



## Romana Derková

Counsel

Romana Derková is a member of the firm's team focusing on competition law, state aid and public procurement law. She focuses on public procurement law, a practice area in which she has unique experience and know-how thanks to her previous work in the position of the director of the Public Procurement Control Department of the Czech Office for the Protection of Competition, where she was in charge of the control of public procurement procedures, review of the contractor authorities' documentations, methodological guidelines, and legislative work in this respect.

In the area of public procurement and concessions, Romana specialises in providing comprehensive legal advice to contracting authorities and contractors alike, administration of procurement procedures, public procurement audits, review of subsidised projects, representation of clients in proceedings before the Czech Office for the Protection of Competition, and in proceedings before administrative courts. She also advises clients on public transportation service under the Act on public passenger transportation services.

Since 2004, Romana gives regular lectures on public procurement, and has published numerous articles regarding this topic. She is a member of the editorial board of the *Veřejné zakázky v praxi* (Public Procurement in Practice) magazine. Before joining our law firm, Romana worked for nine years at the Public Procurement Section of the Czech Office for the Protection of Competition, as Director of the Public Procurement Control Department from 2007, and as Deputy to the Vice-Chairman of the Office from September 2009 to May 2010.

### Projects

- drafting comments regarding the draft bills on public procurement (Act No. 40/2004 Sb. and No. 137/2006 Sb.), the Concessions Act (Act No. 139/2006 Sb.) and their subsequent amendments
- drafting dozens of decisions of the Public Procurement Section of the Czech Office for the Protection of Competition
- drafting important interpretative positions regarding the Public Procurement Act
- dealing with central governmental agencies on the unification of the interpretation practice
- dealing with and providing methodological guidance and training to other supervisory authorities (councils of regional operational programs, tax authorities)
- leading inspection teams during inspections on the premises of contracting authorities under the State Control Act
- administration of a concession procedure for the selection of an operator of water supply infrastructure financed under the Environment Operational Programme
- drafting procurement terms and conditions and administration of projects involving public transportation service in several regions
- drafting procurement terms and conditions of a concession procedure for the selection of an operator of a community centre
- drafting procurement terms and conditions of a concession procedure for the selection of an operator of duty-free shops
- legal advice to sectoral public contracting authorities in bus, railway and air transport, and in the energy and water management sectors
- ex ante and ex post controls of subsidised projects, and legal advice associated with the drafting of a decision on financial correction
- advising contractors on preparation of their tenders, proof of qualification, and preparation of submissions
- drafting administrative lawsuits and representing clients in proceedings before the Regional Court in Brno, including participation in hearings

### Membership in professional associations

Czech Bar Association

### Languages

Czech, English

### Education

Masaryk University, Faculty of Law, Brno (1998), Mgr. (Master of Laws)