



Análisis crítico del empleo de umbrales de saciedad en la contratación pública para la valoración del criterio de adjudicación "precio" [

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Analítica

Price is by excellence the award criterion in public procurement. Similarly, when there are several award criteria, the choice of the mathematical formula for its assessment by the contracting authority is essential, not being a neutral decision for the bidder. In this sense, one of the issues that has aroused the greater interest in the evaluation of economic offers is what the doctrine has come to call "satiety thresholds". That is to say, the use in the bidding documents of different mathematical formulas that serve to limit the evaluation of the offers and not to grant additional points to those proposals that are less than a certain figure. Its legality has not been without controversy, and in this sense there are contradictory pronouncements from different Administrative Courts of Contractual Resources. In light of the regulations, jurisprudence and legal doctrine on the matter, this work addresses the analysis of the "price" award criterion and the legal viability of this type of mathematical formulas. All this, from the perspective of the imperative need to guarantee the general principles of public procurement

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