



REQUEST FOR PROPOSALS

December 19th, 2008

PERIOD OF PROPOSAL SUBMISSION ENDS: 5:30 PM Wednesday, January 21st, 2009

The U.S.-China Economic and Security Review Commission (hereafter "the Commission") invites submission of proposals to provide a report on the issues surrounding a potential bilateral investment treaty between the United States and the People's Republic of China (PRC).

ABOUT THE COMMISSION. The Commission was established by Congress in 2000 to monitor and report to Congress on the economic and national security dimensions of the United States' trade and economic ties with the PRC. Further details about the Commission are available on its website at: www.uscc.gov.

ABOUT PROPOSALS. The Commission solicits proposals from contractors capable of providing a one-time report that would examine the major issues surrounding a potential comprehensive bilateral investment treaty (BIT) between the U.S. and the PRC.

Key issues and questions to be addressed by the report are:

- Identify and explicate the major provisions of existing U.S. BITs in order to provide context for a potential BIT with China.
- Examine and analyze the provisions of BITs that China has signed in the past, as well as China's subsequent record on implementing and/or adhering to its commitments under such agreements.
- Examine and explicate in detail the specific provisions of the potential BIT currently under negotiation between representatives of the U.S. and the PRC. Identify and assess both those provisions that are most likely to be mutually agreed upon by both sides, as well as those provisions that might prove to be "sticking points" in the negotiations.
- Explicate and assess the major regulatory and transparency issues surrounding a potential BIT, to include, but not necessarily be limited to: what transparency requirements will and/or ought to be applied; the proper relation of BIT regulatory reporting requirements to the existing processes of the Committee on Foreign Investment in the U.S. (CFIUS); and other existing SEC and other regulatory compliance and reporting provisions.
- Assess the potential implications for the U.S. economy – both positive and negative – of a BIT with China. This would include, but not necessarily be limited

to: the probable extent of reciprocal market access; identification of the specific economic sectors of the U.S. most likely to be affected, and why; and the likely macroeconomic impacts on the U.S. economy as a whole.

Additional Requirements of the Commission:

- Prior to responding to this RFP, the responding entity must be currently registered in the federal Central Contractor Registry (CCR), and it shall confirm its current registration in its proposal.

- Once a contractor has been selected for this project by the Commission and a contract signed, public notice of this will be made on the Commission's website.
- Once a contractor has been selected by the Commission and a contract signed, a draft of the report must be submitted to the Commission for review no later than 120 days from the date of contract confirmation. The Commission will then endeavor to provide comments and requests for adjustments within 30 days; subsequently, the final report must be submitted within 30 days of formal receipt of the Commission's comments.

- As work on the report progresses, the Commission's Research Coordinator shall act as a representative of the Commission in monitoring the progress, quality, and relevance of the report to the identified major issues of concern. The Research Coordinator shall, on request to the contractor, be entitled to informal briefings on the status of the research work and to readings of the draft in progress.
- The contract shall be subject to termination if the Commission deems that the work is of unsatisfactory quality.

- At the Commission's discretion, the report procured via this Request for Proposal may be posted on the Commission's website.
- Each organization or individual responding to this request must warrant that it/he/she will perform this work solely for the Commission, and that the resulting report will not be shared with other parties without the prior written consent of the Commission.
- The Commission expects contractors to identify all personnel working on the contract, and that there not be any delegation of responsibilities to other parties without prior approval of the Commission.

Primary Selection Criteria:

- The Commission will determine which organization or individual responding to this request will be awarded the contract based on a comprehensive "best value" analysis of the proposals received, to include costs, technical value, and ability to complete the work satisfactorily and on time.
- The primary weighting criterion in selection shall be the assessed qualifications and ability of an organization or individual to address the fundamental research points enunciated above ("key issues and questions to be addressed by the report").
- The cost and amount of time necessary to complete the report will also be considered as criteria in the selection process.

Proposal submissions should include:

- A statement of the applicant's relevant qualifications to satisfy the terms of this request for proposals (RFP);
- An description of the research methodology the applicant proposes to employ;
- An estimate of the time the applicant will need to complete the required work;
- The price the applicant will charge to the Commission to complete the work set forth in this RFP.

Firms and individuals wishing to submit a proposal in response to this Request for Proposal must ensure that the response arrives at the following location by **5:30 p.m. on Wednesday, January 21st, 2009**, or it will not be accepted or considered.

Electronic submissions are acceptable.
Proposals, as well as any other correspondence related to this matter, should be directed to:

John Dotson
 Research Coordinator
 U.S.-China Economic and Security Review Commission
 Hall of the States, Suite 602
 444 North Capitol Street, N.W.
 Washington, D.C. 20001
 phone: 202-624-1482
 jdotson@uscc.gov