




Anáhuac
México

Caso de ética

Ethics in International Bidding: Construction of Streets in Mexico

Authors: Nicole Goldberg Dalma, Alejandra Gómez Vilchis & Juan Manuel Palomares Cantero

DAFI
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Case: Ethics in International Bidding: Construction of Streets in Mexico

CASE DESCRIPTION

Provides information on the context in which the case unfolds. This may include details about the location, time, people involved, and the circumstances that led to the ethical dilemma. List and describe the individuals or entities directly related to the ethical case. This includes those facing the dilemma, as well as other relevant stakeholders.

300-500 words

Context

A Chinese construction company is considering participating in a bidding process to build streets in a major city in Mexico. The bidding represents a lucrative opportunity for the Chinese company, but it faces an ethical dilemma. The company is determined to win the bid at any cost, even if it means resorting to corrupt practices, such as paying bribes to Mexican officials.

The Chinese company is aware that bribery is illegal and goes against its internal policies. However, it is under tremendous pressure to win the bid and fears that if it does not agree to pay bribes, its competitors may do so and gain the necessary advantage to win the contract. Additionally, the Chinese company is concerned about its international reputation and does not want to be perceived as a corrupt entity.

Furthermore, the Chinese company is aware that if its involvement in corrupt practices is discovered, it could face serious legal consequences and suffer irreparable damage to its reputation. On the other hand, if it decides not to participate in corruption and lose the bid, it could face significant financial repercussions and miss out on a major opportunity for expansion in the Mexican market.

The ethical dilemma facing the Chinese company is whether it should compromise its ethical principles and engage in corruption to win the bid, or if it should maintain its integrity and risk losing the business opportunity, knowing that its competitors may resort to corrupt practices to gain an unfair advantage.

People Involved

Chinese construction company: It is interested in participating in a bidding process to build streets in a major city in Mexico. The company faces pressure to win the bid to expand its operations and generate additional income.

Mexican officials: These officials are responsible for evaluating the bidding proposals and awarding the street construction contract in the Mexican city. They are in a position of authority and have the power to influence the outcome of the bidding process.

Competitors of the Chinese company: Other competitors, both Chinese and from other countries, are also interested in winning the bid. Some of these competitors may be willing to resort to corrupt practices to gain a competitive advantage.

Mexican citizens: The citizens of the Mexican city who will benefit from the construction of the streets are an important stakeholder in this case. Their well-being and safety are at stake, and the outcome of the bidding process will directly affect their quality of life and mobility.

Circumstances: The Chinese construction company has established unethical agreements with Mexican officials. These agreements involve the payment of a fee or commission in exchange for ensuring that the construction company is selected for important projects, even if they are not the best option in terms of quality or price. This practice is unfair, anticompetitive, and undermines the impartial bidding process that should govern the company.

ETHICAL DILEMMA

An ethical dilemma is a situation in which a person faces conflicting decisions involving moral or ethical issues.

100-200 words

The Chinese construction company faces an ethical dilemma when considering participating in a bidding process to build streets in Mexico. On one hand, it is under pressure to win the bid at any cost, even resorting to corrupt practices such as bribing Mexican officials. On the other hand, the company acknowledges that bribery goes against its ethical principles and could have serious legal consequences and damage its reputation if discovered. The individuals involved include the Chinese company, Mexican officials responsible for evaluating the bidding process, competitors interested in the contract, and Mexican citizens who will benefit from the construction. The circumstances include the pressure to win the bid, intense competition, and the possibility of corrupt practices by competitors. The ethical dilemma boils down to choosing between compromising ethical principles for short-term gains or maintaining integrity and facing potential long-term repercussions. The company's decision will have a significant impact on its reputation and business relationships.

ACTIONS

Describe the actions or decisions taken by the individuals involved up to this point and how these actions have contributed to the ethical dilemma.

50-100 words

Firstly, the Chinese construction company faces the risk of severely damaging its international reputation if its involvement in corrupt practices is uncovered, which could impact its business relationships and its ability to secure contracts in the future. Additionally, Mexican citizens could suffer due to potential underestimation of the quality of the streets built as a result of corrupt agreements, jeopardizing their safety and well-being. On the other hand, unfair competition among companies could distort the market

and undermine trust in the bidding process. Ultimately, the consequences include weakening the integrity of the bidding process and perpetuating an unethical business environment.

CONSEQUENCES

Mention the consequences that have arisen as a result of the actions taken or previous decisions in the case. This may include impacts on the individuals involved or other stakeholders.

100-200 words

Firstly, the Chinese construction company faces the risk of severely damaging its international reputation if its involvement in corrupt practices is uncovered, which could impact its business relationships and its ability to secure contracts in the future. Additionally, Mexican citizens could suffer due to potential underestimation of the quality of the streets built as a result of corrupt agreements, jeopardizing their safety and well-being. On the other hand, unfair competition among companies could distort the market and undermine trust in the bidding process. Ultimately, the consequences include weakening the integrity of the bidding process and perpetuating an unethical business environment.

DISCUSSION TRIGGER QUESTIONS

Designed to initiate or stimulate a meaningful debate or conversation on a specific topic. These questions are usually open-ended, provocative, and can lead to deep reflection.

5-10 questions | 200-500 words

1. What is the value of corporate integrity in a globalized and competitive environment?
2. Is it acceptable to compromise ethical principles in pursuit of commercial success?
3. What are the ethical responsibilities of a company in a foreign country?
4. How can corrupt practices in international bidding processes be prevented and combated?
5. What role does civil society play in reporting and preventing corporate corruption?
6. What measures can governments take to ensure transparency and fairness in bidding processes?
7. What impact do corrupt practices have on the economic and social development of a country?
8. Is it possible for a company to maintain its competitiveness without resorting to corrupt practices in environments where they are common?

9. How can a balance be struck between a company's financial interests and its ethical responsibilities to the communities where it operates?
10. What role do international regulations play in preventing corruption in transnational business dealings?

ETHICAL DISCERNMENT

Encompasses a range of essential components, including individual and social awareness, understanding of natural law, adherence to moral norms, application of ethical principles, incorporation of values and virtues, as well as guidance provided by codes of ethics.

300-500 words

Individual and Social Awareness: It involves the individual and social awareness of the impacts of business actions both locally and globally. The company must be aware of how its decisions can affect the communities where it operates, as well as its reputation on the international stage. This implies recognizing the importance of acting ethically and responsibly in all business interactions.

Understanding of Natural Law: Ethical discernment requires an understanding of the fundamental principles of natural law, which establish universal standards of justice, equity, and respect for human dignity. In this case, the Chinese company is aware that bribery is illegal and goes against its internal policies, underscoring the importance of respecting laws and regulations both in its home country and abroad.

Adherence to Moral Norms: Parties involved in the case are expected to adhere to moral norms and the application of universal ethical principles, such as honesty, justice, and integrity. The company faces a dilemma between the desire to win the bid and the need to maintain its moral integrity. In this regard, it must weigh short-term benefits against potential long-term harm to its reputation and the well-being of communities affected by its actions.

Application of Ethical Principles: Ethical discernment requires the consistent application of ethical principles in all situations. This includes principles such as honesty, integrity, impartiality, and respect for others. Decisions should be made considering how they affect all involved parties and whether they promote the common good.

Incorporation of Values and Virtues: The incorporation of values and virtues plays a crucial role in ethical discernment. The company must consider how its actions reflect its core values and whether it is acting in accordance with them. This includes values such as honesty, transparency, and respect for the law.

Guidance from Ethical Codes: Ethical codes provide guidance and frameworks for ethical decision-making in specific business contexts. Companies often have codes of conduct that establish ethical expectations for their employees and managers. In this case, the Chinese company should consult its code of ethics and consider how its actions align with these guiding principles.

Therefore, ethical discernment in this case involves a comprehensive evaluation of legal and moral standards, business values, and the consequences of actions, with the aim of making ethical decisions that reflect a commitment to integrity and corporate social responsibility

RESOLUTION

Refers to a decision or solution made to address a specific problem or conflict.

200-300 words

The resolution in this ethical case involves making a difficult yet ethical decision that addresses the dilemma faced by the Chinese construction company. To resolve this conflict, the company must choose to uphold its moral integrity and reject involvement in corrupt practices, despite the pressure to win the bid. This entails committing to compete fairly and transparently, without resorting to bribery or unethical agreements with Mexican officials.

Instead of seeking corrupt shortcuts, the company should focus on improving the quality of its proposals and offering competitive value that showcases its expertise and ability to carry out the project efficiently and effectively. This may involve investing in staff training, enhancing construction processes, and seeking strategic partnerships that add value to the project.

Furthermore, the Chinese company may choose to report any attempts of corruption by competitors or other actors involved in the bidding process. This would not only help level the playing field but also send a clear message that the company adheres to the highest ethical standards and is committed to transparency and legality.

In making this resolution, the company may face additional challenges, such as tougher competition and the possibility of losing the bid. However, in the long run, this decision will strengthen its reputation as an ethical and trustworthy company, potentially leading to stronger business opportunities and lasting relationships with clients and partners. Also, these will oblige the company to improve the quality and the service. Therefore, it will benefit the population and the city, because they are offering the best cost-benefit opportunity. Ultimately, the resolution to act with integrity and ethics will reflect the company's core values and contribute to a fairer and more transparent business environment.

ANÁHUAC DNA

The Anáhuac DNA is presented as a complex and essential educational molecule, composed of a series of structural bases that act as the fundamental blocks of student formation. These bases are: Being a university student, Fundamental anthropology, Ethics, Leadership and personal development, Classic and contemporary humanism, Leadership and high-performance teams, Person and transcendence, and the Anáhuac Elective Block. Each of them plays a crucial role in constructing the Anáhuac student profile and their integral development.

300-500 words

The Anáhuac DNA is presented as a comprehensive approach to student education, encompassing various areas and values. When considering the case of "Ethics in International Bidding: Construction of Streets in Mexico" from this perspective, several measures can be taken to address the ethical dilemma:

Being a university student: The case of "Ethics in International Bidding: Construction of Streets in Mexico" can be used as a case study to discuss the importance of exercising critical thinking and maintaining a continuous disposition towards the pursuit of truth, especially regarding companies and their ethical business practices.

Fundamental Anthropology: The case "Ethics in International Bidding: Construction of Streets in Mexico" underscores the importance of human dignity, always considering it as an end in itself and never as a means. This establishes a direct relationship with the need to practice ethics in the business environment, where respect should be fostered and situations compromising ethical principles and values should be avoided.

Ethics: This ethical case provides a platform for exploring business ethics. Students analyze how the actions of the Chinese company violate principles of honesty, justice, and respect, thereby fostering critical ethical thinking.

Leadership and Personal Development: The ethical case provides a practical scenario for exploring ethical leadership and informed decision-making. It highlights the importance of considering the ethical impact of actions, fostering critical thinking about how leaders can act ethically in complex business situations.

Classical and Contemporary Humanism: The case enriches the study of the subject by highlighting the importance of honesty and justice in the contemporary business context. Therefore, the case provides a concrete example to reflect on the ideas of thinkers who contemplate these fundamental values, which can be related to the current context.

Leadership and High-Performance Teams: The case contributes to the study of Leadership and High-Performance Teams by emphasizing the importance of ethical leadership and social responsibility in the business environment. It provides a concrete example to analyze how these practices impact a company's success and the relevance of business ethics.

Person and Transcendence: The case contributes to the subject by raising questions about the meaning and transcendence of human life in the business context. Therefore, it invites reflection on how ethical decisions impact personal fulfillment and the transcendent purpose of existence.

Anáhuac Elective Block: The ethical case strengthens the Anáhuac Elective Block by motivating the offering of additional courses on ethics, human rights, and diversity. These subjects enrich students' understanding and ethical commitment, preparing them to face contemporary dilemmas with responsibility and sensitivity.

The case "Ethics in International Bidding: Construction of Streets in Mexico" exemplifies the applicability of the Anáhuac DNA in the comprehensive education of students. By addressing this ethical dilemma from various university perspectives, critical thinking, respect for human dignity, ethical leadership, and reflection on the transcendent purpose of business life are promoted.

ADDITIONAL OBSERVATIONS

May address complementary or more detailed aspects of the ethical dilemma and its context. These observations can delve into specific issues or provide a broader perspective on the relevance and ethical lessons of the case.

300-500 words

In this ethical case, it is important to highlight several additional observations that deepen the ethical dilemma and its context. Firstly, it is crucial to recognize the impact of corruption on the economic and social development of countries. Corruption undermines trust in institutions, distorts competition, and discourages foreign investment, which can have devastating consequences for a nation's growth and stability.

Furthermore, this case illustrates the complexity of navigating business environments where corrupt practices are common. While the Chinese company faces considerable pressure to win the bid, it must resist the temptation to follow the example of its competitors and opt for integrity and transparency. This requires strong leadership and a firm commitment to ethical values, even when these values conflict with immediate business interests.

Additionally, it is essential to recognize the role of regulations and controls in preventing corruption. Governments must implement effective measures to promote transparency and accountability in bidding processes, as well as to vigorously punish bribery and other forms of corruption. Companies also have a responsibility to adopt rigorous internal anti-corruption policies and to comply with anti-corruption laws and regulations in all countries where they operate.

On the other hand, this case highlights the importance of corporate social responsibility (CSR) in business decision-making. Companies have a responsibility to consider not only their own financial interests but also the impact of their actions on communities and the environment. CSR involves acting ethically and sustainably, even when it means foregoing lucrative opportunities in order to protect the company's core values and promote the common good.

In conclusion, the ethical case of the Chinese construction company presents complex ethical dilemmas that underscore the importance of integrity, transparency, and responsibility in international business. In addressing these dilemmas, it is essential to consider not only short-term business interests but also the long-term ethical and social implications of business decisions.

QUESTIONS FOR THE CASE

1 What are the primary ethical challenges faced by the Chinese construction company in this bidding process?

- a. Deciding on the bid amount.
- b. Whether to use standard or high-quality materials.
- c. Choosing the right local partners.
- d. Deciding whether to engage in corruption to secure the bid.

2 How do the actions of Mexican officials influence the integrity of the bidding process?

- a. They facilitate the participation of a variety of bidders in the bidding.
- b. They do not have a significant impact on the bidding process.
- c. They compromise the impartiality and transparency of the process.
- d. They expedite administrative procedures.

3 How do the actions of the Mexican officials influence the integrity of the bidding process?

- a. They enhance the competitive nature of the bid.
- b. They have no significant impact on the bidding process.
- c. They compromise the fairness and transparency of the process.
- d. They speed up the administrative procedures.

4 What might be the consequences of engaging in corrupt practices for the Chinese company in both the short and long term?

- a. Immediate financial gain and long-term business growth.
- b. Short-term contract acquisition but potential long-term reputation damage and legal consequences.
- c. Improved relationships with Mexican officials without any negatives.
- d. No significant consequences as long as the corruption is not discovered.

5 In what ways could the involvement of corrupt practices impact the citizens of the Mexican city?

- a. Increased economic growth in the city.
- b. Potential reduction in quality and safety of the streets, affecting citizens' well-being.
- c. Immediate improvements in infrastructure.
- d. Increased job opportunities during the construction phase.

6 What are the possible repercussions for competitors who engage in similar corrupt practices?

- a. They could face legal penalties and damage to their reputations if exposed.
- b. They will likely dominate the market without repercussions.
- c. They will be officially recognized for their business acumen.
- d. They could receive government incentives for quick project completion.

7 How can the Chinese company maintain its ethical standards while facing intense competitive pressure?

- a. By engaging in minimal corrupt practices to remain competitive.
- b. By adhering strictly to its internal ethical policies and international law, even if it risks losing the bid.
- c. By matching the corrupt practices of competitors to level the playing field.
- d. By seeking confidential agreements with officials for future projects.

8 What role should internal policies play in guiding company actions in foreign markets?

- a. Minimal role; local customs and practices should dominate.
- b. They should adapt fully to the local market's practices.
- c. They should guide all decisions, ensuring consistency with the company's ethical standards globally.
- d. They should only apply to operations within the home country.

9 How does the company's decision to engage in or avoid corruption reflect on its international reputation?

- a. Avoiding corruption may lead to a perception of weakness.
- b. Engaging in corruption might boost short-term reputation among corrupt networks.
- c. Avoiding corruption enhances the company's reputation as ethical and trustworthy.
- d. The company's reputation is not affected by such decisions.

10 What strategies could be employed by the Chinese company to ensure a fair bidding process without resorting to bribery?

- a. Securing private agreements with competitors to share the contract.
- b. Enhancing the quality of their proposal and showcasing their capability and compliance with international standards.
- c. Ignoring the bids of other competitors and focusing on private negotiations.
- d. Using aggressive marketing to overshadow competitors' offers.

11 How can transparency in the bidding process be improved to prevent corruption?

- a. By limiting the number of companies that can participate in the bidding.
- b. By implementing strict regulations and oversight, including third-party audits and public disclosure of bidding details.
- c. By allowing companies to self-regulate and monitor their own bids.
- d. By increasing the speed of the bidding process to reduce the time available for corrupt acts.

12 What are the ethical responsibilities of the Chinese construction company towards the stakeholders involved?

- a. To ensure maximum profit for shareholders regardless of ethical concerns.
- b. To negotiate the best terms with local officials discreetly.
- c. To operate transparently and responsibly, ensuring fairness and respect for all stakeholders.
- d. To prioritize project completion speed over all other considerations.

13 How does this case illustrate the conflict between profit motives and ethical business practices?

- It shows that ethical business practices do not impact profit motives.
- It demonstrates the tension between pursuing profit through corrupt practices and adhering to ethical standards.
- It suggests that profit motives naturally align with ethical business practices.
- It indicates that ethical practices always lead to higher profits.

14 What measures can be implemented by international bodies to curb corruption in such international bids?

- Reducing the number of international bidders allowed in each bid.
- Imposing heavier tax regulations on international companies.
- Establishing strict anti-corruption protocols and monitoring mechanisms, with severe penalties for violations.
- Encouraging informal agreements between companies to self-regulate.

15 How might cultural differences influence business practices and ethical decision-making in international contexts?

- Cultural differences have no real impact on international business practices.
- They might lead to misunderstandings but have no effect on ethical decisions.
- They can result in varying interpretations and applications of ethical norms, impacting decision-making.
- They dictate all aspects of business practices, leaving no room for ethical considerations.

16 What are the implications of this ethical dilemma for the future business operations of the Chinese company in Mexico?

- It may limit the company's future operations if it chooses to engage in corruption.
- By maintaining high ethical and quality standards, the Chinese company can build trust and attract both investors and business partners who value integrity and excellence in the quality of its products and services.
- The outcome of this bidding process has no implications for future operations.
- Positive outcomes will guarantee future bids without scrutiny.

17 How can the Chinese company leverage ethical behavior to gain a competitive advantage?

- By using ethical behavior as a marketing tool to attract new partnerships.
- By maintaining high ethical standards to build trust and attract ethical investors and partners.
- By minimizing ethical behavior to cut costs and offer lower bids.
- By publicly criticizing competitors who do not follow ethical practices.

18 In what ways could consumer and public advocacy impact ethical practices in international bidding?

- Public advocacy can increase awareness and pressure companies to adhere to ethical practices.
- Consumer interests are generally disconnected from the practices used in corporate bidding.
- Public advocacy might lead to excessive regulation, making bidding processes inefficient.
- Consumer advocacy has little to no impact on large-scale corporate bidding processes.

19 What lessons can other multinational companies learn from the ethical challenges faced in this case?

- That ethical challenges are best ignored to focus on profit maximization.
- That engaging in corruption can be beneficial if it is not discovered.
- The importance of maintaining ethical integrity, even in challenging markets, to sustain long-term success.
- To always follow the lead of local businesses in terms of ethical practices.

20 How can leadership within the Chinese company influence its approach to ethical challenges?

- Leadership can set a tone of ethical indifference to streamline decision-making.
- Strong ethical leadership can guide the company towards integrity and ethical consistency, positively influencing corporate culture.
- Leadership should focus solely on profitability and ignore ethical considerations.
- Leadership can delegate ethical decisions to lower management to avoid direct involvement.

21 What potential ethical guidelines can be derived from this case for companies operating in similar high-corruption-risk environments?

- a. Companies should adapt to local practices, regardless of their ethical standards.
- b. Develop and enforce a robust ethical framework that guides operations and decisions in all environments.
- c. Focus on securing business first and address ethical issues as they arise.
- d. Use any means necessary to secure a competitive edge, prioritizing business survival.