



Europass Curriculum Vitae

Personal information

First name(s) / Surname(s) **BACIU IOAN**

Address(es)

Telephone(s) —

E-mail

Nationality

Date of birth

Gender

Work experience

Dates November 2013 – September 2018 (appointed for the maximum number of two successive mandates)

Occupation or position held

Member

Main activities and responsibilities

- ✓ provide the European Commission with high quality legal, economic, technical and practical insights and expertise with a view to assisting it in shaping the public procurement policy of the Union;
- ✓ help the European Commission to develop high quality procurement debate and policy;
- ✓ prepare reports, presentations and memoranda and issue studies, opinions and proposals with the specific purpose to help the European Commission in developing and implementing Union's policy and legislation on public procurement;
- ✓ enable the sectors concerned to be informed about the design and application of Union rules on procurement;
- ✓ provide legal and economic analysis and comments on important developments or structural trends of public procurement, and their implications for the Union policy framework;
- ✓ provide feedback to the Commission services on the challenges and developments in specific sectors which may require public procurement response and propose adequate solutions;
- ✓ provide input in the framework of preparatory legislative work of the Commission in the field of public procurement;
- ✓ assist the Commission services in analyzing the relevant case law of the Court of Justice of the European Union, etc.

Name and address of employer

European Commission Stakeholder Expert Group on Public Procurement

Type of business and sector

Public Procurement & Public-Private Partnerships

Dates September 2005 onwards

Occupation or position held

Senior Associate

Main responsibilities /
Significant experience

- ✓ counseled, on a regular basis, major foreign investors in connection with the implementation of an impressive number of public projects offering strategic, legal advice at the interface of regulation, competition and procurement during the relevant public tenders, as well as with respect to the negotiation and the performance of the related public procurement agreements, public concession contracts, offset agreements, public-private partnerships;

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- ✓ represented and advised clients during the negotiation, the conclusion and the delivery (including in connection with the crafting of the relevant arrangements and mechanisms) of a broad range of offset agreements as required under the relevant public procurement contracts concluded in the field of national defense, public order and national security, some of the proposed solutions resulting in a shift in the customary practice of the Romanian Authority for Offsetting Special Technique Procurements;
- ✓ fostered several major international companies during the preparation and the implementation, in Romania as well as abroad, in countries such as the U.S.A., Brazil or Italy etc., of various complex distribution networks and franchise schemes;
- ✓ assisted clients at the elaboration of, as well as during the implementation of, several significant projects in the field of European integration, health, environment, culture, media, tourism, IT and local public utilities and public road networks development financed by the ERDF, ESF and/or CF as well as via other specific financing schemes offered under the Youth in Action, Culture and Health Community Programmes or supported by certain state aid / de minimis schemes, including active implication in the negotiations with the Romanian management authorities and also in the elaboration and the implementation of the relevant co-financing and/or guarantee mechanisms, at times inter-correlated with other EU programmes and projects developed by the European Commission together with various financial institutions, such as JESSICA, JEREMIE etc.;
- ✓ actively involved in the undertaking of some complex due diligence tasks and in the drafting of relevant legal due diligence reports related to the privatization of certain noteworthy Romanian state-owned companies activating in banking, energy and natural resources, chemical or telecommunications sectors such as B.C.R., C.E.C., Banca Romaneasca, Electrica Muntenia-Sud, Electroputere Craiova, Oltchim S.A., etc., and also counseled the clients throughout the pre- and post-privatization processes;
- ✓ advised major clients on real estate project development, real estate financing, real estate investment funds, asset-based lending, asset securitization, unsecured financing and refinancing schemes, multilateral joint ventures, etc., in connection with the implementation of several major real estate projects;
- ✓ assisted foreign investors in a wide variety of transactions such as consortium agreements, joint ventures, M&A, takeovers and debt restructuring or in connection with the set-up and the operation, in Romania, of some complex off-line and on-line trade structures and special purposes vehicles, with the exact observance of the Romanian and also the EU complex foreign investments, distance contracts or the customer's protection legal frameworks;
- ✓ advised numerous clients in connection with various issues in the field of intellectual property rights (IPR), patents, trademarks and copyrights and a wide range of IPR transactions and projects;
- ✓ offered legal assistance, on a regular basis, to an important number of clients activating in the health and pharma sector, drugs distribution, procurement, processing, testing, storage, distribution and import/export of umbilical cord and cord blood material or in the field of clinical research and pharmacovigilance.

Name and address of employer

RUBIN MEYER DORU & TRANDAFIR affiliated with HERZFELD & RUBIN, P.C., New York – Bucharest, Romania

Type of business and sector

Lawyers Professional Corporation

Dates

May 2005 – September 2005

Occupation or position held

Associate Lawyer

Main responsibilities / Significant experience

- ✓ actively participated in several major legal due diligence proceedings as organized in connection with the privatization of some of Romania's best-known state-owned entities;
- ✓ offered specific assistance for clients throughout the implementation of certain major pre- and post-privatization processes;
- ✓ carried out through a multidisciplinary approach some complex legal tasks in relation with foreign investments in Romania;
- ✓ offered accurate legal solutions on particular issues related to the public procurement procedures, to the state aid rules or to the legal regime of concessions;

Name and address of employer


MUSAT & ASOCIATII Attorneys at Law – Bucharest, Romania

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Type of business and sector	Lawyers Professional Corporation
Dates	May 2004 – April 2005
Occupation or position held	Associate Lawyer
Main responsibilities / Significant experience	<ul style="list-style-type: none"> ✓ counseled clients in connection with specific taxation matters, offering analyzes, studies, legal opinions on the relevant Romanian tax legislation and jurisprudence; ✓ provided legal counseling in connection with the Romanian banking legal frame and market products; ✓ assured a proper, professional and complex juridical support for concrete corporate issues regarding both Romanian and foreign companies; ✓ offered legal advice in connection with the national and the EU legislation concerning packaging and packaging waste international market; ✓ rendered legal assistance for EU and non-EU investors on specific telecommunications and mobile networks legal matters, and particularly on consumers' protection rights in these fields;
Name and address of employer	I. K. ROKAS & PARTNERS - CONSTANTINESCU, RADU, IONESCU S.P.A.R.L. Law Firm - Bucharest, Romania
Type of business and sector	Lawyers Professional Corporation
Dates	December 2003 – April 2004
Occupation or position held	Member and founder of "Baciu Ioan – Attorney at Law" Law Office
Main activities and responsibilities	<ul style="list-style-type: none"> ✓ provided legal advising (especially regarding issues of civil law, commercial law, taxation, intellectual property); ✓ assisted clients during the negotiation, execution and performance of various legal deeds and transactions as well as in connection with the fulfillment of all the formalities imposed by law, by the constitutive acts or asked by the clients for either the validity and effectiveness thereof or for their opposability to third parties (authentication of acts, land register operations, registering companies within the trade registers); ✓ represented clients before the relevant courts of justice, drafted and filed writs in order to bring actions or to lay appeals or remedy actions, as well as presented and substantiated notes or conclusions; ✓ provided legal assistance in court or before other public authorities (penal investigators of the judiciary police, Public Prosecutor's Offices, Chambers of Commerce etc).
Name and address of employer	"BACIU IOAN – Attorney at Law" – Onesti, Bacau County, Romania
Type of business and sector	Law Office
Dates	November 2000 – November 2003
Occupation or position held	Trainee
Main activities and responsibilities	<ul style="list-style-type: none"> ✓ carried out specific activities related to the period of professional training (legal advising, legal assistance in court or before other institutions) ✓ studied present interest legislation and jurisprudence; ✓ issued and presented essays on disputed legal issues appeared in jurisprudence, with purpose to present a prompt, well-motivated and professional point of view of the law office; ✓ enlarged and considered thoroughly own professional knowledge by long and hard studying (individually or during specializing courses;
Name and address of employer	"ALEXANDRU PETRESCU – Attorney at Law" – Onesti, Bacau County, Romania
Type of business and sector	Law Office

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Education and training

Dates	September 2016 - onwards
Title of qualification awarded	PhD Researcher
Principal subjects/occupational skills covered	Social policies and community benefits through public procurement in the EU
Name and type of organisation providing education and training	University of Turin, Italy Babes Bolyai University of Cluj Napoca, Romania
Dates	June 2015
Title of qualification awarded	Certificate of Completion
Principal subjects/occupational skills covered	'Obtaining Value in Public Procurement'
Name and type of organisation providing education and training	George Washington University Law School, USA
Dates	June 2014
Title of qualification awarded	-
Principal subjects/occupational skills covered	Anti-fraud and Anti-corruption Measures in European Structural and Investment Funds
Name and type of organisation providing education and training	EUROPEAN COMMISSION
Dates	November 2012
Title of qualification awarded	-
Principal subjects/occupational skills covered	Remedies in Public Procurement - State of Play, Challenges and Opportunities
Name and type of organisation providing education and training	EUROPEAN COMMISSION - Directorate General Internal Market and Services, Brussels
Dates	October 2012
Title of qualification awarded	certificate
Principal subjects/occupational skills covered	European Public Procurement Law – 2012: reform and modernisation of EU public procurement; strategic procurement and SMEs; e-procurement; green, social and sustainable procurement; public procurement and probity; procurement partnerships; service concession directive; redress of public procurement contracts; public procurement and SGE
Name and type of organisation providing education and training	ERA Academy of European Law in Trier, Germany
Dates	September 2012
Title of qualification awarded	certificate
Principal subjects/occupational skills covered	Money laundering prevention and sanction
Name and type of organisation providing education and training	INPPA – National Institute for Lawyers' Training and Professional Development together with ONPCSB - National Office for Prevention and Control of Money Laundering
Dates	2011 - 2012
Title of qualification awarded	diploma

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Principal subjects/occupational skills covered Postgraduate Courses - Private Law, with paper: *Contractul de achiziție publică de produse - specie a contractului civil de furnizare?* ("The Public Supply Contract - a Species of the Civil Supply Agreement?")

Name and type of organisation providing education and training **University of Bucharest**

Dates April 2011

Title of qualification awarded Public Procurement Expert

Principal subjects/occupational skills covered Public Procurement and Investment

Name and type of organisation providing education and training **Expert Audit Group**

Dates March – July 2005

Title of qualification awarded Expert in Financial Systems

Principal subjects/occupational skills covered International Financial Systems

Name and type of organisation providing education and training **Romanian Banking Institute**

Dates September 2001

Title of qualification awarded LLM

Principal subjects/occupational skills covered Private Law

Name and type of organisation providing education and training **University of Bucharest**

Dates June 2000

Title of qualification awarded Bachelor of Science in Law

Principal subjects/occupational skills covered "*The European Social Law*" graduation paper – coordinating professors : Andrei Popescu and Valer Domeanu;

Name and type of organisation providing education and training **University of Bucharest**

Dates 1995 - 1999

Title of qualification awarded and Name and type of organisation providing education and training Graduate from Law School of "Spiru Haret" University of Bucharest

Dates 1990 - 1994

Title of qualification awarded and Name and type of organisation providing education and training "**Dimitrie Cantemir**" **Theoretical Secondary School** of Onesti, Bacau County, Romania - math section

Personal skills and competences


Mother tongue(s) **Romanian**

Other language(s)

Self-assessment

European level ()*

Understanding		Speaking		Writing
Listening	Reading	Spoken interaction	Spoken production	

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English	C1	C1	C1	C1	C1
French	B2	B1	A2	A2	B1

(*) [Common European Framework of Reference for Languages](#)

Organizational skills and competences

I have many years' experience of rendering complex legal assistance and advice to either the private or the public sector. As senior lawyer and managing associate, I have been performing in a very competitive environment, heading teams involved in substantially complex transactions, negotiations, litigations, legal survey, due diligence investigations and/or research, etc. I have thus gained genuinely ample accumulations in theory and particularly in practice, but also the prowess of efficiently organizing and managing teams in highly demanding circumstances.

Computer skills and competences

Microsoft Office (Word, Excel, Power Point), Internet

Other skills and competences

PROFESSIONAL ABILITIES: a real bent for study, thorough juridical knowledge, hard-working temper, well poised, very confident, ambitious in proving that there is a chance to win even when everything might seem lost, cool-headed, quick in finding the best solutions, intuitive but also tactful, patient, calm, heedful, well organized, having respect and admiration for true values, responsibility, courage to stand up to any challenge, thrilling for profession, professionalism.

Driving licence

Yes (B)

Additional information

PROFESSIONAL AFFILIATIONS:

1. Member of the National Union of the Romanian Bar Associations;
2. **European Commission's co-opted expert for the implementation of the Cohesion Policy** and the Union's regional and urban development;
4. Member of **Procurement Lawyers' Association – London**;
5. Country correspondent for the **European Procurement & Public Private Partnership Law Review – EPPPL, Berlin**;
6. Associate Researcher of the **Center for Good Governance Studies**, a prestigious interdisciplinary research unit within the Public Administration Department of the Faculty of Political, Administrative and Communications Sciences from Babes Bolyai University, Cluj-Napoca, Romania;
7. Co-opted researcher of, and constant participant in, the **International Research Study of Public Procurement – IRSPP**, a multi-national research study of public procurement practices and policies which develops international comparative procurement benchmarks and enhances the body of knowledge in government procurement;
8. Member of the **European Association of Public-Private Partnership (EAPPP)**, Milano;
9. Member of the **Editorial Board of the „State and Economics” Legal Series** (edited by the Nicolaus Copernicus University of Torun, Poland);
10. Member of the **Public Procurement Academics & Practitioners Group** functioning under the patronage of the Nicolaus Copernicus University of Torun, Poland;
11. Member of **INACO - Initiativa pentru Competitivitate** (the “Initiative for Competitiveness”), one of the most dynamic Romanian organizations involved actively in the promotion of various competitiveness-related economic and social values and projects.

PUBLICATIONS:

- *Fraud Against the Financial Interests of the European Union, Particularly in the Field of Public Procurement. Is Romania Ready to Tackle It? A Radiography of the Latest Official Reports*, in the European Procurement & Public Private Partnership Law Review – EPPPL, No.2/2013, p.151

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- *The Current State of Play in Defence Procurement and the Offset Requirements in Romanian Legislation*, in the European Procurement & Public Private Partnership Law Review – EPPPL, No.3/2013, p.266;
- *The "Abuse of Rights" in Light of the CJEU Case Law. A Radiography of Decision C-434/12*, in the European Procurement & Public Private Partnership Law Review – EPPPL, No.2/2014, p.138;
- *A Possible Obstacle to the Free Access to Remedies in the Romanian Public Procurement System?*, in the European Procurement & Public Private Partnership Law Review – EPPPL, No.4/2014, p.271;
- *Implementarea noului set de directive europene referitoare la achizițiile publice și concesiuni, o sansa reală pentru economia României* (January, 2015), in the electronic legal review Juridice.ro and available at: <http://www.juridice.ro/358334/implementarea-noului-set-de-directive-europene-referitoare-la-achizițiile-publice-si-concesiuni-o-sansa-reala-pentru-economia-romaniei.html>;
- *Building Highways in Romania: Current Problems and Possible Solutions*, available at: <http://www.hr.ro/digest/201506/digest.htm>;
- *Horizontal In-House Transactions vs. Vertical In-House Transactions and Public-Public Cooperation - Annotation of the Judgment of the Court (Fifth Chamber) of 8 May 2014 in Case C-15/13, Technische Universität Hamburg-Harburg and Hochschul-Informationssystem GmbH v Datenlotsen Informationssysteme GmbH* in the European Procurement & Public Private Partnership Law Review – EPPPL, No.4/2015, p.254;
- *"Recent Legal and Policy Developments in the Field of Public Procurement in Romania"*, in the European Procurement & Public Private Partnership Law Review – EPPPL, No.1/2017, p.65;
- *"The Conformity with the Union's Legal Framework of a National Law Concerning the Setting of Fixed Prices for the Sale by Pharmacies of Prescription-Only Medicinal Products for Human Use - Annotations on the Decision of the Court of Justice of the European Union in Case C-148/15"* – published in the Romanian Digest of Herzfeld & Rubin, P.C., New York and available at <https://www.rmdt.ro/romanian-digest/>;
- *"The Reformation of the Romanian Public Procurement System – A Never-Ending Story"*, in the European Procurement & Public Private Partnership Law Review – EPPPL, No.1/2018, p.73;
- *"The Possibility to Reserve a Public Contract under the New European Public Procurement Legal Framework"* – in the European Procurement & Public Private Partnership Law Review – EPPPL No.4/2018, p.307;
- *"How Much Social can Public Procurement Take?"* – in the Sustainable Development and Resilience of Local Communities and Public Sector Organizations volume edited by C Haruța, C M Hințea and O Moldovan as a follow-up to the Conference Proceedings 'Transylvanian International Conference in Public Administration' that took place on 16-18 November 2018 in Cluj-Napoca, Romania (ed. Accent, 2019).

STUDIES, SURVEYS, CONFERENCES, EVENTS:

- participated, during 2014, in the drafting of the **Procura+** manual edited by ICLEI, the world's leading network of over 1,000 cities, towns and metropolises committed to building a sustainable future;
- contributed, at the invitation of the **European Commission**, to the consultation ran by the same, between May and July 2015, on **remedies in public procurement**;
- contributed, at the invitation of the World Bank Group, to the **World Bank's Benchmarking Public Procurement 2016 project**, delivering a series of notably complex surveys and reports on respectively the bidding for a public procurement tender, the filling of a complaint and the integrity of the public procurement process in Romania;
- **lectured on "In-House Procurement"** at one of the seminars of the LL.M in Public Procurement Program of the Law School from the University of Bucharest – Bucharest Law School, 18 November 2015;
- **presented the paper "Fighting Corruption in Public Procurement; the Conflict of Interests"** at the international conference on "ReNEUAL: the Europeanization of the Administrative Law and the Codification of the Administrative Procedure", Cluj Napoca, Romania - May 13-14, 2016;
- **lectured on "Sustainability in the New Public Procurement Legal Framework"** at the event "Reguli noi în achizițiile publice. Noul ca poveste veche. Îndrumar de interpretare" organized by the LL.M in Public Procurement Program of the Law School from the University of Bucharest, Bucharest together with the PPP Research Center, Revista Română de Parteneriat Public – Privat and "Universul Juridic" publisher house - June 17, 2016;
- participated, as a speaker (with the paper **"Hitches and Setbacks in the Transposition and**

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- **Implementation of the New Rules on Concessions**"), in the event "Parteneriatul public-privat in contextul noii legislatii privind achizitiile publice" organized by Romania's International Chamber of Commerce, Bucharest - July 7, 2016;
- contributed, at the invitation of the World Bank Group, to the **World Bank's Benchmarking Public Procurement 2017 project**, delivering a thorough presentation on the different phases of the national public procurement cycle and the ease of challenging a public procurement tender through the Romanian complaint system;
- participated, in August, 2016, in the **research** carried out by a team of international academics and public procurement experts from the **University of Lapland, Finland**, on "**the independency and separability of certain entities or contracts in the European Public Procurement**";
- contributed, as selected expert, to a comprehensive **study on "Centralized Public Procurement in the European Union"** ran by one of the top European Government advisors on public procurement – October - December 2016;
- **lectured on "Romania's Centralized Procurement" and "Conflicts of Interest in the Romanian Legal Framework"** at a number of seminars of the LL.M in Public Procurement Program of the Law School from the University of Bucharest – Bucharest Law School, November 2016;
- contributed, as selected expert, to a comprehensive **study on the "National legislations and practices of the "Methods for calculating the estimated value of procurement" – Dir. 2014/24/EU, Art.5"** ran by one of the top European Government advisors on public procurement – February to March, 2017;
- participated as speaker (with the paper "**SMEs in digital economy – a view from public procurement**") in the event "**Cluj Innovation Days 2017**", Cluj - March 31, 2017;
- lectured on "**In-House Procurement**" and "**Centralized Procurement**" at one of the seminars of the LL.M in Public Procurement Programme of the University of Cluj Napoca, April 1, 2017;
- **lectured on the changes brought by the latest reform in the European public procurement in the programme "Assistance for Strengthening the Training Capacities for Judges and Prosecutors in the Application of New Laws"** („Asistență pentru consolidarea capacității instituționale în domeniul formării judecătorilor și procurorilor pentru aplicarea noilor legi") organized by the Romanian Superior Council of the Magistracy and the National Institute of the Magistracy and **co-financed by Switzerland through the Swiss Contribution for an extended European Union** – June to December, 2017;
- participated, as speaker, in the international conference on centralised purchasing activities and cross-border procurement ("**Unitatea Centrala de Achizitii – Achizitii Transfrontaliere**") organized by ROVEST, an international cluster headquartered in Timisoara, Romania – January, 2018;
- contributed to a comprehensive **comparative study on "Public Procurement Remedies Systems in the European Union"** ran by one of the top EU Government advisors on public procurement – March to May 2018;
- selected to participate in the **2018 Congress of the International Institute of Administrative Sciences** to take place in June, 2018, in Tunis, Tunisia, with the paper "**The Strategic Role of Public Procurement in the Implementation of the European Union's Social Policies**";
- contributed, at the personal invitation of the **World Bank**, to their **Doing Business 2019 and 2020 reports**, by filling in the **Contracting with the Government indicator** Chapter aimed at benchmarking the efficiency, quality, and integrity of public procurement systems worldwide;
- participated, as a speaker and member of the Public Procurement Academics & Practitioners Group, in the **seminar on „The Challenges of Public Procurement in Central and Eastern Europe – a comparative analysis"**, organized by the Nicolaus Copernicus University of Torun (Poland) – June, 2018;
- attended, in Sofia, Bulgaria, at the invitation of the organizers (ie., the European Commission), the international conference on "**Improving access to procurement**" – June, 2018;
- **lectured on Public Procurement and Competitive Tendering** at the **International Summer School 2018** organized in Bucharest, Romania, by one of the foremost international networks for law students – July 2018;
- participated, as a top EU legal expert, in the implementation of the EU-wide project "**Promoting Social Considerations into Public Procurement Procedures for Social Economy Enterprises**" managed by a group of international organizations under the direct coordination and supervision of the **European Commission** as initiator – Nov.2018 – Nov.2019;
- participated as a speaker in the **Transylvanian International Conference in Public Administration**, Cluj-Napoca, Nov.2018, with the paper "**How Much Social Can Public Procurement Take?**";
- co-opted, together with a number of other prominent European researchers, members of the

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- academia and practitioners, to contribute, as **co-author**, to a **Commentary of the Public Procurement Directive (2014/24/EU)** planned to be edited by the prestigious **Edward Elgar** publishing house and released in 2021 – February 2019;
- participated in the **elaboration of the Contracting with the Government indicator international survey**, as part of the **World's Bank Doing Business 2020** report – March, 2019;
- participated, as a **speaker**, together with representatives from the European Commission and other outstanding European experts in an international event organized by the **EASPD** in Bucharest on **'why investing in social economy means investing in people'** – May, 2019;
- **co-organized and hosted, together with the European Commission, the high-level event on BSI-Buying for Social Impact, under the EC's BSI EASME/COSME/2017/030 Project** – Bucharest, September 2019;
- participated, as a **speaker**, in the **Lexxion international conference on 'Facing 2020: Latest Developments in EU Public Procurement'**, Amsterdam, October, 2019
- contributed, as procurement expert, to an **international project aimed at the reformation of the national touristic institutional framework of one of the EU Member States** – July – September 2020;
- participated, as country expert, in the **implementation of the project 'Supporting gender equality in the economy through Public Procurement'** ran by the **European Institute for Gender Equality (EIGE)** in the context of the EU's Gender Equality Strategy 2020-2025 (COM(2020) 152 final) – in delivery;

REFERENCES:

Available on request.

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