

THE OSGOODE CERTIFICATE IN PUBLIC PROCUREMENT GOVERNANCE

November 25 – 29, 2019 • 5 Consecutive Days
In Person



An intensive, unique, hands-on program that will demystify common procurement standards – at the local and global level – giving you essential tools to ensure overall compliance and efficiency of procurement practices.

- **Institutional Governance:** Common global procurement standards that influence and shape local practices
- **Open Competition:** Foundational concepts explaining the need for open and transparent tendering practices
- **Project Governance:** The core due diligence practices that public sector organizations should implement at the institutional level
- **Post-Award Protocols:** Strategies for implementing proactive institutional governance practices
- **Driving Process Improvement and Innovation:** Strategies for implementing governance reforms

Register today at:

osgoodepd.ca/proc_gov

Program Director

Paul Emanuelli
General Counsel and
Managing Director,
Procurement Law Office

Location:

**Osgoode Professional
Development**
1 Dundas Street West, 26th Floor
Toronto, ON



Acquire essential tips, knowledge and strategies, including:

- Understanding global procurement standards that influence and shape local practices at both the jurisdictional and institutional levels
- Implementing open and transparent tendering practices
- Strategies for ensuring the success of major projects, including best practices in due diligence and project governance
- Tactics for implementing institutional governance practices
- Understanding the five key design principles that drive project planning
- Leveraging global developments in flexible tendering formats
- Strategies for implementing proactive institutional governance practices to deal with debriefing duties, contract awards challenges and debarment disputes
- How to lead and promote a procurement-centric approach when leveraging business process improvement, project management principles, and technological innovation

Space is limited to ensure an engaging and interactive experience. Reserve your spot now!

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Who Should Attend

- Procurement specialists and professionals
- Government procurement, legal and finance professionals
- Procurement policy advisors
- Lawyers advising public sector purchasers
- Lawyers advising vendors to public purchasers
- Contract/Project managers
- Board members, CEOs and finance, legal and procurement managers of public bodies, including municipal corporations, special purpose enterprises, hospitals, school boards and academic institutions

The Osgoode Certificate in Public Procurement Governance

Register today at:

osgoodepd.ca/proc_gov

Practical and hands-on learning

In addition to instructional sessions, the program will focus on practical, real world situations and provide ample opportunity for hands-on learning, questions and discussion.

PLUS! You will receive a free copy of Paul Emanuelli's new e-book *The Art of Tendering: A Global Due Diligence Guide*, in addition to other valuable resources.

Public institutions are increasingly under the microscope. It seems almost every decision is scrutinized and governance standards are questioned. At the same time, international developments are having a significant impact to local procurement practices and governance strategies.

As a procurement professional, advisor, Counsel, or if your work touches on procurement issues with public institutions, this new **Osgoode Certificate in Public Procurement Governance** will give you expert guidance on how to implement effective governance strategies that address today's most pressing public procurement challenges, while ensuring overall compliance in your institution.

In five consecutive, one-day modules, the program – designed and led by internationally renowned **Paul Emanuelli** and an outstanding faculty of legal and procurement professionals – gives you a thorough grounding in leading procurement practices and standards that you are expected to meet. Starting with common global procurement standards, you will then explore the foundational concepts of open competition, and delve into core due diligence practices, proactive post-award protocols, and approaches to effective process improvement for procurement governance.

You'll come away with an expanded knowledge base and valuable toolkit.

Space is strictly limited. Secure your place today.

Drawing on the expertise and experience of leading lawyers and professionals, including:

Program Director



Paul Emanuelli

General Counsel and
Managing Director,
Procurement Law Office

Paul Emanuelli is an internationally known author and procurement lawyer with over twenty years experience in public procurement. He has an extensive track record of public speaking, publishing and training and was recognized by Who's Who Legal as one of the top ten public procurement lawyers in the world.

Paul's portfolio focuses on major procurement projects with an emphasis on technology and public infrastructure. He has in-depth experience advising public bodies on the legal and strategic aspects of institutional governance and supply chain management, developing tendering formats and negotiating commercial transactions.

He is the author of multiple publications, including the leading textbook *Government Procurement* (Lexis Nexis-Butterworths, 4th ed. 2017).

Before launching the Procurement Office, Paul practiced for over ten years as Crown Counsel with the Ontario Attorney General at Management Board Secretariat and Crown Law Office Civil, and headed the Government of Ontario's Procurement Lawyers Group.

Program Faculty

Sarah Aspinall

Director, Supply Management,
City of Calgary

Heather Baker

Senior Procurement Advisor,
Procurement Law Office

Carl Bonitto

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Management Services, Northumberland
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Executive Director of Client Success,
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Rick Squires

Supply Chain Manager,
City of St. John's

Christopher R. Yukins

Professor, The George Washington
University Law School

Register today at:

[osgoodepd.ca/
proc_gov](https://osgoodepd.ca/proc_gov)

Agenda

DAY ONE

November 25, 2019

9:00 a.m. – 5:00 p.m. EST

INSTITUTIONAL GOVERNANCE

With a view to achieving local compliance with global rules, Day One – Institutional Governance covers the common global procurement standards that influence and shape local public procurement practices around the world at the jurisdictional and institutional levels.

Industry Trends Overview

Informed by research synthesizing thousands of recent newsreel reports from around the world, this module will provide a summary of leading governance trends in public procurement and explain how these trends impact your local institution.

Applying Global Standards to Local Purchasing

Covering the leading international standards that shape the public procurement system, this module explains how most local procurement rules originate from the common core standards derived from international trade treaties, model laws, and governance standards, and introduces the key benchmarking standards for measuring the compliance of your organization.

A State of Peril: Why Procurement Projects Fail

Analyzing the five key factors that lead to major failures in public sector procurement projects, this module goes beyond the standard explanations of project-level incompetence and inefficient institutional project management mechanisms to consider the role played by indecision, interference, and inadequate resourcing in undermining major projects.

Conflict of Interest, Unfair Advantage, and Bias

Surveying recurring conflict of interest, unfair advantage, and bias issues impacting public procurement, this module offers governance strategies for dealing with these high-profile risk areas.

DAY TWO

November 26, 2019

9:00 a.m. – 5:00 p.m. EST

OPEN COMPETITION

Referencing leading case law decisions and audit reviews, Day Two – Open Competition covers the foundational concepts that underpin the public procurement system and explains why public institutions need to use open and transparent tendering practices and need to avoid local preference, biased specifications, and sole-sourcing.

Bid-Rigging, Collusion, and Corruption

Analyzing recent examples of bid-rigging and collusion in government procurement, this module explains the importance of establishing institutional safeguards to protect against corruption in the public procurement process.

Open Tendering and Sole-Sourcing

Covering the core concepts driving the public policy of open tendering in public procurement, this module explains why limiting tendering and direct contract awards remains a heavily regulated exception to the norms of open competitive bidding.

The Perils of Local Preference

Contrasting the competing public policy objectives of local economic development and open trade, this module explains the perils of local preference in the era of expanding global competition.

Neutral Specifications

Highlighting the key concepts behind the duty to ensure neutral specifications, this module explains why public institutions need to avoid unnecessarily restrictive requirements in their procurement projects.

DAY THREE

November 27, 2019

9:00 a.m. – 5:00 p.m. EST

PROJECT GOVERNANCE

Leveraging the key strategic concepts that inform project success, Day Three – Project Governance covers the core due diligence practices that public sector organizations should implement at the institutional level to better ensure the success of their major projects.

The Art of Design and Strategic Execution

Surveying the five key design principles that drive successful project planning, this module explains the importance of establishing clear scoping statements, integrated pricing structures, transparent evaluation processes, solid contract assembly strategies, and flexible tendering formats as blueprints for project success.

Project Roles and Responsibilities

Analyzing some of the key contributors to project failure, this module explains the importance of establishing institutional practices that clearly and consistently define roles and responsibilities throughout the entire procurement cycle.

Clear Requirements and Formats

Summarizing the key planning considerations for creating clear and manageable contracts, this module explains the importance of mandating clear contract requirements and payment practices to help increase project success rates.

Tendering Formats: Leveraging a Global Playbook

Covering the latest global developments in the use of flexible tendering formats, this module explains why an increasing number of public institutions are phasing out high-risk and restrictive Contract A tendering formats and deploying flexible negotiated RFP formats that reduce risk and enable innovative solutions.

DAY FOUR

November 28, 2019
9:00 a.m. – 5:00 p.m. EST

POST-AWARD PROTOCOLS

Focusing on the risks associated with bid protest challenges and contract performance disputes, Day Four – Post-Award Protocols offers strategies for implementing proactive institutional governance practices to deal with debriefing duties, contract award challenges, and debarment disputes.

Confidentiality, Debriefings, and Public Access Requests

Surveying the key challenges behind balancing confidentiality and transparency in the tendering cycle, this module explains why public institutions are facing increasing pressure to expand their disclosure practices in the face of expanding debriefing duties and escalating public access requests.

Understanding Jurisdictional Bid Protest Regimes

Surveying the bid protest regimes established across multiple jurisdictions globally including Canada, the UK, EU, US, New Zealand, Australia, and Caribbean, this module covers the key defensibility standards that public institutions need to address to be ready for the next bid protest challenge.

Dealing with Bid Protests at the Institutional Level

Summarizing the key elements required for building an institutional bid dispute mechanism, this module explains why public institutions need to supplement jurisdictional bid protest mechanisms with local bid protest protocols that are designed to contain and resolve disputes with bidders at the organizational level.

Contract Administration Accountability, Performance Tracking, and Debarment

Focusing on one of the weakest links in the procurement cycle, this module explains how public institutions can improve their contract administration practices by implementing internal accountability structures that include supplier performance tracking strategies and defensible supplier debarment protocols.

DAY FIVE

November 29, 2019
9:00 a.m. – 5:00 p.m. EST

DRIVING PROCESS IMPROVEMENT AND INNOVATION

With reference to leading industry case studies, Day Five – Driving Process Improvement and Innovation covers proven strategies for implementing governance reforms that lead to effective process improvement and enable the efficient automation of the procurement cycle.

Leading Advanced Practices, Procedures, and Technologies

Covering the key concepts behind strategic execution in public procurement, this module explains why government institutions need to take a procurement-centric approach when leveraging business process improvement, project management principles, and technological innovation.

Case Studies in Innovation

Surveying leading case studies in procurement governance innovation, this module analyzes the key factors behind the successful implementation of procurement process improvement initiatives.

Open Frameworks, Consolidated Spending, and Reverse Auctions

Summarizing the key value-for-money and efficiency principles behind the centralization of government procurement, this module offers strategies for achieving consolidated cost savings through the use of open framework agreements and electronic reverse auctions.

Resourcing Strategies: Building Winning Conditions

Surveying the essential skills that lead to success in the public procurement cycle, this module provides key performance benchmarks for identifying, recruiting, training, and retaining top-tier talent to support your procurement operations.

Registration Details

Fee per Delegate

\$4,295 plus HST

Fees include attendance, program materials, lunch and break refreshments. Visit www.osgoodepd.ca/financial-assistance for details about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days' notice, a \$150 administration fee will apply. No other refund is available.

For further program-related information, please contact:

Stephen Ahad, Program Lawyer at 416.736.5495
or email sahad@osgoode.yorku.ca

Certificate of Program Completion

You will receive a certificate upon completion of **Global Perspectives in Procurement Governance**. Participants must attend all program modules and pass the final examination to receive a certificate.

4 Convenient Ways to Register



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Online



Fax



Call

Register today at:

osgoodepd.ca/proc_gov



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 32h 30m CPD (27h Substantive; 5h 30m Professionalism).



This program is eligible for 15 credits toward maintenance credits for CSCMP designation holders. Successful completion of this program will earn an exemption from Module 7 – Supply Chain Management for the Public Sector in the SCMP designation program.



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

What participants of our procurement programs with Paul Emanuelli have said:

“A very important program for people in procurement – the world across.”

“Paul’s passion for the topic was very evident in his delivery. He is a very engaging speaker.”

“Paul is the procurement law Rock Star. He does not only have theoretical but practical knowledge and insight into the current challenges of public procurement.”

“Intense and loaded with examples of all things procurement; delivered in perfect mode by Mr. Emanuelli and partners.”