



NEW EUROPEAN THRESHOLDS FOR PUBLIC CONTRACTS

The European Commission has recently set **new European thresholds for public procurement** through [Delegated Regulation \(EU\) 2021/1950](#), [Delegated Regulation \(EU\) 2021/1951](#), [Delegated Regulation \(EU\) 2021/1952](#) and [Delegated Regulation \(EU\) 2021/1953](#) of the Commission, of 10 November 2021.

The European thresholds, now revised, will apply during the years **2022 and 2023**, being relevant, for example, for the purposes of choosing the type of procedure and the mandatory publication in the Official Journal of the European Union (OJEU).

For **public procurement in the fields of defense and security**, the following thresholds will apply:

- a) **5,382,000 EUR**, for public works contracts;
- b) **431,000 EUR**, for public contracts for the supply of goods, the provision of services and design tenders.

For **public procurement in the fields of water, energy, transport and postal services**, the following thresholds will apply:

- a) **5,382,000 EUR**, for works contracts;
- b) **431,000 EUR**, for contracts for the supply of goods and services and for design tenders;
- c) **1,000,000 EUR**, for contracts for the provision of social services and other specific services.

For other **public contracts** and **concession contracts**, the following thresholds will apply:

- a) **5,382,000 EUR**, for public works contracts and concession contracts;
- b) **140,000 EUR**, for public contracts for the supply of goods, the provision of services and design contests, awarded by the State;
- c) **EUR 215,000** for public contracts for the supply of goods, the provision of services and design competitions, awarded by other contracting authorities;
- d) **750,000 EUR**, for public contracts for social services and other specific services.

Maximum Values for Public Procurement Procedures

In this context, we recall the maximum value of public contracting procedures provided for in the Public Contracts Code:

> Public works contracts

Public tender or limited bid by previous qualification, with publication of notice in the OJEU	Any value
Public tender or limited bid by previous qualification, without publication of notice in the OJEU	< 5.382.000 EUR
Prior consultationajuste	< 150.000 EUR
Direct award	< 30.000 EUR

> Contracts for the lease or acquisition of movable property and the acquisition of services

Public tender or limited bid by previous qualification, with publication of notice in the OJEU	Any value
Public tender or limited bid by previous qualification, without publication of notice in the OJEU	< 140.000 EUR (State) < 215,000 EUR (other entites)
Prior consultation	< 75.000 EUR
Direct award	< 20.000 EUR

With regard to **other contracts**, other than those specified above, which do not constitute public works concession contracts or public service concession contracts, or companies contracts, and without prejudice to other especially applicable rules, the following procedures may be adopted:

- (i) public tender, limited tender by prior qualification, negotiation procedure, competitive dialogue or partnership for innovation, whatever the value of the contract;
- (ii) prior consultation, when the contract value is less than 100,000 EUR; and
- (iii) direct award, if the contract value is less than 50,000 EUR ●

Article written in accordance with the legislation in force on 17 November 2021.

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