

The Legal Aspects of Public Procurement Course Syllabus

Welcome to the Legal Aspects of Public Procurement

NIGP's foundation course, *The Legal Aspects of Public Procurement* will be of interest to those who are substantially involved in the public procurement contracting process. Individuals who want to increase their understanding of both the capability and limitation of the law on government procedures will be responsive to the course content. In addition, this course will be beneficial to all those who work alongside those in the public sector and must operate under the guidelines of procurement law for the successful acquisition of products and services. Please note that this course is intended to address US legal issues and may not meet the needs of those working outside the United States. The UPPCC certification exams do not contain questions about country-specific laws.

Textbooks and Materials

The Legal Aspects of Public Procurement by Michael Flynn, Esq. and Kirk W. Buffington, CPPO, C.P.M., MBA. Participants receive this eBook when they register. Additional readings will be provided as the course progresses.

Benefits of this online format

Some of the benefits of taking this as an eight-week online course are:

- No travel costs.
- No time away from the office.
- Work is spread over 8 weeks so that you can better study and absorb the content.
- You can do the coursework when your schedule allows as long as you complete the weekly assignments.
- Your classmates are from a wide range of entities enabling you to learn about different practices.

NIGP Online Course Rules

Course Activities

The course is organized by week. Each week contains:

1. Assigned reading from the textbook and other provided sources,
2. Discussion and questions,
3. Individual and/or group assignments, and
4. A self-assessment (non-graded).

Basis for Grading

You will receive a grade of pass or fail. In order to pass you must:

1. Attend the course and substantially participate every week in the Instructor-led discussions.
2. Work with your small group to complete the assignments.
3. Achieve a score of 70% on the final exam on the first or second attempt.
4. Submit a course evaluation.

Attendance Policy

Learner attendance is defined as active participation/discussion in the course tasks as outlined in the weekly course activities and syllabus.

- Learners who do not log into the course and participate in the Week 0 activities are inconveniencing their fellow group members and are at risk of being removed from the course.
- Failure to participate by the end of Week 1 will result in being dropped from the course and loss of course fees.
- You must respond to the instructor's questions on the discussion board with a well thought-out and substantial comment, as well as a substantial comment on at least one other classmate's response within the discussion. You are required to participate in discussions every week,
- You must contribute to each weekly assignment. Working with your group, you will reach consensus on your responses and submit a group document for each assignment.

Your instructor will be tracking your progress through your contributions. If life or work events cause a temporary absence from the course please notify your instructor or the moderator and your group.

Course Schedule

Compare this course schedule to your personal and professional schedules to identify weeks with heavy workloads. While you cannot complete teamwork assignments ahead of time, you may want to read ahead at times. This schedule may be changed with prior notice at any time during the course.

Registration

Complete the Participant Questionnaire. You received a link to this questionnaire in your confirmation email.

Getting Started:

- Complete Online Course Orientation.

- Print and read the detailed syllabus.
- Read the course FAQs.
- Explore the Discussion Board and introduce yourself to other participants.
- Complete the Group Roles Assignment with your team.
- Ask any questions you may have regarding the course syllabus and format.

Week 1: The Essential Principles and Structure of the United States Legal System

Focus: The first week's reading contains the essential principles and structure of the United States legal system—the three types of law, the history of statutory law affecting public procurement and legal precedents affecting statutory law.

Week 2: Fundamentals of Procurement Law & Procurement Authority

Focus: This chapter focuses on public contract law.

Week 3: Basic Components of a Common Law Contract

Focus: The basic components of contracting include the six essential elements needed to form a legal contract, conditions that could lead to a voidable contract and the conditions for oral and written contracts.

Week 4: The Uniform Commercial Code (Part 1)

Focus: Part 1 of the UCC topic will focus on contract formation: Offer and acceptance, Battle of the Forms, parol evidence rule, Statute of obligations and warranties and obligations.

Week 5: The Uniform Commercial Code (Part 2)

Focus: Part 2 of the UCC topic will focus on contract performance: inspection and acceptance, rejection and perfect tender rule, revocation of acceptance waiver, remedies, unconscionability, and substantial performance.

Week 6: The Legal Context for Formal Solicitations

Focus: this week focuses on the importance of legal terms and conditions when developing formal bids and solicitations.

Week 7: Legal Considerations for Software Licensing and other topics

Focus: This week examines the special problems of RFPs for services, professional services, and construction, and software licensing.

Week 8: Ethics and Professionalism in Public Procurement

Focus: This final week examines the intersection of the law and ethics and why procurement officials need to maintain the highest level of ethical practice.

Course Wrap-up

- Review and then complete the Final Assessment within the final week of the course. One of the requirements for passing the course is a score of 70% on the final exam.
- Once you have achieved a passing grade, complete the online course evaluation. This enables you to print your certificate of completion.

Questions?

Contact RegistrationInfo@nigp.org