

《金融英语阅读》

教学内容与安排

本课程总体分为六大专题,每个专题都有数篇文章可用。

1: Banking Industry

Chapter <u>1</u>, <u>6</u>, 7, <u>9</u>, 20, 22, <u>23</u>

2: Economics / money

Chapter **2**, **3**, 4, 5, **15**, **19**, 25, 26, 32, 36

3: Investment System

Chapter 10, 13, 21, 29, 31,33

4: Accounting

Chapter 12, 24, 34, 37, 38

5: Law

Chapter <u>11</u>, 18

6: Others

Chapter 16, 17, 35, 8, 14, 27, 28, 30

因一学期 18 周总共为 36 课时,理想的做法是选用 12 课用于课堂教学,其他课程由学生课后自学,每课需要 3 课时。有些准备工作和活动要求学生在课前或课下进行,以提高课堂教学效率。 所选的 12 课为: 1、6、9、23、2、3、15、19、10、13、12、11。时间具体安排如下:

第1-2周:第1章

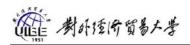
使用课文: The Banking Industry in China

第2-3周:第6章

使用课文: The World Bank

第4-5周: 第9章

使用课文: the Financial System



第5-6周:第23章

使用课文: International Monetary Fund

第7-8周:第2章

使用课文: Politics vs. Economics

第8-9周:第3章

使用课文: Money

第 10-11 周: 第 15 章

使用课文: The Macroeconomics of International Currencies

第11-12周:第19章

使用课文: Bretton Woods and the Gold Exchange Standard

第 13-14 周: 第 10 章

使用课文: Assessing Investment System

第 14-15 周: 第 13 章

使用课文: Investment Products and Services Provided by Insurers

第 16-17 周: 第 12 章

使用课文: Pooling of Interests Accounting

第 17-18 周: 第 11 章

使用课文: Invitation for Bids

教学大纲

Topic One: Banking Industry

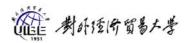
第一章

The Banking Industry in China

1、教学目的

By the end of the chapter, students should be able to know about

the development of the banking industry in China



- > the structure of the central banking system
- the major tasks of the three policy banks in China.

2、教学计划

This chapter will cover 3 hours. 2 hours for the introduction of background information and explanations of terms and the texts. And the other 1 hour for discussion and practice.

3、教学方法

Translation: key sentences and terms

Paraphrasing: major words and sentences

> Summarizing: important paragraphs

Discussion: key issues

Questions and answers

4、背景知识

The establishment of the People's Bank of China in 1948 marked the beginning of a new chapter in the Chinese banking history. Through five decades of evolution, particularly nearly two decades of reform and opening to the outside world, China's banking sector has entered a stage of vigorous development. With PBC as the central bank, the current banking system in China consists mainly of wholly state-owned commercial banks, which coexist and cooperate with policy banks and joint-equity commercial banks operation in their respective authorized business domains.

5、重点讲解

概念讲解

PBC

All in one monopolistic banking system

Specialized bank

Central bank

Foreign exchange reserves

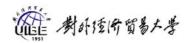
Fiscal agent

Aggregate credit

Monetary base

Benchmark interest rate

Fiscal deficit



Lending facilities

Priority construction

Fixed-asset investment

Commodity reserves

Subsidiary

第六章

The World Bank

1. 教学目的

By the end of the chapter, students should be able to know about:

- the composition of the World Bank Group;
- > the importance of the World Bank Group;
- > the functions of the World Bank;
- the future development of the World Bank.

2. 教学计划

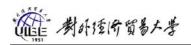
It is scheduled to take 3 hours to handle this chapter. 2 hours will be spent on explanation of the key words, phrases sentences and the features of the text, and 1 hour for class discussion and questions and answers.

3. 教学方法

- > Translation: key sentences.
- Paraphrasing: key words and expressions.
- > Explanation: new terms.
- Summarizing: key passages.
- Discussion: important issues.
- Questions and answers: interaction between teachers and students.

4. 背景知识

The International Bank for Reconstruction and Development, usually referred to as the World Bank, was founded by the Bretton Woods Conference as an international bank to finance the



reconstruction and development of member countries. Operations started in 1946. The bank is financed partly by contributions paid by member countries, partly by bond issues.

5. 重点讲解

概念讲解

hard loan
subscribed capital
competitive bidding
credit line
grace period
disbursed loan balances

句子讲解

1. Visions of imperialism, real or imagined, are less likely if the lender/donor is multinational or international.

译文: 无论从实际或假想的角度,一国专制的情形都不大可能出现。

The Bank must make relatively safe loans with high assurance of repayment because its own funds are acquired through the sale of securities offerings that must compete with government and private business offerings of all sorts.

译文:世界银行必须发放有高还款保证的相对安全的贷款,因为它是通过发行证券获得自有资金的,而其发行的证券又必须与各种政府和私人企业发行的证券相竞争。

3. Although it shares the Bank's administrative staff and grants credits for projects covering the same sorts of projects in the LDCs as the Bank's loans, its soft loans differ from the "hard" loans of the bank in several important ways.

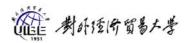
译文:虽然它与世界银行共用行政人员,其信贷投向的项目范围与世界银行投向欠发达国家的贷款项目种类相同,但它的软贷款与世界银行的硬贷款在某些重要的方面有所不同。

第九章

The Financial System

1. 教学目的

By the end of the chapter, students should be able to know about:



- > the function of the financial system;
- > the participants in the financial system;
- > the financial intermediaries and their respective functions.

2. 教学计划

As the chapter covers many aspects of financial system. It will take 3 hours to deal with this chapter. 2 hours will be for explanation of the text, and 1 hour will be for questions and discussions.

3. 教学方法

- > Translation: key sentences.
- Paraphrasing: key words and expressions.
- > Explanation: new terms.
- > Summarizing: key passages.
- > Discussion: important issues.
- Questions and answers: interaction between teachers and students.

4. 背景知识

Everyone has some contact with the financial system. Banks, building societies and insurance companies provide in their respective way for some of our everyday needs, such as payment facilities through bank, convenient savings and access to home loans from building societies, and car, house, or life insurance.

5. 重点讲解

概念讲解

payment facilities

discount house

investment trust

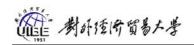
venture capital

credit facilities

market maker

derivative instrument

liquidity



equity asset maturity

句子讲解

 Satisfactory payments facilities are something which we are inclined nowadays to take for granted, but productive economic activity is dependent on their existence, and indeed on traders having reasonable access to short-term credit facilities.

译文:今天我们想当然地乐于接受某种东西作为令人满意的支付工具,但经济生产活动正是 依赖于它们的存在,更依赖于商人们拥有获得短期信贷工具的合理途径。

2. By their very nature financial institutions attract criticism: bankers would not be doing their jobs if they did not turn down some requests for loans, and those who are denied funds sometimes feel hard done by and are vociferous in their complaints.

译文:金融机构天生就容易招惹批评:如果银行不拒绝几份贷款请求,那他就不是在认真工作;而那些被拒绝了的借款人有时会觉得十分委屈甚至大为光火,抱怨不停。

3. The control which financial institutions wield over very substantial sums of money also attracts the attention of governments, partly because they may see irresistible opportunities to secure cheap finance for favored borrowers (notably governments themselves), and partly in view of the economic power attached to control of finance.

译文:金融机构拥有的、对大量金钱的管理权同样也会引来政府部门的目光,一方面是因为它们从中看到了为借款人(特别是政府自己)获取低廉融资的不可抗拒的机会,另一方面是从金融管理的经济效力的角度。

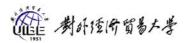
4. Moreover, while there is nothing to prevent savers and investors from dealing directly with each other if they wish, the existence of financial institutions makes direct contact unnecessary, since both groups can deal with the intermediating institutions.

译文:另外,当没有任何东西能够阻挡储蓄者和投资者在他们愿意的条件下直接交易时,金融机构的存在使得他们没有必要直接签署合约,因为两大集团都可以与中介机构接洽。

第二十三章

International Monetary Fund (IMF)

1. 教学目的



By the end of this chapter, students should be able to know about:

- > the original objective of the IMF
- ➤ the functions performed by the IMF
- > the objective of the IMF
- > the knowledge about the world debt crisis
- > changes in the IMF

2. 教学计划

It is scheduled to take 3 hours to deal with the text. 2 hours will be spent on analysis of the key expressions and sentences, and 1 hour will be on questions and answers and class discussions.

3. 教学方法

- > Translation: key sentences.
- Paraphrasing: key words and expressions.
- > Explanation: new terms.
- > Summarizing: key passages.
- > Discussion: important issues.
- Questions and answers: interaction between teachers and students.

4. 背景知识

Established by the Bretton Woods Conference in 1947, the purpose of the IMF is to foster international monetary cooperation through the stabilization of exchange rates, the removal of foreign exchange restrictions and the facilitation of international payments and of international liquidity. However, following the breaking of the dollar's link with gold, and the abandonment of national fixed parties, the IMF rule was abolished in 1976.

5. 重点讲解

概念讲解

quota

structural adjustment facilities

firm surveillance

debt default

debt rescheduling

debt crisis



句子讲解

 One of the Fund original objectives, since abandoned, was the maintenance of fixed exchange rates among member-countries' currencies, with par value related to the US dollar, which was valued at \$35 per ounce of gold.

译文:国际货币基金组织最初的一个目标是,在各成员国货币之间维持固定的汇率,各国货币的面值与美圆相联系,又规定35美圆与1盎司黄金等值,但是这个目标后来废弃了。

The IMF agreement was entered prior to the founding conference of the United Nations, and when the UN was formed, the Fund was brought into relationship with the UN by an agreement.

译文: 在联合国成立大会召开之前, IMF 协议就已经签署了; 当联合国成立后, 国际货币基金组织又与联合国签订了协议, 建立关系。

3. More accurately stated, the obligation of maintaining such a system remained in the Fund's Articles of Agreement, but the IMF was powerless to uphold it in the face of a situation in which all major currencies were floating rather than fixed in value.

译文: 更准确地说,维持该体制是"国际货币基金协定"中明文规定的一项义务,但是面对 所有主要货币币值都放弃了固定汇率而开始自由浮动的 IMF 再也没有足够的力量维持该体 制了

Topic Two: Money & Economics

第二章

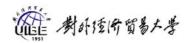
Politics Vs. Economics

1、教学目的

By the end of the chapter, students should be able to know about

- the implications of the so-called "political economy"
- the relations between the economic systems and the political and cultural backgrounds of nations
- \triangleright the primary characteristic of the postmodern world economy at the end of the 20th century

2、教学计划



This chapter will cover 3 hours, mainly for explanations of the text and the key words and sentences.

3、教学方法

- Translation: key sentences and terms
- Paraphrasing: major words and sentences
- Summarizing: important paragraphs
- > Discussion: key issues
- Questions and answers

4、背景知识

The "political economy", which was traditionally named for the discipline of the economists, can be dated back to Adam Smith's Wealth of Nations, published in 1776. Smith's view, while more exhaustive than most visions of economists, anticipated the Industrial Revolution but hardly the global consequences of the multinational corporation. However, his principles of economic liberalism still have a leading role in Anglo-Saxon cultures today.

5、重点讲解

概念讲解

laissez-faire

austerity measures

staus quo allocation of existing resources

nation-states

句子讲解

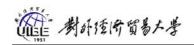
1) That the Americans, "the people of plenty", have had difficulty maintaining clear boundaries between politics and economics within their own society, not to mention in their attempt to impose their liberal ideology upon other societies, is not surprising.

译文:"富裕的"美国人在自己的社会里,已经很难在政治和经济之间保持分明的界限,更不用说努力使他们的自由论点强加于别国,这并不令人吃惊。

2) Ideology involves falling in love with ideas that further a certain group's or state's concrete interests.

译文: 意识形态包括对某种能增进集体或国家共同利益的思想的喜爱。

3) The sacrosanct value of individual freedom in the United States, for example, heavily depends



upon the assumption that economics and politics can be kept separated, that the state should be kept out of people's private "business" lives as much as possible.

译文:比如在美国,至高无上的个人自由价值观,紧密依赖于经济与政治保持分离的假设前提,要求政府应该尽可能地排除在人们的私人"商业"生活之外。

4) The pragmatic individualism and empiricism of Anglo-Saxon thought in general and of Adam Smith's classical liberal doctrine of maximizing self-interest in particular served as preconditions for the birth of the Industrial Revolution in Britain.

译文:盎格鲁-萨克逊的传统思想和亚当·斯密个人利益最大化的独特理论中的实用个人主义和经验个人主义为英国工业革命的萌芽提供了前提条件。

5) While conditions other than economic ideology are necessary for a sufficient explanation in answering these questions, contemporary historical developments suggest that individual self-interest and organizational efforts to optimize what already exists, which are the engines of motivation behind industrial capitalism, are ideas without which no adequate explanation is possible.

译文: 当不包括经济意识形态的环境成为回答这些问题必不可少的充分答案时,当代的历史 发展表明个人利益以及乐观地对待现实的集体作用是推动工业资本发展的原动力,这才是可 能不需充分解释的想法。

6) The primacy of global logic does not go to the point of closure of Immanuel Wallerstein, who argues in The Modern World System (1974) that neither the sovereign state nor national society constitutes "a social system", that only the world-system constitutes a social system and that one can only speak of social change in social systems.

译文:全球概念的首要问题并没有达到沃勒斯坦观点的要求,他在《现代世界体系》(1974)中提到独立的国家或国家社会都没有建立"社会体系",只有世界体系才能建立社会体系,个人只能代表发生于社会体系中的变化。

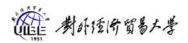
第三章

Money

1、教学目的

By the end of the chapter, students should be able to know about

- the definition of money
- > the functions of money
- different forms of money and the respective advantages and disadvantages.



2、教学计划

This chapter will cover 3 hours. 2 hours for explanation of terms and the texts. And the other 1 hour for discussion and practice.

3、教学方法

> Translation: key sentences and terms

Paraphrasing: major words and sentences

> Summarizing: important paragraphs

Discussion: key issues

Questions and answers

4、背景知识

Money is playing more and more important role in the development of economic and other fields of social life. What is money? What are its basic functions? These are what everyone in this world should know.

5、重点讲解

概念讲解

token

barter

deferred payment

commodity money

clipping

debasement

fractional backing

fiat money

greenback

private debt money

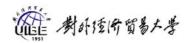
currency

IOU

Checkable deposit

A double coincidence of wants

Inflation



第十五章

The Macroeconomics of International Currencies

1. 教学目的

By the end of the chapter, students should be able to know about

- how international currencies originated.
- > the reason for lack of currency substitution.
- > the Bretton Woods system
- > international monetary system

2. 教学计划

This chapter will cover 3 hours. 2 hours for explanation of new terms and important sentences. 1 hour for discussion of the historical events mentioned in the text.

3. 教学方法

- Paraphrasing: difficult words, expressions and sentences;
- > Translation: key sentences or passages;
- > Explanation: new terms;
- Discussion: key issues.

4. 背景知识

In the early 1970s, the demise of the Bretton Woods system resulted in fundamental changes in the way international monetary system worked. Most important among these changes was that the supply and composition of international liquidity became endogenously determined and the international monetary system departed from a commodity system.

5. 重点讲解

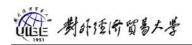
概念讲解:

commodity standard

fiat system

mint parity

gold exchange standard



par value
reserve asset
capital flow

free-floating exchange rate

deregulate

句子讲解

1) Most important among these changes was that the supply and composition of international liquidity became endogenously determined, that is, the international monetary system was based on a fiat system and departed from a commodity system.

译文:在这些变化中最重要的是国际货币头寸的供给和结构的变化,即,国际货币体系构成的根据是法币体系,而不再是商品尺度。

2) Therefore, although members were required to state par values for their currencies in terms of gold and to intervene in the foreign exchange markets to keep their currencies within 1 percent of the par value, expressed in gold, in practice members expressed par values in terms of US dollars, and the US stood ready to convert dollars into gold at \$35 per ounce.

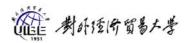
译文:于是,尽管协议要求各成员国应以黄金表述其货币平价,并且在干预外汇市场以使其货币保持在平价上下 1%范围那波动时也应以黄金表示,但在实际操作中,成员国都是用美元来表示平价,美国也愿意以每盎司 35 美元的价格把美元兑换成黄金。

3) This was a period of optimism, reflected in a belief that monetary policy could be independently determined under freely floating exchanged rates, but it was soon overtaken by a realism, born of the close connections between the small, open economies and larger ones, which emerged towards the end of that decade.

译文:这只是一段理想主义时期,它所反映的观念时认为货币政策可以在完全浮动的基础上自主制定,但是不久,在 10 年间,它就被现实主义的做法所替代既在大大小小的开放经济之间形成密切的关系。

第十九章

Bretton Woods and the Gold Exchange Standard



1、 教学目的

By the end of the chapter, students should be able to know about

- the significance of holding a conference at Bretton Woods
- the functions of the International Monetary Fund
- debits and credits in international transaction
- > the comprising items under BOP accounts
- > subaccounts under current / capital / official reserve account
- > measures taken to repair a country's BOP deficit
- > the role of US dollar at the Bretton Woods conference

2、 教学计划

This chapter will cover 3 hours. 2 hours for the introduction of background information and explanations of terms and the texts, and the other 1 hour for discussion and practice.

3、 教学方法

> Translation: key sentences and terms

Paraphrasing: major words and sentences

> Summarizing: important paragraphs

Discussion: key issues

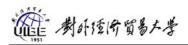
Questions and answers

4、背景知识

During World War II, the countries of the world were much too involved with the hostilities to consider the gold standard or any other monetary system. However, many officials realized some system must be established to operate when peace returned. Actually, consideration of it did not await the firing of the last shot. Before that, in 1944, representatives of the major allied powers, with the United States and Britain assuming the dominant roles, met at Bretton Woods, New Hampshire, to plan for the future.

5、 重点讲解

概念讲解



Stable / floating / fluctuating exchange rate

Bretton Woods conference

International Monetary Fund (IMF)

Central reserve assets

Par value

Balance of payments

Inflation / deficit

Market / nonmarket measures

Debits / Credits

Current / capital account

Unilateral transfer

Portfolio investment

Short-term capital

Royalties on patents

Trademark

Unilateral transfer

Maturity

Short-term capital flow

Hedging activities

Topic Three: Investment System

第十章

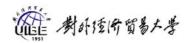
Assessing Investment Systems

1. 教学目的

By the end of the chapter, students should be able to know about:

- the way in which investment systems work;
- problems with some of the investment systems;

2. 教学计划



It is scheduled to take 3 hours to deal with this chapter. 2 hours will be spent on explanation of some key terms, phrases and sentences; 1 hour will be for discussion and questions.

3. 教学方法

- > Translation: key sentences.
- Paraphrasing: key words and expressions.
- Explanation: new terms.
- > Summarizing: key passages.
- Discussion: important issues.
- Questions and answers: interaction between teachers and students.

4. 背景知识

There are numerous investment systems that have been put forward as a way of making money in the stock market. In assessing investment systems there are a number of potential pitfalls that are worth noting.

5. 重点讲解

概念讲解

gross return

bid-ask spread

discount

premium

stamp duty

price-earning ratio

earnings yield

portfolio

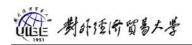
gearing

blue chip stock

句子讲解

Who needs reminding that they have bought one of the worst performing shares in the market?
 But when you look at the list you find that the worst performing share has lost "only" 92% of its value, or some such number.

译文: 谁也不需要别人来提醒他们买了市场中表现最差的股票中的一支,但你看名单时会发



现其实那支表现最差的股票价值"仅仅"缩水了92%,或是个别的什么数字。

In general, it is changes that are of interest in forecasting returns and many graphs of levels should be converted to graphs of changes to see the value of the relationship for timing or selection purposes.

译文:总体而言,变化对预测收益更为重要,而许多表示程度的图表应当转换成表示变化的图表以考察这种相关性的内在价值,用以测定时间或作出选择。

3. This means there only a one in hundred or a one in twenty chance of the findings being the result of chance rather than being true findings.

译文: 这意味着仅有 1%或 1/20 的可能性, 这只是偶然结果而非真实可靠的发现。

第十三章

Investment Products and Services Provided by Insurers

1、教学目的

By the end of the chapter, students should be able to know about

- the types of investment products and services provided by insurers discussed by the text
- the respective features of the investment products and services mentioned
- > the respective advantages and disadvantages of the investment products and services mentioned

2、教学计划

This chapter will cover 3 hours. 2 hours will be contributed to explanation of the words, phrases and sentences. The other 1 hour will be devoted to discussion and questions and answers.

3、教学方法

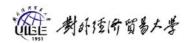
> Translation: key sentences and terms

Paraphrasing: major words and sentences

> Summarizing: important paragraphs

Discussion: key issues

Questions and answers



4、背景知识

Insurers are finding it increasingly important to be able to offer their insureds investment opportunities separate from insurance contracts. As the life insurance agent moves away from the old role of insurance salesperson toward the new role as financial planner, he or she often is called upon not only to perform a variety of financial services but also to provide an array of financial products.

5、重点讲解

概念讲解

discount brokerage services

check-writing

operating expenses

grow-oriented common stock

coupon rate

quality rating

REITs

mortgage

commission rate

risk-averse

句子讲解

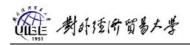
To support their agents in this regard as well as to retain some of the savings dollars that
might otherwise be invested elsewhere, many life insures now offer several investment
options totally unrelated to insurance contracts.

译文:为了给保险代理人以更多的支持,同时也为了吸收那些可能投资于其他领域的储蓄资金,现在许多人身险代理人也提供一些完全与保险合同无关的投资领域。

2) Most of the funds provide immediate liquidity through limited check-writing privileges and do not levy expense charges for deposits or withdrawals, although minimum specifications may exist regarding additional investments and withdrawals by check.

译文:通过有限制地签发支票权,大多数的货币市场基金为客户提供极高的流动性,并且在存取款项时,不收手续费,尽管对于附加的投资和支票取款可能有一个最低的数额表。

3) The goal of most money market funds is to achieve the highest possible current rate of return from interest income while preserving the principal.



由于在股价上涨和股息收益上的侧重点不同,股票投资基金的目标也各不相同。

4) Some investors use brokers for their capacity to perform research and give advice, in addition to their ability to actually execute transactions on the major securities exchanges.

一些投资者使用经纪人的目的,除了是因为他们能在主要的证券交易所进行实际交易外,还由于他们可以进行研究和提供咨询。

Topic Four: Accounting

第十二章

Pooling of Interests Accounting

1、教学目的

By the end of this chapter, students should be able to know about

- > the reason why pooling accounting is preferred by most of the companies involved in business combinations
- the difference between purchase accounting and pooling accounting
- > the unique attributes of pooling of interests accounting
- how to read a stockholders' equity account after pooling of interests

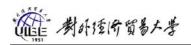
2、教学计划

This chapter will cover 3 hours. 2 hours for explanation of terms and the texts. And the other 1 hour for discussion and practice

3、教学方法

- Translation: key sentences and terms
- Paraphrasing: major words and sentences
- > Summarizing: important paragraphs
- Discussion: key issues
- Questions and answers

4、背景知识



Pooling of interests accounting is one of the primary methods used to account for business combinations. About half a century ago, the method was first applied to public utilities by regulatory bodies.

5、重点讲解

概念讲解

pooling of interests

carryforward

book values

purchase

instant earning

retained earning

goodwill

financial statement

amortization

combination

acquisition

contra account

equity account

fair value

句子讲解

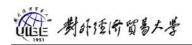
 Consistent with the view that the combining companies always have been together, comparative financial statements for periods before a combination that are included in financial reports issued subsequent to the combination are retroactively restated as if the companies always had been combined.

译文:与认定合并公司早就一直联合的观点一致,在合并前发生的包含在合并后的财务报表中的相关财务报表依两家公司已具合并状态向前追溯而重新做帐。

2) All costs associated with the combination or with issuing the stock used in the combination are expensed as incurred; none of the costs of bringing about the combination are capitalized, nor are the stock issue costs deducted from the recorded amount of the stock.

所有与合并相关的费用和与合并相关的新发股票的费用都依发生值作支出项处理;公司合并的费用不能列为资本项目,所发股票不能在记帐股本中扣除。

3) As indicated previously, the use of the book values rather than fair values often results in lower amortization charges and higher income subsequent to a pooling-type combination as



compared with a purchase-type combination.

译文:如前所述,与购买型联合相比,帐面价值入帐而不是真实值入帐通常会带来较少的费用分摊和较高的收益。

Topic Five: Law

第十一章

Invitation for Bids

1、教学目的

By the end of the chapter, students should be able to know about

- key concepts related to an invitation for bids
- how to read an invitation for bids
- some knowledge concerning a legal case

2、教学计划

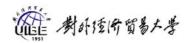
This chapter will cover 3 hours. 2 hours for explanation of terms and the texts. And the other 1 hour for discussion and practice.

3、教学方法

- > Translation: key sentences and terms
- Paraphrasing: major words and sentences
- > Summarizing: important paragraphs
- Discussion: key issues
- Questions and answers

4、背景知识

When one advertises that bids will be received for a construction project, the bid may be given to the lowest bid, but it may also be let to a low bidder who is the best in terms of financial responsibility. The bidder may withdraw a bid at any time before it has been accepted. This



chapter deals with a case in which the offeror and the offeree are involved in a construction project transaction.

5、重点讲解

概念讲解

offeror

offeree

bid

sealed bid

general contractor

defendant

plaintiff

rain check

firm offer

option

句子讲解

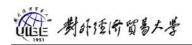
1) We are of the opinion that the defendants in executing the agreement made a promise which they should have reasonably expected would induce the plaintiff to submit a bid based thereon to the Government, that such promise did induce this action, and that injustice can be avoided only by enforcement of the promise.

译文:我们认为被告执行该协议时便作出了一个承诺,因此他们应该会想到这会导致原告因他的报价而向政府进行投标,而这一承诺的确导致了这一行为,只有强制执行承诺方可避免不公正。

2) When plaintiff used defendant's offer in computing his own bid, he bound himself to perform in reliance on defendant's term. Though defendant did not bargain for this use of its bid neither did defendant make it idly, indifferent to whether it would be used or not.

译文: 当原告计算他自己的报价时使用了被告的报价,他便使自己要按被告的条件来行动,然而,被告并未因使用他的报价而提出异议,但他也没有随随便便地提出报价而不管是否会被使用。

3) Given this interest and the fact that plaintiff is bound by his own bid, it is only fair that plaintiff should have at least an opportunity to accept defendant's bid after the general contract has been awarded to him.



译文:由于存在这种利益关系,并且由于受自己的报价所约束,原告在得到总承包合同以后至少应该有一个接受被告报价的机会才算是公平的。