

PROPOSED TRAINING: INTERNATIONAL PUBLIC PROCUREMENT

建议培训项目：国际公共采购

承办单位：美国国际法学会（华盛顿）

中国培训渠道编号：120004

中方代表：王琨

联系方式：010-58816282

TOPICS(课题):

At the time of this submittal no specific topics has been defined by interested parties. ILI tenders here a general list of pertinent subject matter which can be further defined based on subsequent discussions of needs by stakeholders. ILI herein offers the following broad list of topics to consider:

鉴于提交该项目时有关方面尚未确定具体的培训课题，美国国际法学会在此提出一个相关题材的常规培训课程表，它可以根据客户的需要在随后的讨论中做进一步调整与修改。 下述课程仅供参考：

Overview 课程简介

The International Procurement program covers the institutional, legal, financial and procedural issues involved in the procurement of goods and services by public entities and discusses reform programs to improve transparency, efficiency and accountability. It provides participants with a detailed analysis of the project-procurement cycle including a full presentation of the procurement policies of international financial institutions (IFI) such as the World Bank, and comprehensive coverage of the open tender system.

国际采购课程的内容涵盖了涉及公共机构在进行商品和服务采购时可能面临的体制、法律、金融和程序问题并探讨如何提高透明度、效率和问责制的改革方案。该课程将为学员们提供一份详细的项目采购周期分析，其中包括对国际金融机构（例如世界银行）采购政策的完整介绍及对公开招标制度的全面介绍。

Course Outline 课程大纲

I. Public Procurement Reforms 公共采购改革

- A. Reform programs and approaches to enhance transparency, efficiency, integrity and accountability 提高透明度、效率、诚信度和问责制的改革方案和方法

II. National Procurement Laws and Institutions 国家采购的法律和制度

- A. Differing approaches under common law and civil code systems
根据普通法系与民法典法系采取的不同做法
- B. UNCITRAL model law
联合国国际贸易法委员会示范法
- C. Transparency and accountability; ethics and corruption
透明度与问责制，行为准则与腐败

III. International Procurement 国际采购

- A. Policies and procedures of international financial institutions such as the World Bank, ADB, IDB, etc.
世界银行，亚洲开发银行和美洲开发银行等国际金融机构的政策及程序

IV. Procurement Planning 采购规划

- A. Role and objectives 作用与目标
- B. Policy and institutional aspects 政策和制度环节
- C. Project cycle: procurement issues 项目周期：采购方面的问题
- D. Procurement process under goods, works and PPP
在货物、工程和公共私人伙伴关系项下的采购流程
- E. Budgeting, budget utilization and monitoring
编制预算、预算使用情况及监督

V. Selection of Consultants 顾问的选择

- A. Procedures of IFIs 国际金融机构的选择程序
- B. Terms of reference, evaluation of proposals 职权范围，建议书的评估
- C. Contracts: lump sum, time-based 一次性支付和基于时间的合同

VI. International Competitive Bidding (ICB) 国际公开竞争招标

- A. Objectives, principles, and key features 目标、原则及主要特点
- B. The bid package: preparation and scheduling 综合竞标计划：准备与日程安排
- C. Bid advertising and prequalification 竞价广告和资格预审
- D. Preparation of bidding documents 编制招标文件
- E. Bid examination, evaluation, and award 投标审查、评估及奖励

VII. Other Methods of Procurement 其他采购方法

- A. Limited/restrictive international bidding, national competitive bidding
国际有限/限制性招标，国内竞争性招标
- B. Direct purchase, shopping 直接采购，从商店采买
- C. Internet bidding, electronic procurement 网上招投标，电子采购
- D. Green Procurement 环保采购
- E. Versatile and adaptive procurement 通用性和适应性采购

VIII. Contract Administration 合同管理

- A. Principal types of contracts, terms, and guarantees
合同的主要类型、条款及担保
- B. Negotiation techniques 谈判技巧
- C. Dispute avoidance and resolution 争端的避免和解决方案
- D. Oversight and monitoring 失察与监督

IX. Performance-Based Contracting 基于绩效的合同

Course Advisor 课程顾问

● Raghavan Srinivasan

Raghavan Srinivasan has over forty years of experience in international procurement of goods and services and in national procurement systems. He was Chief Procurement Advisor for the World Bank for 10 years until his retirement in 1997. Mr. Srinivasan has been teaching this course at ILI for over 30 years. Since retiring, Mr. Srinivasan has been involved in preparing Country Procurement Assessments and assisting implementation of reform projects in various countries.

Raghavan Srinivasan 先生在商品与服务的国际采购和国家采购制度方面拥有 40 年以上的专业经验。直到 1997 年退休，他曾在世界银行担任了 10 年的首席采购顾问。他在美国国际法学会教授政府采购课程已超过 30 年。自从退休以后，Srinivasan 先生一直参与了编制国家采购评估的工作并协助在多个国家落实改革项目。

- **Don Wallace, Jr.** 教授是 ILI 的主席，乔治城大学法律中心的成员。作为联合国国际贸易法委员会美国的主要代表，**Wallace** 教授在起草联合国贸易委员会示范商品和服务采购中是主要的参与者，是一名“政府采购法”领域中全球知名的专家。他曾为外国政府在公共采购方面提供过建议，也参与了美国国际开发署采购规则的起草。
- **Allan V. Burman**, President, Jefferson Solutions, Former Administrator, Office of Federal Procurement Policy, United States Government
阿伦·V·伯曼---美国政府联邦采购政策办公室的前主任，美国杰斐逊咨询集团杰斐逊解决方案的总裁；
- **Julia Paschal Davis**, Fmr. Procurement Principal Counsel and Division Director, Office of the Maryland Attorney General, Advisor, UNCITRAL
茱莉亚·帕斯卡尔·戴维斯---前马里兰州检查总长办公室采购部首席律师兼总监，联合国国际贸易法委员会顾问；
- **Jason Matechak**, General Counsel at International Relief and Development (IRD), Rule of Law Officer at American Bar Association Section of International Law, Fmr Partner Reed Smith LLP
贾森·Matechak ---国际救援及发展组织法律总顾问，美国律师协会国际法部分的法治总监，里德·史密斯律师事务所前合伙人；
- **Chris Yukins**, Professor, George Washington University Law School, U.S. Delegate to UNCITRAL
克里斯·尤金思---美国乔治华盛顿大学法学院教授，联合国国际贸易法委员会美国代表。