help the students in understanding other subsequent topics. (Law on Public Procurement)						

3	The elements of the public procurement process, the need for a good, service, or work, the public fund available to the Contracting Authority for this purpose; The role and importance of principles in the public procurement process; Cases of violation of public procurement principles. (Law on Public Procurement and Guidelines for the support and strengthening of Albanian public procurement systems, concessions and public auctions)
4	Conflict of interests in public procurement; Types of conflict of interest; The case of conflicts between members of the procurement unit, members of the Bid Evaluation Committee, the holder of the CA, etc. Cases of conflict of interests of economic operators; Legal provisions for resolving cases of conflict of interest. (Law on Public Procurement and Guidelines for the support and strengthening of Albanian public procurement systems, concessions and public auctions)
5	The importance of identifying the needs that will be realized through the public procurement process; existence of need, as a key element in legitimizing the procurement process; the direct impact of the identification of needs, on the successful implementation or not of the public contract that will be concluded at the end of the procurement process; identification and planning of needs, as part of the budget planning of the Contracting Authority. (Law on Public Procurement and Guidelines for the support and strengthening of Albanian public procurement systems, concessions and public auctions)
6	Technical specifications, qualification criteria and winner selection criteria; Preparation of specifications, -Principles that must be taken into account in the preparation of technical specifications, Characteristics of technical specifications as well as their role in a procurement procedure, etc. (Law on Public Procurement and Guidelines for the support and strengthening of Albanian public procurement systems, concessions and public auctions)
7	Types of public procurement procedures according to Albanian legislation; Public procurement procedures; Cases of their selection; (Law on Public Procurement and Guidelines for the support and strengthening of Albanian public procurement systems, concessions and public auctions)
8	Midterm
9	Development of the public procurement process; Steps to be followed during the procurement process; The role and responsibility of each of the functions within the CA, during the procurement cycle; The responsibility of the CA in the administration of this process. (Law on Concessions and Public Private Partnership, no. 125/2013 amended by law no. 88/2014)
10	Review system in public procurement; The right to appeal in the public procurement process; Complaint rates. (Law on Concessions and Public Private Partnership, no. 125/2013 amended by law no. 88/2014)
11	The electronic procurement system in Albania; The method of procurement through the electronic system, The role of APP and CAs in the electronic procurement system, Integrity and traceability of data in the electronic procurement system, Advantages of using the electronic procurement system, etc. (Law on Concessions and Public Partnership Private, No. 125/2013 amended by Law No. 88/2014)
12	Contract management; The role of the Contracting Authority in contract management; The link between the contract and the procurement process; The possibility of changing the conditions of the public contract, after its conclusion; The importance of good public contract management. (Law on Concessions and Public Private Partnership, no. 125/2013 amended by law no. 88/2014)
13	The regime of the European Commission for Public Procurement and the current situation and the necessary legislative changes for the further alignment of the Albanian public procurement system with the European one 3. (Christopher Bovis (2007) EU Public Procurement Law, Edward Edgar Publishing, London)
14	EU directives on public procurement; The importance of regulating public procurement according to the relevant EU Directives. / MSA's obligations for public procurement, the necessary changes in Albanian procurement legislation, etc. (Christopher Bovis (2007) EU Public Procurement Law, Edward Edgar Publishing, London)
15	Judicial practice on public contracts
16	Final Exam

Prerequisites	The student must attend the course at a minimum rate of 75%.
Literature	• Ligji për Prokurimin Publik, nr. 9643/2007 ndryshuar me ligjin nr. 182/2014 • APP (2012) Udhëzues Për mbështetjen dhe forcimin e sistemeve shqiptare të prokurimit publik, koncesioneve dhe ankandeve publike, APP, Tiranë • Christopher Bovis (2006) EC Public Procurement: Case Law and Regulation, OUP, Oxford. • Christopher Bovis (2007) EU Public Procurement Law, Edward Edgar Publishing, London
References	• Vendim Nr. 914, datë 29.12.2014 “Për miratimin e rregullave të prokurimit publik, i ndryshuar me vendimin nr. 402, datë 13.05.2015, me vendimin nr. 823, datë 23.11.2016 dhe me vendimin nr. 797, datë 29.12.2017 • Ligji për Koncesionet dhe Partneritetin Publik Privat, nr. 125/2013 ndryshuar me ligjin nr. 88/2014 • Ligji për Ankandin Publik, nr. 9874/2008 ndryshuar me ligjin nr. 10346/2010
Course Outcome	
1	Gaining knowledge about issues and problems in the field of public procurement.
2	Defining complex events and topics, through developing discussions and making new suggestions in line with field research
3	At the end of the subject, students will be able to follow the developments of the public procurement process and complaints in appropriate cases.
4	Students will gain knowledge about the conflict of interest in public procurement, the types of conflict of interest.
5	Students will gain knowledge about the regime of the European Commission for Public Procurement and EU Directives for public procurement.

Course Evaluation			
In-term Studies	Quantity	Percentage	
Midterms	1	50	
Quizzes	0	0	
Projects	0	0	
Term Projects	0	0	
Laboratory	0	0	
Class Participation	0	0	
Total in-term evaluation percent			50
Final exam percent			50
Total			100
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	3	48
Study hours outside the classroom (Preparation, Practice, etc.)	14	3	42
Duties	0	0	0
Midterms	1	2	2
Final Exam	1	2	2
Other	0	0	0
Total Work Load			94
Total Work Load / 25 (hours)			3.76
ECTS			4.00