

Mrs. Laurence FOLLIOT - LALLIOT

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Professor of Public Law, University Paris Ouest Nanterre La Défense (France)
Co-Director Master Degree in Public Law

Previous positions

September 2011- June 2012: **World Bank Consultant** with the Regional Procurement Management Office for MENA (Middle East and North Africa) countries, advising on procurement reforms (assessment of the legal framework, legal reforms and capacity building programs) in several countries. (detached from the French University)

September 2009-2011: **World Bank Senior Legal Counsel, Legal Procurement (LEGOP)**, Washington DC, (detached from the French University)

+ Seminars taught at George Washington University (Law School) on International and Comparative Public Procurement Law with Prof. Christopher Yukins (EU, US and World Bank procurement procedures 2009-2010).

September 2007-2009: **Professor of Public Law**, University of Paris Ouest-Nanterre-La Défense (France). Co-director for the Master Degree in Law and Economics, “Competition and Market Regulation”;

Director for the Diploma (D.U.) “*Formation au droit des marchés publics*”, (training in procurement law for foreign governmental officers), created in 2008;

Adjunct, University Paris I, Panthéon-Sorbonne;

Research Fellow, Government Contract Program, George Washington University;

Before: Professor of Public Law at Paris 13 University (1998-2007), at the University of Lille II (1996-1998), Senior Lecturer at the University of Versailles-Saint-Quentin en Yvelines (1995-1996), Lecturer at Paris 2 Panthéon-Assas University (1989-1994)

Specialization

Comparative and International Public Contracts Law

- Expert in international procurement legal frameworks including the Government Procurement Agreement (GPA) and Free Trade Agreements covering procurement, World Bank and Multilateral Donors Procurement Guidelines, regional regulations such as the European Procurement Directives, ASEAN, COMESA, UEMOA, and several national procurement laws;
 - Prepared for the World Bank: Comparative detailed analysis of International Procurement Instruments (World Bank procurement Guidelines, UN Convention

Against Corruption, Government Procurement Agreement, EU Procurement Directives, UNCITRAL Model law on procurement)

- Prepared for the World Bank: Impacts of International Instruments and Trade Agreements on Procurement Standard

- Professional knowledge of several award procedures, detailed performance rules, protest and complaints mechanisms, arbitration and ADR mechanisms, anti-corruption provisions and sanctions, institutional arrangements (Brazil, Burkina Faso, Colombia, Democratic Republic of Congo, Ghana, India, Iraq, Jordan, Kuwait, Morocco, Poland, Senegal, Rwanda, Timor Lest, Tunisia, West Bank Gaza, + EU)
- Professional knowledge of International Organizations' procurement regulations (World Bank, UN, UNESCO, PNUD, UNOPS, NATO, OSCE, European Space Agency).
- Extensive comparative and analytical analysis of the public contract concept: distinction between different types of public contracts, public procurement, infrastructure contracts and PPPs contracts;
- Proficiency in international contracts, state contracts, and transnational contracts law

Professional knowledge in governance issues:

Besides specialization in public contracts law, professional knowledge (University classes taught) of French Administrative Law and Administrative Justice, Constitutional Law, Public Finance, Civil Service, Public Administration, Governmental organization and Decentralization, Judicial Organization and Justice reform, Cooperative Agreements between Public Entities, Public Utilities, Environmental Law.

Education and Training

2005 to date: Research Fellow, George Washington University, Government Contracts Program, Law School

2003-2005: Visiting Scholar at George Washington University, Government Contracts Program and Administrative Law

1996: Agrégation de droit public (French National competitive examination for University teaching positions as Full Professor in Public Law covering Constitutionnal Law, Public Finance, Administrative Law and Public Governance).

1995: Competitive exam for teaching position at the University of Versailles-Saint Quentin en Yvelines (Senior Lecturer in Public Law)

1994: Doctorate (JD) in Public Law, University of Paris II. Thesis: Powers of the French administrative courts and rules of litigation in contractual matters, 650 pages. With top distinctions: *Mention très honorable avec les félicitations du jury à l'unanimité, propositions pour les prix de thèse et les subventions pour publications.*

1989: DEA in Public Finances and Taxation (Post-graduate diploma, prerequisite for PhD candidates), University of Paris II

1988: DEA in Public Law, (Post-graduate diploma, prerequisite for PhD candidates), University of Paris II

1987: Graduate in Public Law and Politic Science (Master degree delivered after 4 years of Law school), University of Panthéon-Sorbonne, Paris I

Affiliations

Since 2008: Member of the Network “Public Contracts in Legal Globalization” (with Professor Jean-Bernard Auby, Institut d’Etudes Politiques de Paris).

Since 2007: Expert with the *Institut Français d’Experts Juridiques Internationaux*, IFEJI, member of the Public Private Partnerships PPP expert group.

Since 2007: Member of the research center *Centre de Recherches de Droit Public de l’Université Paris 10* which, in partnership with the French *Conseil d’Etat*, is organizing 4 major conferences in 2009 “Crisis of the Regulations and Regulatory Crisis”,

Organizer of the “Law and Economics Conference on the Financial Crisis”, Nanterre University, October 17, 2008.

Since 2006: Correspondent of the Public Procurement Network, a network of associates made up of leading universities in Europe in the field of public procurement (with Professor Sue Arrowsmith¹, University of Nottingham).

Since 2005: Member of the Advisory Board of the Procurement Center, International Law Institute, Washington DC (Director: Professor Don Wallace)

Since 2005: Research Fellow, George Washington University, Government Contracts Program, Directors Steven Schooner and Christopher Yukins, Washington D.C

Since 2004: Member of the Advisory Board of International Government Contractor, Legal Journal, West Group.

Consultations and expert missions:

July 2012- July 2015: Member of the European Commission Stakeholder Group on Public Procurement (working on the reform of the EU public procurement framework)

World Bank Experience

2009-2011, Senior Counsel Legal Procurement, 2011-2012, Consultant with MENA PR: Procurement law reforms, law reviews, trainings for staff and countries officials, advises on operations (bidding processes of Bank financed projects, contract clauses, contractual disputes

¹ All the individuals mentioned in this resume can be contacted as referees

and arbitration), review of assessment conducted by Consultants in client countries (CPAR, MAPS, UCS).

Country work experience

MENA: Iraq, Jordan, Morocco, Syria, Tunisia; **Africa:** Burkina Faso, Congo, Democratic Republic of Congo, Ghana, Liberia, Mauritania, Mauritius, Niger, Rwanda, Senegal, Southern Sudan, Uganda; **ECA:** Kosovo, Macedonia, Poland; **SAR:** India, **EAP:** Philippines, Timor Leste, **LAC:** Brazil, Colombia

2008 Expert with the *Institut Français d'Experts Juridiques Internationaux*, IFEJI, member of the PPP expert group, workshop with the delegation of Senegal.

2008 Consultant with the European Space Agency (protest mechanisms).

2007-2008: Arbitration of International contracts, Assistant in charge of contractual litigations for Professor Juan Carlos Henao, appointed Chief Justice at the Supreme Court of Columbia.

2007-2008: Consultant with the World Bank (CPR Haïti 2007), member of the Experts Panel on the methodology of the Country Procurement System (January 2008).

March 2007: Experts group «Promoting Professionnalism and Best Practice in Public Procurement Policies », Workshop *Parlement Européen*, DG Internal Policies, Directorate A. Economic & Scientific policy, Brussels, Belgium.

1997-2003: Member of the French delegation to the UNCITRAL (United Nations Commission on International Trade Law)

1998-2003: Expert for the French Government, Working Group « Public Infrastructure Projects Privately Financed », Vienna

1998-2003: Delegate to the UNCITRAL Assembly, New York and Vienna

Colloquium

Presentation: “The EU and French Debarment policies”, Colloquium “Suspension and Debarment”, organized by George Washington University and the World Bank – Global Forum on Law, Justice and Development, October 9, 2012, Washington DC (to be published).

Presentation: “Trade policy and public procurement reforms”, World Bank Regional Conference in the MENA region, “Enhancing governance and transparency in public procurement reforms”, Amman June 6, 2012

Presentation: ‘*Introduction to World Bank’s policies in the fight against corruption and conflicts of interests*’, September 28, 2011, Workshop on Corruption organized by Jean-Bernard Auby, Science Po Paris, (to be published).

Presentation : « The procurement regulation under the auspices of the GPA », seminar of the Network « Public contracts and legal globalization », *Institut d'Etudes Politiques (Chaire de J-B Auby)*, December 12, 2008, Paris.

« International public contracts' award procedures », 4th congress of the International legal expertise, *Maison du Barreau de Paris*, December 3, 2008, Paris.

3 presentations during the « Infrastructure Contracts meeting » (award, performance, risks management), Externado University, July 16-18, 2008, Bogota, Columbia.

« The UNCITRAL Legislative Guide on privately financed projects », colloquium « Concessions and BTO contracts », Tunis Center of conciliation and arbitration, June 26-27, Tunisia.

Presentation at the workshop « Comparative law of public contracts », Network « Public contracts and legal globalization », *Institut d'Etudes Politiques (Chaire de J-B Auby)*, June 13, 2008, Viterbe, Italia.

Presentation at the event « Economics of Legal Systems » *EconomiX*, with the *Revue Economique*, March 10, 2008, Nanterre

Presentation: « World Bank's new methodology for Procurement Law: back to country systems? », Second Workshop « Measuring Law and Institutions », December 14-15 2007, *EconomiX*, Paris

Conference « Protests in the EC Law », George Washington University, October 30, 2007, Washington D.C.

Communication : « Le règlement des litiges contractuels dans les marchés publics européens », Colloque Contrôles des marchés publics : perspective européenne et internationale, October 23, 2007, la Sorbonne, Paris.

Moderator : « Contracting options in High technology/long duration Procurements : Managing the International Space Station Exploitation as a Service Contract and Relating Measurement Performance Aspects », International Symposium Developing Trends in Public Procurement and Auditing, European Space Agency, 14 – 16 may 2007, Noordwijk, Pays-Bas.

Moderator : « Contracting options in High technology/long duration Procurements : Public Private Partnerships », International Symposium Developing Trends in Public Procurement and Auditing, European Space Agency, 14 – 16 may 2007, Noordwijk, Pays-Bas.

« The New Government Procurement Agreement: a European View », Colloquium: Emerging Issues in Transatlantic Procurement: The WTO's Revised Government Procurement Agreement, George Washington University, January 2007, Washington D.C.

« Global Sourcing and Public Procurement Law: the European experience », colloquium: Global Sourcing and the Global Lawyer, Georgetown University, January 2007, Washington D.C.

« Formation of International Public Contracts », Seminario Internacional Gerencia Juridica Publica, November 2006, Bogota, Columbia.

« Performance of International Public Contracts », Seminario Internacional Gerencia Juridica Publica, November 2006, Bogota, Columbia.

“Regulating and operating Framework: the French experience”, as speaker at “Public Procurement Global Revolution III”, University of Nottingham, June 2006, (UK).

“Framework Agreements in France”, Colloquium on “Framework Agreements and Task-Order (IDIQ) Contracting: Successes (and Failures) in Europe and the United States”, George Washington University, (US), September 2005

Moderator at the International Colloquium « Public Infrastructures privately Financed », UNCITRAL, Vienna (Austria), July 2001

« The Third Parties in Public Contracts », Colloquium at the French Sénat, June 2001

« La nature des contrats Etat-Région », Colloquium « Décentralisation et contractualisation : clarifier les règles du jeu », Institut de la Décentralisation – Région Nord-Pas-de-Calais, September 1999 (Cooperative Agreements between the French Government and the Regions)

« La modification unilatérale et la renégociation du contrat de délégation » (unilateral change in public contracts), colloque « L’exécution des délégations de service public. Un bilan, 6 ans après la loi Sapin », Ordre des Avocats à la Cour de Paris – Université Paris XIII, March 1999.

Lectures

With the World Bank:

Middle East and North Africa (MENA): Regional conference on “enhancing governance and transparency in public procurement reforms”, Amman June 2012;

Ramallah: Workshop on procurement reform in West Bank Gaza December 2011

MENA: MNAPR training event for Bank staff: "Legal Aspects of Procurement and a look at Procurement Reform as an integral part of the response to the crisis in MENA", Dubai May 2011

South Asia Region: “International Instruments and legal procurement reforms”, Regional Workshop on procurement reforms with countries of the SAR region, Katmandu April 2011.

MNA: Workshop on legal procurement reform in Iraq, July 2011

HQ (Washington) on “Sanctions and debarment in the EU system” (organized by Evaluation and Suspension Officer) February 2010;

Fiduciary Forum OPCS “Understanding Legal background for procurement reforms in civil law and common law systems” February 2010;

Legal Department, training for World Bank staff: “Legal reforms: Procurement reform as a case study”;

OPCPR: “Setting up successful procurement reforms: legal aspects” for Procurement staff September 2010 and Spring 2011;

For Academic audience:

Tunisia: Seminar on the procurement reform at the Ecole Nationale d’Administration, May 2012

Presentation “European Public Procurement Law: what’s new?”, George Washington University, November 4, 2008, Washington DC;

« European Procurement Law and Reform », International/Comparative Procurement Seminar, January 15, 2008, Washington D.C.

“Recent evolution in International Procurement Contracts” Externado University, November 2006, Bogota, Columbia

Evolution or revolution of the European procurement law, George Washington University, October 2006, (US).

“Recent developments in European Government Procurement Law”, George Washington University, International/Comparative Procurement Seminar, (US) January 2006

Moderator at the colloquium about « Politics and Law in the European Galileo Program », University of Reims, (France), November 2005

“Introduction to the European Public Contract and Procurement Law”, George Washington University, Procurement Reform Seminar, (US), September 2005

« European Procurement Law », International Law Institute, Washington DC, (US) May 2005

“New issues in EU Public Procurement”, George Washington University, International/Comparative Procurement Seminar, (US) January 2005

“The Framework of the EU Procurement Directives”, George Washington University, International/Comparative Procurement Seminar, January 2005

“The rules governing the procurement contracts in an European country“, Conference “UNCITRAL and the road to International Procurement Reform”, George Washington University, November 2004

“French Procurement Law”, George Washington University, Procurement Reform Seminar, September 2004

Class and Seminars:

Abroad

For students

2004-2010: George Washington University, seminars on International and Comparative Procurement Law, LLM program with Professor Christopher Yukins and Daniel Gordon (when he was Deputy General Counsel, GAO).

For Procurement officers:

- In the Democratic Republic of Congo and Djibouti on behalf of the International Law Institute, about the COMESA Directive (March 2009)
- In Rwanda, Kigali (2004) and in Washington, DC (2005), about the World Bank Procurement Guidelines, on behalf of the International Law Institute

In France

Class 2012-2013: Droit de la commande publique (Master II Droit Public Général); Free Trade and Social Justice (Master II Analyse Economique du droit); Droit des marchés publics et des PPP (Master II Concurrence et Régulation des marchés);

Class 2008-2009: “Law and Globalization” (Master 1), Paris 10 , Public Private Partnership PPPs (Master 1), Paris 10, Droit des Marchés Publics Internationaux, Master II Commerce International

Class 2006-2009: “International Public Contracts and Comparative Law on Public Contracts” Master II Droit Public des Affaires, Paris I (Sorbonne)

Class 2005-2009: “Droit des contrats publics”, Paris 13 et Paris 10,

In parallel (in French): French Government organization (constitutional and administrative aspects including decentralization, public domain, public properties, expropriation), Comparative Government organizations in Europe, Civil Service Law, Judicial Organization, Cooperative Agreements between Public Entities, Public Utilities, Environmental Law, Constitutional Law.

Procurement trainings for Local Government officers (1999-2000), and the purchase service of Universities Paris 13 and Paris 10 (2006, 2008)

Publications

Report

In charge of the Report and the survey about protest and complaints mechanisms before International Organization (UN, Unesco, PNUD, UNOPS, World Bank, African Development Bank, NATO, OSCE, EuropAid, ESA). Grants from the European Space Agency, Fall 2008, English translation by OSCE.

Books :

Co-editor: “Procurement Oversight: European and International Perspectives », October 22 and 23, 2007, Paris 1 Panthéon-Sorbonne - George Washington University, with Gérard Marcou, 2009.

“Government Contracts Law in the US” (in French), with Daniel Gordon, GWU Associate Dean Government Contracts Program, in preparation.

- "*Les débats parlementaires de la loi du 31 décembre 1987 portant réforme du contentieux administratif*", coll. Travaux de l'Université Paris II, 1995, LGDJ (The legislative debates on the reform of the French Administrative Courts)

Chapters:

“Introduction about the Impacts of international instruments covering public procurement”, in *Internationalization of Public Contracts*, Co-Directors M. Audit and Stephen Schill, forthcoming 2013.

“Introduction to the World Bank policies against corruption and conflict of interests”, in *Corruption and Conflicts of Interests*, Co-Directors Jean-Bernard Auby and Emmanuel Breen, Editor Edward Elgar, forthcoming 2013.

« Le Guide législatif de la CNUDCI sur les projets d'infrastructure à financement privé : un outil pour implanter les PPP, les BOT et les concessions de service public », *Revue Tunisienne de l'Arbitrage 2009, numéro consacré aux «nouvelles tendances du Partenariat Public Privé : Contrats de concession-BOT»*, (The UNCITRAL Legislative Guide as a tool for implementing PPP, BOT and concessions).

- “Frameworks in the French Procurement Code” within S. Arrowsmith ed., 2009. Reform of the UNCITRAL model law on procurement: procurement regulation for the 21st century. 2009 ed. Eagan, MN, West.

-« *Introduction sur les enjeux du montage contractuel Galileo* », in Galileo, La navigation par satellite européenne, questions juridiques et politiques au temps de la concession, Dir. A. Desingly, publié par l'Institut Français des Relations Internationales, la Documentation Française, October 2006.

Fascicules du JurisClasseur :

- « *Exécution du contrat administratif. Pouvoirs de l'administration et obligations du cocontractant* », Fascicule 614, JurisClasseur Droit administratif, 2000 and 2009. (Performance of public contracts and administrative powers)

- « *Les responsabilités du fait des contrats des collectivités territoriales* », fascicule, *JurisClasseur Collectivités Territoriales*, 1999, new ed. April 2008.

-« *Responsabilité contractuelle* », *JurisClasseur Contrats et Marchés Publics*, 1998, new ed. April 2008, (Contractual Liability for French Local Governments).

Articles and papers:

Blog: Morocco: When Governance, Transparency, Integrity, Accountability, & Public Procurement Entered the Constitution, January 2012, <http://menablog.banquemonde.org/constitution-marocaine>
<http://blogs.worldbank.org/publicsphere/morocco-when-governance-transparency-integrity-accountability-public-procurement-entered-constitutio>

« The Separation between the Qualification Phase and the Award phase in French Procurement Law », Public Procurement Law Review, 2009 number 3, Sweet & Maxwell.

« Le règlement des litiges dans les contrats publics, aperçu de droit comparé en Europe », Actes du colloque « Contrôles des marchés publics : perspectives européennes et internationales », in G. Marcou, L. Folliot-Lalliot, D.I. Gordon and al., Collection: Bibliothèque de l'Institut de recherche juridique de la Sorbonne-André Tunc, IRJS edition, 2009 (contractual conflicts resolution in public contracts).

« *Les recours précontractuels aux Etats-Unis : l'Avis du GAO du 18 juin 2008 Air Force-EADS* », *Contrats Publics et Actualité de la Commande publique*, september 2008.

« *La décision du GAO sur le contrat EADS n'est pas une décision politique* » (sur internet, site Rue 89, 19 juin 2008) <http://www.rue89.com/2008/06/19/etats-unis-airbus-nest-pas-victime-dune-decision-politique>

« Global Sourcing and Public Procurement Law: the European Laboratory », *Georgetown Journal of International Law*, Georgetown University,

« *Révision de la loi type sur les marchés publics de la CNUDCI* », with Professor Christopher Yukins, *Contrats Publics – ACCP*, France, January 2006

« *Critère social et droit de préférence en faveur des petites entreprises dans les marchés publics américains* », *Contrats Publics – ACCP*, France, November 2005

« *La globalisation du droit des marchés publics* », *Bulletin juridique des contrats publics*, France, April 2005,

« *Une conférence internationale sur les marchés publics à travers le prisme américain* », *Contrats Publics - ACCP*, France, March 2005 (Book Review on the International Procurement Colloquium, Florida Atlantic University, Fall 2004)

« Comparative Public Procurement: the French System Under the 2004 Code », *International Government Contractor*, Vol. 1, n° 1, (2004), West, Thomson.

« *Vers une approche unifiée de la convention de délégation de service public : état d'avancement des travaux de la CNUDCI sur les projets d'infrastructure à financement privé* », *Revue Française de Droit Administratif*, fall 2003 (about the UNCITRAL Legislative Guide on PFI)

« *La responsabilité et les tiers au contrat administratif* », publications du Sénat, 2003 (Contractual Liability and the Rights of Third parties in Government Contracts)

« *La nature des contrats Etat-Région* », in décentralisation et contractualisation : clarifier les règles du jeu, Institut de la Décentralisation, 1999 (Contracts between Government and regions in France)

Translation: English-French

-World Bank Procurement Guidelines (2011)

- “International Public Procurement: Selling to the U.S. Government”, article by Robert Nichols published in Contrats Publics – ACCP, France, January 2006.

- Labor Law for Rwanda, 184 p., International Law Institute, 2006.