

Bangladesh Municipal Water Supply and Sanitation Project (BMWSSP)
Terms of Reference (TOR)
Position: Procurement Consultant
Package no. S - 5

A. Background

Government of Bangladesh through the Department of Public Health Engineering (DPHE) had been implementing provision of safe and sustainable water services under different Project mainly in rural Bangladesh. DPHE has taken a World Bank financed Project for strengthening the WSS services delivery system along with infrastructure development at secondary town level / selected municipalities. Project aims to address capacity deficits by: (i) infrastructure provision and operationally sustainable services delivery by private sector; (ii) institutional capacity strengthening of municipalities to enable them to play increasingly central roles in planning and supervision of services delivery by private sector; and (iii) strengthening DPHE to focus more on policy and facilitation roles (away from direct infrastructure provision).

The Project's approach is part of the national law and policy to devolve water and sanitation responsibilities to the local governments in order to ensure sustainability and cost-effectiveness. It directly supports the SDP target of improved services (with piped water and fecal sludge management) in municipalities, along-side strengthening institutional capacities of municipalities to provide universal access to improved water and sanitation services in a financially sustainable manner. This involves changing mindsets and operating principles and developing the private sector. In addition, efforts will be made towards identifying opportunities for women to increase their participation in planning and implementation of water supply and sanitation services, expand their employment opportunities, and promote their safety.

Project Management Unit (PMU) will be responsible for implementation and supervision of works headed by Project Director and with adequate staffing along with experienced Consultants. The PMU intends to appoint a "Procurement Consultant" for technical supports and carry out day to day work in order to smooth implementation of the project.

B. Objective

i) Support DPHE for all procurement process starting from bidding document preparation to award the contract and (ii) closely monitor the contract management process of the signed contracts of DPHE on behalf Project Director for proper integration of the project.

C. Key tasks/responsibility

National Procurement Consultant (NPC) will work as a full-time member of the procurement team in PMU, and will be responsible for assisting DPHE so that the procurements are done as per the relevant Regulations of World Bank. The NPC will have a significant role in assuring the integrity, fairness, and overall quality of procurement in conformance with the requirements of the guidelines of the World Bank and the procurement laws of Bangladesh. He/She should not have any conflict of interest while working and should keep all the project information confidential.

The NPC will carry out the following main activities:

- a) Develop procurement plan for Works, Goods and Services under the project, and update the Plan as and when needed (at least quarterly) through the Bank's Systematic Tracking of Procurement Exchanges system (STEP). Upload and update the procurement transactions using STEP.
- b) Prepare drafts to Request for Expressions of Interest (REOI), Invitation for Bids (IFB), Invitation for Prequalification (IFP), Bidding Document, Prequalification Document (PQD), Request for Proposals (RFP) and Pre-Bid Meeting Minutes as per World Bank Procurement Regulations;
- c) Guide and conduct procurement in accordance with World Bank Procurement Regulations for IPF Borrowers" (July 2016) ("Procurement Regulations") the Bank's Systematic Tracking and Exchanges in Procurement (STEP) system will be used to prepare, clear and update Procurement Plans and conduct all procurement transactions for the Project;
- d) Take part, as a member of evaluation committees;
- e) Provide timely advice to PIU in making submissions for Letter of No Objection at World Bank, help PIU on necessary documentation and revision of the submissions as advised by the Bank officials.
- f) Help PIU to address the procurement related complaints, which will include (a) review of the complaints vis-à-vis the respective procurement processes and documents, and (b) participation in discussions that PIU members may have with complainants.
- g) Provide advice and training to PIU members on World Bank New Procurement Framework (NPF) and procurement related matters, on need basis as a part of the institutional capacity building of DPHE;
- h) Closely monitor procurement activities in reference to the Procurement Plan timeline and the procurement approval process of the Government and bring any slippage of activities immediately to the attention of the Project Director.
- i) Prepare quarterly report on procurement status and procurement risk mitigation framework and arrange submission of the same to IDA for review.
- j) Assist in preparing TORs and associated documents for other consultants, as appropriate.
- k) Conduct diagnostic analyses on delays, inefficiency, etc. in the system, and provide recommendations to improve the same, if required.
- l) Conduct site visits and verify supervision consultant's (if any) periodic reports on physical progress.
- m) Prepare contract management checklist and suggest improvement on contract administration by different contractors at different sites.
- n) Report any possibility of contract variation.
- o) Report on implementation of sustainability factors in procurement and contract management, including economic, social and environmental considerations.
- p) Conduct procurement activities under the project using CPTU's e-GP portal as applicable.
- q) Any other task assigned by the Project Director/project management as and when required.

D. Education and Experience

- Graduate qualification (at least Graduate in engineering/ procurement/ supply chain management/ commerce / finance/ business/ management/ law/environmental science or suitable equivalency).
- At least 5 years of general experience out of which 3 years of experience as Procurement Specialist/Procurement Consultant or have had responsibilities with a substantial content of his / her position in the procurement area (use of internationally accepted contract documents for works, goods and services;
- Specialized knowledge of procurement of goods; various forms of construction contracts; selection/ contracting of consultant services; preparation of bidding / contract documents

for the international procurement of goods, works, services; public procurement policies; sustainable procurement; advanced contract management; FIDIC contracts etc.

- Basic knowledge and understanding of e-Government Procurement (e-GP)
- Knowledge and experience in technical, commercial and legal aspects of procurement of the World Bank- financed project will be an added advantage.
- Strong communication skills in presenting, discussing and resolving difficult issues. Ability to work efficiently and effectively in a multidisciplinary team.
- Age must be within 55 years.

E. Duration of the Assignment

The duration of the assignment will be throughout the project's duration of 48 months or project closing date, whichever is earlier. But it may be extended as per requirement of the project. However, this will depend on performance of the individual in the position.

F. Institutional Arrangement

The Consultants will work under direct control of the Project Director. S/he will report directly to the Project Director with close collaboration with other officials of the Project. The Consultant shall be accountable to the Project Director for his day to day activities.

G. Reporting Obligations:

- I. Monthly Activity Report
- II. Quarterly Summarized report
- III. Final Report.
- IV. Any other reports as required by PMU.

H. Remuneration

The Consultant will be paid a negotiable consolidated remuneration inclusive of all applicable Taxes and VAT as per law of Bangladesh. Payment shall be made on monthly basis upon satisfactory performance output certified by the Project Director.

I. Procurement/ Hiring method

The Consultant will be hired and contracted as per the "Individual Consultant (IC)" Selection method of World Bank Procurement Regulations (PR), July, 2016 (Revised November 2017).