

Request for a preliminary ruling from the Varhoven administrativen sad (Bulgaria) lodged on 17 June 2021 — Zamestnik-ministar na regionalното развитие i blagoustroystvoto and rakovoditel na Upravliavashtia organ na Operativna programa ‘Regioni v rastezh’ 2014-2020 v Obshtina Razlog

(Case C-376/21)

(2021/C 391/10)

Language of the case: Bulgarian

Referring court

Varhoven administrativen sad

Parties to the main proceedings

Applicant: Zamestnik-ministar na regionalното развитие i blagoustroystvoto and rakovoditel na Upravliavashtia organ na Operativna programa ‘Regioni v rastezh’ 2014-2020

Defendant: Obshtina Razlog

Questions referred

1. Are Article 160(1) and Article 2 of Regulation 2018/1046 ⁽¹⁾ and Article 102(1) and (2) of Regulation No 966/2012 to be interpreted as also applying to contracting authorities of Member States of the European Union where the public contracts that they award are financed by resources from the European Structural and Investment Funds?
2. If the first question is answered in the affirmative, are the principles of transparency, proportionality, equal treatment and non-discrimination enshrined in Article 160(1) of Regulation 2018/1046 and Article 102(1) of Regulation No 966/2012 to be interpreted as precluding a total restriction of competition in the award of a public contract by way of a negotiated procedure without prior publication where the subject matter of the public contract does not have special characteristics which objectively require it to be performed only by the economic operator invited to negotiate? In particular, are Article 160(1) and (2) of Regulation 2018/1046, read in conjunction with Article 164(1)(d) thereof, and Article 102(1) and (2) of Regulation No 966/2012, read in conjunction with Article 104(1)(d) thereof, to be interpreted as precluding national legislation, such as that at issue in the main proceedings, under which, following the discontinuation of a public procurement procedure on the ground that the sole tender submitted is unsuitable, the contracting authority may invite only one economic operator to participate in a negotiated procedure without prior publication where the subject matter of the public contract does not have special characteristics which objectively require it to be performed only by the economic operator invited to negotiate?

⁽¹⁾ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ 2018 L 193, p. 1).

Request for a preliminary ruling from the Cour du travail de Mons (Belgium) lodged on 21 June 2021 — Ville de Mons, Zone de secours Hainaut — Centre v RM

(Case C-377/21)

(2021/C 391/11)

Language of the case: French

Referring court

Cour du travail de Mons

Parties to the main proceedings

Appellants, defendants in the original proceedings: Ville de Mons, Zone de secours Hainaut — Centre

Respondent, applicant in the original proceedings: RM