

# **Public procurement, service and works contracts: coordination of procedures for the award, classical directive**

2000/0115(COD) - 02/07/2003 - Text adopted by Parliament, 2nd reading

The European Parliament adopted some of the amendments in the report by Stefano ZAPPALA (EPP-ED, Italy) but rejected the majority. Those amendments adopted include the following: - a contract is deemed a public works contract only if its subject-matter specifically covers the execution of activities listed in Annex I, even if the contract covers the provision of other services necessary for the execution of such activities. Specific reference is made to public service contracts in the sphere of property management services which may include works; - accessibility criteria for people with disabilities must be taken into account by the contracting authority; - the electronic auction procedure is not suited to the award of works contracts or contracts for intellectual-creative and other, more complex services; - there is a definition of "particularly complex" contracts; - the confidential nature of information furnished by economic operators must be respected; - the Directive will not apply to public supply contracts involving the purchase of school books in respect of which a fixed final retail price has been laid down in the Member State in which the purchase is made; - there are specific provisions on contracts awarded to entities formed by contracting authorities; - a tender may be submitted by electronic means only if an advanced electronic signature within the meaning of Directive 1999/93/EC and a reliable means of encrypting the contents are used; - contracting authorities may operate a system for qualification of economic operators; - there are provisions for Member States to establish monitoring mechanisms.