

69853 - Public procurement

Syllabus Information

Academic year: 2024/25

Subject: 69853 - Public procurement

Faculty / School: 179 - Centro Universitario de la Defensa - Zaragoza

Degree: 648 -

ECTS: 12.0

Year: 1

Semester: Annual

Subject type: Compulsory

Module:

1. General information

The main goal of this course is to provide a deep understanding of contractual regulations in the Public Sector, identifying the parties involved, the structural elements of a public contract, and the phases of the process for handling a public procurement file. Special emphasis will be placed on public procurement within the defense sector.

The course covers everything from the preparation of a public contract to its effects, compliance, and termination. It will also address the review and administrative and contentious-administrative appeals that may arise.

Students have prior knowledge of public procurement, acquired as part of the content required in the competitive examination necessary to access the center where this subject is taught.

2. Learning results

By the end of the course, students will be able to:

- **CO_02:** To identify the necessary information on economic, administrative, contractual and accounting matters to facilitate decision making by the Command of the organizational or operational structure in which the individual is framed.
 - **CON2.4:** Examine international regulations applicable to agreements and conventions with other States and International Organizations for their application and advice to the Command on this matter.
 - **CON2.5:** Identify the competencies of different Public Sector bodies in contractual matters and the qualification conditions of companies participating in contractual processes.
 - **CON2.6:** Analyze the effects derived from the contract in terms of its settlement, breaches through the invalidity regime of contracts, and the different forms of termination of the obligations derived from it.
- **HA_03:** To know how to use the different types of contracts and contracting procedures that the Contracting Bodies in the scope of the Administración General del Estado and, in particular, of the Army must apply to obtain material resources, observing the current regulations on Public Sector contracting.
 - **HAB3.1:** Differentiate various contractual types to match each public need.
 - **HAB3.2:** Determine the documentation required by current legislation to prepare the contracting file, with special emphasis on the development of Administrative Clauses and contract formalization documents.
 - **HAB3.3:** Generate the necessary documentation for the procedures of contract awarding and formalization according to their object and amount.
- **CP_01:** Democracy and Sustainability. To develop a commitment to the society in which we live so that it may prosper through the dimensions of democratic values and sustainability, materialized in the global framework that defines it at all times. Governance and proper compliance with contractual activities.
 - **COM1.1:** Identify contractual practices that promote principles of transparency and fairness in the bidding processes for later implementation.
- **CP_02:** Teamwork. To actively collaborate with a group of people to achieve a common goal by pooling different talents.
 - **COM2.1:** Collaboratively design internal and external communication strategies that promote the efficient execution of public procurement processes.
- **CP_03:** Critical thinking. To reflectively reason on a topic, being able to deliberate on its validity by submitting one's own and external convictions to debate. To evaluate protocols and knowledge critically and propose improvements.
 - **COM3.1:** Critically evaluate the proposals and offers received in the public contracting processes.
- **CP_04:** Emotional intelligence. To understand and regulate one's own emotions and those of others in order to interact and participate effectively and constructively in social and professional life.
 - **COM4.1:** Analyze the personal emotions of various stakeholders to constructively resolve situations that may arise requiring decision-making on contract awards.
- **CP_05:** Innovation and creativity. To design and carry out a task or project in a different way using creativity and curiosity to add value with an entrepreneurial attitude.

- **COM5.1:** Propose innovative approaches to simplify and speed up procurement procedures.
- **CP_06:** Lifelong self-learning. To use learning continuously and to develop autonomous and flexible learning strategies throughout life in order to be part of an active, motivated and integrated citizenship, favoring the improvement of employment or personal development.
 - **COM6.1:** Use online resources, libraries, databases, courses, reference materials, etc., to acquire and enhance their knowledge and skills in contractual matters.
- **CP_07:** Leadership. To demonstrate the ability to exercise leadership and assume command, adapting to each situation and paying permanent attention to safety and compliance with the rules and measures established to ensure the integrity of personnel, facilities, equipment, systems, material and documentation, in accordance with current regulations.
 - **COM7.3:** Design a plan that includes a clear vision and specific goals, related to their area of responsibility, aligned with the objectives of the Armed Forces, promoting efficiency and integrity in contractual processes.

3. Syllabus

Part A: Public procurement regulatory framework: Study of the provisions governing contracting in the Public Sector. General aspects and preparation of contracts: Identification of the essential and structural elements of public contracts, and the steps necessary for their preparation.

Part B: The external phase of administrative contracting (I): Contracting procedures and contract award. Analysis of systems for the rationalization of contracting and their practical applications.

Part C: The external phase of administrative contracting (II): Management of compliance, effects, and termination of public contracts. Invalidity regime. Contracts in the defense sector. International contracting.

4. Academic activities

The teaching of this subject is based on active methods that encourage participation and discovery learning. Main activities include lectures [A01], talks by expert personnel [A02], information search and analysis [A06], seminars [A07], problem-solving [A08], tutorials [A09], teamwork [A10], case studies/analysis [A11], and oral team presentations [A12].

The teaching methodologies used are problem-solving-based learning, the case method, cooperative learning, collaborative learning, and discovery learning. These methodologies are designed to promote deep and applied learning in the field of administrative contracting.

5. Assessment system

FIRST CALL

Continuous Assessment:

Group practical work and oral presentation (IEC1): Students will perform practical work throughout the year, which will include problem-solving, report writing, and oral presentations. These works will represent 10% of the final grade (5% for problem-solving/reports and 5% for oral presentation).

Written Tests: Four (IEC2-IEC5) multiple-choice exams will be held during the year, evaluating theoretical, practical, and theoretical-practical aspects. Each exam will contribute 22.5% to the final grade, totaling 90%.

Global Exam: Students who do not pass the subject through continuous assessment or wish to improve their grade may opt for a Global Exam. The highest grade between continuous assessment and the Global Exam will prevail. It will consist of passing a multiple-choice exam covering the entire syllabus of the subject.

SECOND CALL

Global Exam: Students who do not pass in the first call may sit for this Global Exam, which will be similar to that of the first call.

Instrument evaluation	Weight	CON2.4 CON2.5 CON2.6	HAB3.1 HAB3.2 HAB3.3	COM1.1	COM2.1	COM3.1	COM4.1	COM5.1	COM6.1	COM7.3
IEC1	10%	X	X	X	X	X	X	X	X	X
IEC2	22,5%	X	X							
IEC3	22,5%	X	X							
IEC4	22,5%	X	X							
IEC5	22,5%	X	X							
Global test	100%	X	X							X

EVALUATION CRITERIA

The evaluation of practical work will focus on the student's analytical and creative ability, as well as their capacity to solve legal issues they face and their ability to work cooperatively. The evaluation of the oral presentation of the work will consider the ability to rigorously express themselves on legal issues related to public contracting.

Regarding theoretical tests, accuracy of the responses according to the subject syllabus will be considered. To pass the subject, the student must obtain a final grade of 5 or higher.

Because the subject is under the control of the Seal 1+5, the aptitude of the students will be assessed during the preparation of the group work and its oral presentation.

6. Sustainable Development Goals

8 - Decent Work and Economic Growth
12 - Responsible Production and Consumption
16 - Peace, Justice and Strong Institutions