



UNIVERSITÀ  
DEGLI STUDI DI MILANO-BICOCCA

## COURSE SYLLABUS

### The Procurement Contract

2425-1-FSG01A001-FSG01A001M

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#### Learning objectives

The aim of the course is to study the civil law regulation of procurement contracts, both with regard to contracts concluded between private parties and with regard to the peculiarities of the performance of contracts concluded with the Public Administration.

#### Contents

The module is divided into a general part, in which an organic overview of the legal regime of the procurement contract will be provided, and a special part, in which - based on traces of case law - specific problematic issues, which have been the subject of jurisprudential debates, will be addressed.

#### Detailed program

As far as the general part is concerned, the following topics will be addressed:

- The characteristics of the procurement contract;
- The differences with other typical contracts (supply, sale, subcontracting, manufacturing);
- The subjects of the contract (capacity of the subjects, joint ventures, subcontracting);
- Developments in the relationship (controls during work, variations, delivery);
- The responsibilities of the contractor (for non-conformities and defects, for ruin and serious defects, for damages to third parties);
- The termination of the contract (termination, impossibility, loss, death or bankruptcy of one of the parties).

In the special part, case law cases on certain topics dealt with in the general part will be examined in depth.

## **Prerequisites**

Knowledge of private law basis

## **Teaching methods**

Lectures will be held in presence.

Slides, case law and other material analysed during the lectures will be made available on the e-learning platform.

## **Assessment methods**

Oral examination

## **Textbooks and Reading Materials**

A. Albanese, L'appalto, Giappichelli, Torino, 2023.

## **Sustainable Development Goals**

INDUSTRY, INNOVATION AND INFRASTRUCTURE

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