



## Adéla Havlová

### Of Counsel

Adéla Havlová is an attorney-at-law cooperating with Havel & Partners as Of Counsel. She specialises in the public sector, the real estate and construction law, expropriation issues, the company law and commercial law. She joined our law in 2006 and is currently instrumental in providing legal services to German-speaking clients. Prior to joining our law firm, Adéla worked in Wolf Theiss, a leading Austrian law firm in Prague and Vienna, for seven years.

In her public sector practice, she focuses on public procurement and concessions, PPP projects and state aid; the areas of her particular focus include mainly transport (from infrastructure construction to public services in passenger transport), and IT, healthcare, plant equipment acquisitions, construction, insurance, banking and financial services, as well as media and other professional advisory services. She advises public and sector contracting authorities throughout the preparation and

organisation of procurement procedures under the Public Procurement Act, including centralised and joint awarding, the granting of framework contracts and options, negotiated procedures with suppliers, support in compliance with publication duties, and addresses, and other issues related to public procurement implementation. Likewise, she advises contractors in connection with their participation in public procurement procedures, and assists them in contract negotiations and in subsequent objection and review procedures before the Czech competition authority and administrative courts.

In addition, Adéla provides partial legal opinions and support in administrative review and court proceedings.

She is a regular author of articles in relevant industry publications and speaker at professional conferences.

Apart from being an active attorney, Adéla is a member of the Executive Committee of the Czech Public Procurement Association (AVZ), a member of the Presidium of the Union of Public Procurement Administrators (UNIAVEZ), and a member of the editorial board of *Veřejné zakázky a PPP projekty* magazine (Public contracts and PPP projects). She actively participates in undertakings of other interest groups, in particular the Infrastructure Development Association (ARI). Since 2013, she has been a member of the Ministry for Regional Development's expert group for amending the Public Procurement Act, acting as a representative of ARI, and since 2019 she has been a member of the working group of the Ministry of Labour and Social Affairs and the Institute of Responsible Public Procurement (SOVZ). Since May 2020, she has been involved in the *Rozumné právo* platform. In addition, Adéla has been a member of the Remonstrance Committee of the Chairman of the Office for Competition Protection since 2014.

### Recommendations of international publications

Since 2014 the Who's Who Legal: Government Contracts (formerly Public Procurement) has ranked Adéla as among the leading public procurement experts in the Czech Republic.

### Projects

- advising a contracting authority (a municipality) as the central contracting authority on the organisation of an award procedure for mobile services for the contracting authority and its subordinate organisations
- advising a contracting authority (a municipal company) on the selection of an investor for residential construction in the form of a public tender, including a preliminary market consultation and discussion of corporate issues linked to the transformation and transfer of a subsidiary
- advising a contracting authority (a central state administration authority) on ensuring transportation services as part of the rail transport liberalisation.
- advising a contracting authority (state contributory organisation) on the implementation of an award procedure (in the form of a competitive dialogue) for the selection of a private partner in a pilot PPP project by means of a quasi-concession
- advising a holding company in connection with relevant activities performed by some of its group companies during sector award procedure
- advising a sector contracting entity on an award procedure (in the form of a concession procedure) for the selection of a private partner to provide ancillary public transport services
- advising a contracting authority on organising IT public tenders in connection with a census
- advising a sector contracting authority (airport operator) on a number of award procedures, e.g. in connection with (i) the preparation of land plots for the construction of take-off and landing runway, (ii) representing in negotiations regarding a contract for the supply of ERP, (iii) the lease of a significant group of sales units in the form of a concession
- advising a sector contracting authority (in the energy sector) in connection with (i) making a framework agreement on supply of various types of material, (ii) the selection of parties to the framework project work agreement, (iii) establishing a qualification system

- advising a sector contracting authority (transportation company) on the modification of internal awarding methodologies and on the implementation of a dynamic procurement system
- advising public and sector contracting authorities on the review of hundreds of completed award procedures for risk assessment purposes, on contractual arrangements and the adoption of remedial and precautionary measures
- advising a public and sector contracting authorities in more than hundred review procedures of the contracting authority's conduct, procedures to impose a sanction for an administrative offence or in procedures to impose a ban on performance
- advising a contracting authority (a municipality) on the organisation of an award procedure for the selection of an insurer for the contracting authority and its subordinated agencies
- advising a contracting authority (a municipality) on the organisation of a framework contract award procedure and subsequent partial implementation agreements with operators of dozens of boiler plants
- advising a contracting authority (a ministry of the Czech government) on the centralised purchase of 3,500 cars, spare part supplies and servicing, including organisation of the procurement procedure and a subsequent transfer of the right of property management to the successor entities
- advising suppliers on their participation in award procedures and on negotiations with contracting authorities, as well as in procedures to review the conduct of contracting authorities before the Office for the Protection of Competition and administrative courts.
- advising a major international company as an IT supplier on its participation in award procedures
- advising on expropriation for the purpose of infrastructure construction works and negotiations with building authorities
- comprehensive advisory to an international developer in connection with the management of 14 residential and commercial real estate projects
- comprehensive advisory to a foreign developer in connection with six real estate projects and establishment of the client's representation in the Czech Republic
- comprehensive advisory to a German provider of forwarding and logistic services in connection with their operations in the Czech Republic
- advising a German manufacturer and supplier of metallurgic equipment

## Membership in professional associations

Czech Bar Association  
Infrastructure Development Association  
Public Procurement Association  
Deutsches Vergabenetzwerk  
Union of Public Procurement Administrators  
*Rozumné právo* platform  
Transparency International Club  
Endowment Fund for Education and Business

## Languages

Czech, English, German

## Education

Humboldt-Universität zu Berlin, Berlin (2005), LL.M.  
Charles University, Faculty of Law, Prague (2001), Mgr. (Master of Laws)

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E: [adela.havlova@havelpartners.cz](mailto:adela.havlova@havelpartners.cz)