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proposal for a new directive on public procurement; 7. Conclusions; Chapter 5. Qualification and Shortlisting; 1. Introduction; 2. Excluding economic operators; 3. Economic and technical capabilities; 4. Qualification and subcontractors the executive level and other affiliates; 5. Shortlisting 6. The provisions of the new directiveChapter 6. Contract Award Criteria; 1. Introduction; 2. Award criteria for all contracts; 3. Difference between the award criteria and qualification; 4. Criterion of the lowest price-special reference to "abnormally low tenders"; 5. Criterion of the economically most advantageous tender; 6. Most important innovations or changes of the new Directives; 7. Conclusions; Chapter 7. Sustainable Procurement; 1. Introduction; 2. Definition of the subject matter of the contract and mixed contracts; 3. Technical specifications 4. Selection criteria and reserved contracts5. Award criteria; 6. Conditions for the performance of the contract; 7. The Reform.; 8. Conclusion; Chapter 8. Treaty Requirements for Contracts 'Outside' the Procurement Directives; 1. Introduction; 2. The Treaty requirements - Transparency and Equal treatment; 3. To advertise or not to advertise; 4. Means of competition; 5. Other requirements derived from the Treaty; 6. Cross-border interest; 7. Modernisation of the EU public procurement rules; 8. Conclusion; Part II. Special Procurement Regimes; Chapter 9. Utilities Procurement; 1. Introduction 2. The utility sectors: a field of tension between EU and Member States

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#### Sommario/riassunto

This book analyses many aspects of the present EU regulatory framework for public contracts, especially public procurement, taking the ongoing reform process into account. First, several chapters discuss the regime of the Public Sector Procurement Directive 2004/18/EC governing the procurement activities of the EU Member States, the coverage of the Directive, qualification and technical specifications, procurement procedures, and award criteria. A specific chapter describes the EU principles applicable to contracts not covered or partially covered by the Directive, which have been the subject

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