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I. Transparency requirements of tendering and bidding laws and regulations

The purpose of bidding activities:

Openness, fairness and justice

Openness is the basis and the guarantee for fairness and justice

Without openness, it is impossible to be fair and just

I. Transparency requirements of tendering and bidding laws and regulations

Transparency of legislation:

The government must seek advice before formulating laws and regulations

Seek the advices of tenders, bidders, tender bodies and invited experts

- Extensively solicit opinions in a public website
- ▣ This is the requirement of the WTO on its member countries

I. Transparency requirements of tendering and bidding laws and regulations

Laws and regulations on international biddings of electromechanical products

- ▣ "Bidding Law of the People's Republic of China"
- ▣ "Regulations on the Implementation of the Bidding Law of the People's Republic of China"
- ▣ "Implementation Measures of International Bidding of Electromechanical Products"
- ▣ Guidelines for procurement of relevant financial organizations and institutions

I. Transparency requirements of tendering and bidding laws and regulations

- Article V of the Bidding Law provides:
 - The bidding activities should follow the principles of openness, fairness, impartiality and integrity
- Article I of the "Regulations on the Implementation of the Bidding Law" provides:
 - International biddings of electromechanical products must follow the principle of openness, fairness, impartiality, integrity and merit.

II. Procedures to ensure the transparency of international biddings for mechanical and electrical products

Openness of tendering and bidding activities are mainly reflected by:

- ▣ Tender notice
- ▣ Publicity of bid evaluation results
- ▣ Announcement of bidding results

II. Procedures to ensure the transparency of international biddings for mechanical and electrical products

▣ Tender Notice

- Released in specified media
- To all potential bidders
- End on tender deadline

Objections and complaints on the tender documents from potential bidders can be put forward within the stipulated time

II. Procedures to ensure the transparency of international biddings for mechanical and electrical products

- ▣ **Publicity of bid evaluation results**
 - After submitting the bid evaluation report
 - Content: Names of recommended bid winners and the manufacturers, bid evaluation price, **reasons for losing the bid**
 - To all bidders
 - Announcement time
 - Bidders can raise objections and complaints on the bid evaluation results within the stipulated time

II. Procedures to ensure the transparency of international biddings for mechanical and electrical products

- ▣ **Announcement of bidding results**
 - **After determining the bid winner**
 - **To all people**
 - **No time limit**

III. Objections and complaints handling mechanism

- Potential bidders can raise objections and complaints on tender documents
- Bidders can raise objections and complaints on bid evaluation results
- **Objections:** The bidders (potential bidder) provide comments on the tender documents / bid evaluation results within the specified time
- **Complaints:** Bidders can make a complaint to the department of administrative supervision on bidding if they are unsatisfied with the reply to the objection.

III. Objections and complaints handling mechanism

- ▣ Dealing with the objections and complaints on tender documents
- Complaints handling of the tender
- Complaints handling of the administrative

department

III. Objections and complaints handling mechanism

- ▣ **Objections and complaints on bid evaluation results**
- ▣ **Complaints handling of the tender**
- **Complaints handling of the administrative department**

IV. Support of electronic network

□ China International Tendering Network

- Website: <http://www.chinabidding.com>
- The Ministry of Commerce established China International Tendering Network in 2001.
- As of July 2012, China International Tendering Network had got a total of 23,000 registered experts, 51,000 purchasers and 61,000 bidders.
- Affirmed by the World Bank, the Asian Development Bank and the French Development Agency

IV. Support of electronic network

- ❑ All China's international tendering projects of electromechanical products are implemented at China International Tendering Network.
- ❑ Achieve the unity of international biddings of electromechanical products
- ❑ Ensure the implementation of the laws and regulations
- ❑ Ensure the standardization of the procedures for bidding
- ❑ Become a transparent carrier
- ❑ Provide an electronic network platform for the supervision of administrative department



Thank you!