ADMITERE DOCTORAT 2016-2017
Prof. Univ. Dr. Dacian Dragoș

Themes and bibliography for the admission exam to the PHD school
Field: (European) Administrative law

Notes:
Materials are available upon request (dragos@fspac.ro)

The written exam and the interview will be conducted in English. Students have the possibility to pursue joint PhD with universities from the EU.

Previous scientific publications in the field or in connected fields constitute an advantage for the admission to the program

Theme 1: Administrative law in context
a. The changing state
b. Transforming judicial review
c. Making the law, Rules and Discretion
d. Regulation and governance, accountability
e. Contractual governance
f. ADR in administrative law and tribunals in transition

Bibliography:
C. Harlow, R. Rawlings, Law and Administration, Cambridge University Press, 2009, chapters 2-11
H. C. H Hoffmann, R. L. Weaver (eds), Transatlantic perspectives on administrative law, Bruylant 2011, Introduction, Part I and Part III.
S. Rose Ackerman, P. Lindseth (eds), Comparative administrative law, Edward Elgar 2010.
M. Ruffert (ed), Legitimacy in European administrative law: Reform and Reconstruction, Europa Law Publishing, 2011, chapters 1-5, 8-11, 13, 16.

Theme 2: Europeanisation of national administrative law
a. Implementation of EU law in the national legal systems
b. Mixed administration
c. Equivalence and effectiveness, effective judicial protection
d. Direct effect
e. Consistent interpretation
f. General principles of law
g. Administrative enforcement
h. State liability
i. The service directive
j. Alternative dispute resolution in administrative law
Bibliography:


R. Caranta, A. Gerbrandy (eds), Traditions and Change in European Administrative Law, Europa Law Publishing, Groeningen-Utrecht, 2011


Theme 3: Public procurement law under European influence

a. SCOPE, DEFINITIONS AND GENERAL PRINCIPLES
b. Mixed procurement
c. THRESHOLDS
d. Principles of procurement
e. Procedures
f. Conduct of the procedure
   i. PREPARATION
      1. Preliminary market consultations
      2. Prior involvement of candidates or tenderers
      3. Technical specifications
      4. Labels
      5. Test reports, certification and other means of proof
   ii. PUBLICATION AND TRANSPARENCY
        1. Contract notices
        2. Contract award notices
   iii. CHOICE OF PARTICIPANTS AND AWARD OF CONTRACTS
        1. Criteria for qualitative selection
        2. Exclusion grounds
        3. Selection criteria
        4. European Single Procurement Document
        5. (e-Certis)
        6. Contract award criteria
        7. Life-cycle costing
        8. Abnormally low tenders
   iv. Contract performance
      1. Conditions for performance of contracts
      2. Subcontracting
3. Modification of contracts during their term
4. Termination of contracts
   g. Outside the Directives but covered by the Treaties
   h. Strategic and sustainable public procurement

**Bibliography:**


Francois Lichere, Roberto Caranta, Steen Treumer, Modernising public procurement: the new directive, DJOEF Copenhagen 2015.

D. Dragos, R. Caranta (eds), OUTSIDE THE EU PROCUREMENT DIRECTIVES, INSIDE THE TREATY? DJOEF Copenhagen, 2012, chapters 1, 7, 10, 11, 12

S Treumer, F. Lichere (eds), Enforcement of EU Public Procurement Rules, DJOEF Copenhagen, 2011, chapters 1, 2, 3, 5.


**Theme 4: Public private partnerships in the EU**

a. Public markets and public services in the EU
b. Concepts: Contracting authorities, Public contracts
c. The procurement of PPP

**Bibliography:**

Ch. Bovis, Public private partnerships in the EU, Routledge 2014