

Subject card

Subject name and code	Methodology of constructing contracts in public administration - workshop classes, PG_00133251						
Field of study							
Date of commencement of studies	October 2023	Academic year of realisation of subject			2025/2026		
Education level	Bachelor's studies	Subject group			Obligatory subject group in the field of study		
Mode of study	full-time studies	Mode of delivery			at the university		
Year of study	3	Language of instruction			Polish		
Semester of study	5	ECTS credits			2.0		
Learning profile	practical	Assessment form			credit		
Conducting unit	Department of Civil Law -> Faculty of Law and Administration -> Rector						
Name and surname of lecturer (lecturers)	Subject supervisor		dr Mateusz Kosmol				
	Teachers		dr Mateusz Kosmol				
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	0.0	30.0	0.0	0.0	0.0	30
	E-learning hours included: 0.0						
Learning activity and number of study hours	Learning activity	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	Number of study hours	30		0.0		20.0	50
Subject objectives	The aim of the course is to deepen students knowledge and develop their skills in properly drafting contracts concluded by public administration entities, including within the framework of public procurement procedures and the financial management rules of the public sector. The classes are designed to prepare participants to analyse, draft and review contractual provisions in the context of substantive and procedural law, as well as to implement good practices aimed at minimising legal risks and ensuring compliance with the principles of fair competition and the protection of the public interest.						
Learning outcomes	Course outcome		Subject outcome		Method of verification		
	ADMINL3_UK06		Has the ability to draft standard contract templates and official documents in Polish and in a foreign language related to public administration activities, including within the framework of public procurement.		[SU4] test/exam - oral or written		

I. Part One Civil Law:

1. Basic concepts concerning contract law.
2. The notion of performance (obligation fulfillment).
3. Multiplicity of creditors or debtors.
4. Obligation contracts.
5. Performance of obligations and consequences of non-performance.
6. Extinction of obligations.
7. Change of creditor or debtor.

II. Part Two Issues of Contracts in Public Administration:

1. Introduction to the issues of contracts in public administration
 - Types of contracts concluded by public sector entities.
 - Specificity of contracts in administrative law transactions versus civil law transactions.
 - Legal frameworks of liability of administrative authorities in contract conclusion.
2. Principles of drafting contracts in the public sector
 - Essential elements (essentialia negotii) and additional contractual provisions.
 - Prohibited clauses and restrictions resulting from public procurement law.
 - Principles of fair competition, transparency, and protection of public interest.
3. Public Procurement Law and contract construction
 - Tender procedures and the impact of Public Procurement Law on contract content.
 - Contracts for awarding public procurement specifics and examples of clauses.
4. Practical aspects of contract drafting
 - Editorial workshop: drafting contract projects.
 - Analysis of contractual provisions in terms of legal risks.
 - Correction and verification of contract content from the perspective of compliance with substantive and procedural law.

	<p>5.</p> <p>Workshops on document preparation</p> <ul style="list-style-type: none"> • Development of standard letters and annexes. • Model contractual clauses. <p>6.</p> <p>Good practices and recommendations</p> <ul style="list-style-type: none"> • Minimizing legal risk in contract execution. • Most common mistakes and practical problems in drafting contracts in public administration. 						
Prerequisites and co-requisites							
Assessment methods and criteria	<table border="1"> <thead> <tr> <th>Subject passing criteria</th> <th>Passing threshold</th> <th>Percentage of the final grade</th> </tr> </thead> <tbody> <tr> <td>written colloquium</td> <td>51.0%</td> <td>100.0%</td> </tr> </tbody> </table>	Subject passing criteria	Passing threshold	Percentage of the final grade	written colloquium	51.0%	100.0%
Subject passing criteria	Passing threshold	Percentage of the final grade					
written colloquium	51.0%	100.0%					
Recommended reading	<table border="1"> <tr> <td>Basic literature</td> <td> <p>Literature used during the course:</p> <ol style="list-style-type: none"> 1. Z. Radwański, A. Olejniczak, <i>Obligations General Part</i>, C.H. Beck Publishing House, (current edition). 2. Z. Radwański, J. Panowicz-Lipska, <i>Obligations Specific Part</i>, C.H. Beck Publishing House, (current edition). 3. K. Pietrzykowski (ed.), <i>Civil Code. Commentary</i>, C.H. Beck Publishing House, (current edition). 4. E. Gniewek, P. Machnikowski, <i>Civil Code. Commentary</i>, C.H. Beck Publishing House, (current edition). 5. M. Lubiszewski, <i>Public Procurement Law</i>, C.H. Beck Publishing House, (current edition). 6. M. Szewczyk, R. Szczepaniak, S. Pawłowski (eds.), M. Kruś, E. Szewczyk, J. Wegner, L. Staniszevska, W. Abromeit, M. Meier, F. Lewandowski, <i>Contracts in Public Administration</i>, Wolters Kluwer Publishing House, (current edition). 7. A. Cempura, A. Kasolik, <i>Methodology of Drafting Contracts in Economic Matters</i>, Wolters Kluwer Publishing House, (current edition). </td> </tr> <tr> <td>Supplementary literature</td> <td> <p>Supplementary literature:</p> <ol style="list-style-type: none"> 1. H. Izdebski, M. Kulesza, <i>Public Administration. General Issues</i>, LIBER Publishing House, (current edition). 2. E. Bagińska, J. Parchomiuk, <i>Liability for Damages in Public Administration</i>, in: R. Hauser, Z. Niewiadomski, A. Wróbel (eds.), <i>System of Administrative Law</i>, vol. 12, 2nd edition, C.H. Beck / Institute of Legal Studies of the Polish Academy of Sciences, Warsaw 2016. </td> </tr> <tr> <td>eResources addresses</td> <td></td> </tr> </table>	Basic literature	<p>Literature used during the course:</p> <ol style="list-style-type: none"> 1. Z. Radwański, A. Olejniczak, <i>Obligations General Part</i>, C.H. Beck Publishing House, (current edition). 2. Z. Radwański, J. Panowicz-Lipska, <i>Obligations Specific Part</i>, C.H. Beck Publishing House, (current edition). 3. K. Pietrzykowski (ed.), <i>Civil Code. Commentary</i>, C.H. Beck Publishing House, (current edition). 4. E. Gniewek, P. Machnikowski, <i>Civil Code. Commentary</i>, C.H. Beck Publishing House, (current edition). 5. M. Lubiszewski, <i>Public Procurement Law</i>, C.H. Beck Publishing House, (current edition). 6. M. Szewczyk, R. Szczepaniak, S. Pawłowski (eds.), M. Kruś, E. Szewczyk, J. Wegner, L. Staniszevska, W. Abromeit, M. Meier, F. Lewandowski, <i>Contracts in Public Administration</i>, Wolters Kluwer Publishing House, (current edition). 7. A. Cempura, A. Kasolik, <i>Methodology of Drafting Contracts in Economic Matters</i>, Wolters Kluwer Publishing House, (current edition). 	Supplementary literature	<p>Supplementary literature:</p> <ol style="list-style-type: none"> 1. H. Izdebski, M. Kulesza, <i>Public Administration. General Issues</i>, LIBER Publishing House, (current edition). 2. E. Bagińska, J. Parchomiuk, <i>Liability for Damages in Public Administration</i>, in: R. Hauser, Z. Niewiadomski, A. Wróbel (eds.), <i>System of Administrative Law</i>, vol. 12, 2nd edition, C.H. Beck / Institute of Legal Studies of the Polish Academy of Sciences, Warsaw 2016. 	eResources addresses	
Basic literature	<p>Literature used during the course:</p> <ol style="list-style-type: none"> 1. Z. Radwański, A. Olejniczak, <i>Obligations General Part</i>, C.H. Beck Publishing House, (current edition). 2. Z. Radwański, J. Panowicz-Lipska, <i>Obligations Specific Part</i>, C.H. Beck Publishing House, (current edition). 3. K. Pietrzykowski (ed.), <i>Civil Code. Commentary</i>, C.H. Beck Publishing House, (current edition). 4. E. Gniewek, P. Machnikowski, <i>Civil Code. Commentary</i>, C.H. Beck Publishing House, (current edition). 5. M. Lubiszewski, <i>Public Procurement Law</i>, C.H. Beck Publishing House, (current edition). 6. M. Szewczyk, R. Szczepaniak, S. Pawłowski (eds.), M. Kruś, E. Szewczyk, J. Wegner, L. Staniszevska, W. Abromeit, M. Meier, F. Lewandowski, <i>Contracts in Public Administration</i>, Wolters Kluwer Publishing House, (current edition). 7. A. Cempura, A. Kasolik, <i>Methodology of Drafting Contracts in Economic Matters</i>, Wolters Kluwer Publishing House, (current edition). 						
Supplementary literature	<p>Supplementary literature:</p> <ol style="list-style-type: none"> 1. H. Izdebski, M. Kulesza, <i>Public Administration. General Issues</i>, LIBER Publishing House, (current edition). 2. E. Bagińska, J. Parchomiuk, <i>Liability for Damages in Public Administration</i>, in: R. Hauser, Z. Niewiadomski, A. Wróbel (eds.), <i>System of Administrative Law</i>, vol. 12, 2nd edition, C.H. Beck / Institute of Legal Studies of the Polish Academy of Sciences, Warsaw 2016. 						
eResources addresses							
Example issues/ example questions/ tasks being completed							
Work placement	Not applicable						

Document generated electronically. Does not require a seal or signature.