

Syllabus

Course description

Course title	Contracts and Sustainability
Course code	27619
Scientific sector	IUS/01
Degree	Master Degree in Public Policies and Innovative Governance
Semester and academic year	1st semester – a.y. 2025-2026
Year	2nd year
Credits	6
Modular	No

Total lecturing hours	36
Total lab hours	--
Total exercise hours	--
Attendance	Suggested, but not required.
Prerequisites	The attendance of courses of private law and public law is not required but is suggested to properly following these lectures.
Course page	Course Offering - enrolled from 2024 / Free University of Bozen-Bolzano (unibz.it)

Specific educational objectives	<p>The course refers to the complementary educational activities chosen by the student.</p> <p>The course has the goal to provide professional skills and knowledge in the area of contracts, public contracts, principles of sustainability for the public administrationA and its legal aspects.</p> <p>The course aims to provide students with knowledge and competences which are essential for professional activities in sectors where private and public entities conclude contracts.</p>
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Lecturer	TBA
Scientific sector of the lecturer	IUS/01
Teaching language	Italian
Office hours	18 hours MySNS – Individual timetable Webpage: https://www.unibz.it/en/timetable/?sourceId=unibz&department=26&degree=13426%2C13543
Lecturing assistant	to be defined
List of topics covered	The contemporary European legal framework for

	<p>sustainability goals in sectors of interest for the PA. Legal instruments that PAs have to, or can, adopt to foster sustainability goals.</p> <p>Definition of contract and principles of law for contracts of the public sector. The role of sustainability goals and digitalization in public contracts.</p> <p>Contract agreement and contract content. The Minimum Environmental Criteria (in Italian: Criteri Ambientali Minimi, CAM). Contract clauses and sustainable environmental and social contents.</p> <p>Validity and invalidity of a contract. Unfair contract terms.</p> <p>Public procedures for the selection of contractors.</p> <p>Sustainability goals as a policy in contracts award criteria.</p> <p>The due diligence of the supply chain in the public sector and the related responsibility for the PA. General responsibility for non compliance with environmental and social legislation. Certifications for sustainability and their role in the public sector. Sustainability trademarks.</p> <p>Performance and non performance of a public contract.</p> <p>Dispute resolution methods for public contracts' issues.</p>
Teaching format	Frontal lectures.

Learning outcomes	<p><u>Knowledge and understanding:</u></p> <ul style="list-style-type: none"> • Learning and understanding of the legal sources of the contracts of the public administrations in the European, national and regional context. • Learning of the private and labour law rules applicable to the contracts of the public administrations. • Learning of the special rules given for the contracts of the public administrations. <p><u>Applying knowledge and understanding:</u></p> <ul style="list-style-type: none"> • Ability to search and use the sources of law relevant for the subject. • Ability to support the public administrations and the private entities involved in the negotiation process in the interested sector. • Ability to analyze case studies from practical experience. <p><u>Making judgments</u></p> <ul style="list-style-type: none"> • Ability to find and understand the political and economic grounds of the interested rules of law. • Ability to find and apply the knowledge of the interested law rules to simple cases. <p><u>Communication skills</u></p> <ul style="list-style-type: none"> • Ability to present the legal notions acquired during
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	<p>the course using a proper technical language.</p> <p><u>Learning skills</u></p> <ul style="list-style-type: none"> Developing skills of learning, interpretation and evaluation necessary to continue the studies with autonomy.
Assessment	<p>For Attending and Non-attending Students.</p> <p>The course grade will be determined by the final written exam, which comprises three open-ended questions, each including sub-questions.</p> <p>Students can earn 1-2 extra points on their exam by writing a report on a course-related topic of their choice, evaluated by the professor.</p>
Assessment language	Italian
Evaluation criteria and criteria for awarding marks	Clarity of the answers, command of language (including knowledge of legal terminology and grammatical and logical coherence), and the ability to summarize, evaluate, and establish connections between topics.
Required readings	<p>La nuova disciplina dei contratti pubblici. Commento al D. Lgs. 31.3.2023, n. 36 (ed. by Brunella Bruno, Marco Mariani, Emilio Toma), Giappichelli Editore, 2023; Galgano, Istituzioni di diritto privato, update ed. (parts of);</p> <p>other materials to be identified about the area of legal instruments of sustainability for the PA.</p> <p>The amount of study materials will be in line with the numbers of the course's credits.</p> <p>The parts object of study not already indicated will be made available on Teams (and/or the Reserve Collection) in a specific syllabus.</p> <p>The most updated ed. of the Code of Public Contracts and the Civil Code (preferably Zanichelli, De Nova edition) are essential.</p>
Supplementary readings	Specific readings will be mentioned by the professor and will be available on the Reserve Collection and/or Teams, see the detailed Syllabus. The amount of the study materials will be in line with the numbers of the course's credits.