

PROCUREMENT CAPACITY ASSESSEMENT

Proposed Project Name: Assam Power Sector Investment Program	Proposed Amount (US\$): \$300 Million
Executing/Implementing Agency: APGC, APDC	Source of Funds: OCR
Assessor: Mishra, Bhaiya Chandrakant	Date: 09. 09.2013
<p>Expected Procurement: The procurement under the financing consists of procurement of goods, works, plants and equipment, consultant selection and shopping through national (NCB) and international (ICB). APGC and APDC will carry out procurement as executing agency (EA).</p> <p>General Procurement Environment Assessment</p> <p><u>Risk Assessment:</u></p> <p>The overall risk rating for procurement environment is assessed to be Average. The risk rating for each criteria are as follows:</p> <p>A. Legal and Regulatory Framework: Low</p> <p>B. Institutional Framework: Average</p> <p>C. Procurement Market and Operations: Average</p> <p>D. Integrity of the Procurement System: Average</p> <p>Summary of Findings: Public procurement in all the Central and State Government organizations is based on General Financial Rules (GFRs)/ State GFRs/ Delegation of Financial Power Rules/ Guidelines issued by Central Vigilance Commission/Directorate General of Supplies and Disposal, Government of India/ Manuals on Procurement of Goods, services, and works issued by Ministry of Finance, Government of India/Guidelines issued by individual ministries/departments etc. There is a general mandate to follow donor rules and procedures on procurement in case of all ADB and World Bank funded projects. In general, consistent policies and procedures with ADB's procurement and consulting guidelines, with few immaterial exceptions, are followed by all the State and Central Government organizations.</p> <p>Organizational and Staff Capacity</p> <p><u>Risk Assessment:</u></p> <p>Risk rating- Average</p> <p><u>Summary of Findings:</u></p> <p>Currently, in all the three power utilities in Assam i.e. AEGCL, APGC and APDC, procurement activities are performed by the engineers of the respective technical expertise. All the three utilities have previous experience of procurement with Government's policies and procedures. However, as far as experience on ADB assisted projects are concerned, only transmission and distribution utilities possess the experience of procurement where extent of technical and contractual complexities are less. Since a major share of the funding in tranche 1 and tranche 2 have to go to generation utility and further APGC has less familiarity with the development of hydropower projects and related procurement, it has to be provided with additional number of experienced hands to undertake effective and proper procurement measures for sub-projects funded by ADB. Further capacity building measures will have to be taken to strengthen systems and procedures in all the three utilities including PMU by way of providing training and further</p>	

organizing seminars at wider level in the organization for general awareness. Though the procurement unit is equipped with PCs, photocopiers, printers, and internet connection for ongoing activities, it still has to be supplemented with additional equipment and dedicated IT, administrative and ministerial staff for smooth operation of procurement activities. The ADB's standard bidding documents, pursuant to ADB's Procurement Guidelines, and all other manual and guidelines are available with the procurement officers.

Information Management

Risk Assessment:

Risk rating- Average

Summary of Findings:

ADB requires that the evaluation reports and original signed contracts should be retained for at least two years after project completion. The procurement capacity assessment of the executing agency indicates that all the documents related to procurement along with evaluation reports and signed contracts are kept in safe custody for 10 years after project completion for future inspection, audit, and institutional memory. Additionally, a copy of the original invitation document, bidding documents, winning bid or proposal, and contract administration papers are retained in a single contract file. Subsequent records related to running payments during execution of works and contractual communications are kept separately by the project-implementing agency that is different from the team effecting procurement. However there is need for strengthening information management infrastructure. And hence Tranche-I should be provided with adequate resources for institutional capacity development.

Procurement Practices

Procurement of Goods and Works

Risk Assessment:

Risk rating-Average

Summary of Findings:

The APGC and APGC have experience of procuring goods and works under Government's own funding. However, the systems and procedures of the generating utility for procuring goods, works, and consulting services under donor-assisted projects has to be strengthened by deployment of additional hands and by building capacity through training and supplementation by consultants.

Consulting Services

Risk Assessment:

Risk rating- Average

Summary of Findings:

All the three power utilities have previous experience of selecting consultants by following Quality and Cost Based Selection (QCBS) using Government's standard documents. However selection of consultants as per ADB guidelines has to be carried out by executing agency with the assistance of procurement specialist for successful implementation of procured contracts in line with ADB guidelines.

Effectiveness

<p><u>Risk Assessment:</u></p> <p>Risk rating- Average</p> <p><u>Summary of Findings:</u></p> <p>The APGC and APDC will manage the consulting services contract assisted by the procurement specialist (consultant, national). The procurement specialist (consultant national) will assist the EA to monitor and keep track of consultant obligations as defined by conditions of the contracts. The PMU which has long track record of working with ADB assisted projects will assist the PIU very closely.</p> <p>Accountability Measures</p> <p><u>Risk Assessment:</u></p> <p>Risk rating- Average</p> <p><u>Summary of Findings:</u></p> <p>Bid evaluation committee has the responsibility of evaluating and ensuring that the procurement procedures outlined by bidding document are followed. There is a specific committee consisting of technical members and a finance member, which attends the bid opening process. To keep control on procurement process due to complex nature of procurement and inadequate staff strength with supporting infrastructure, prior review and post review will be undertaken by ADB for all procurement packages duly assisted by the individual procurement specialist.</p>		
<p>Summary Assessment</p> <p>APDC and APGC have experience of procurement under Government's own funding but to undertake complex procurement activities in tranche-I and tranche-II following ADB's procurement policy and procedures additional resources in the form of additional experienced manpower should be deployed. To support procurement activities related to the ADB financed projects, capacity building and system strengthening by way of reinforcing IT infrastructure and increase in experienced staff strength is highly recommended.</p>		
<p>Specific Recommendations, Project Implementation</p>		
<p>Risks</p>	<p>Recommended Action</p>	<p>Responsibility and Comment</p>
<p>The EA need strengthening for adequate human resource to undertake the procurement activities.</p>	<p>The EA is being assisted by an outsourced procurement specialist of ADB. Further, ADB may advise EAs to deploy additional dedicated staff exclusively for procurement activities. Devising ADB assisted efficient payment mechanism like direct/ Imprest payment method is also recommended.</p>	<p>The EA and ADB should work closely to fill the gap in human resource requirement.</p>
<p>Capacity Constraint</p>	<p>Recommended Action</p>	<p>Responsibility and comment</p>
<p>Staff working with procurement unit, though well</p>	<p>The EA should work on capacity building measures</p>	<p>Capacity building activities should be undertaken by EA</p>

experienced in procurement under Government's own funding, needs to work with procurement process in accordance with ADB Procurement Guidelines.	and ADB may assist in organizing procurement training on ADB procurement procedures.	with the help of ADB in the beginning of procurement activities.
General Recommendations, EA/IA		
Risks/Capacity Constraint	Recommended Action	Responsibility and comment
The EAs need strengthening for adequate human resources need to be deployed to undertake complex procurement activities related to the projects.	One individual procurement consultant (national) has been engaged for assisting the EAs with the procurement activities. Staff strengthening should be done by EA for effective procurement. There is need for appointing technology consultant for risk mitigation related to technology. The Project should set aside fund for capacity building of the EA staff.	ADB should organize the capacity building programs for the EA staff. Also ADB should take initiatives for appointment of Technology Consultants through EA.
General Recommendations, Procurement Environment		
Risk/Capacity Constraint	Recommended Action	Responsibility and Comment
Unhindered and effective implementation of the complex procurement activities, may get affected by capacity constraint on account of less experience of procurement in ADB funded projects and due to shortage of manpower in procurement unit for carrying out procurement related works.	The executing agency should increase the staff strength, exclusively deploy staff for carrying out procurement activities, coordinate with ADB and provide proper training for strengthening and capacity building of the staff for effective procurement activities in the organization. There is a need for developing flowcharts along with fixing of intermediate milestones for monitoring implementation of procurement activities systematically.	The executing agency should develop a comprehensive plan for training the procurement staff in coordination with ADB and utilize the funds allocated for capacity building in the field of procurement activities.

GENERAL PROCUREMENT ENVIRONMENT ASSESSMENT

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Yes/No	Narrative Explanation	Risk
A. LEGAL AND REGULATORY FRAMEWORK			
1. Is there a procurement law?	Yes	There are various rules/regulations/guidelines/policies governing public procurement such as General Financial Rules (GFRs) 2005, State GFRs, Delegation of Financial Power Rules, 1978, Guidelines issued by Central Vigilance Commission, Guidelines issued by Directorate General of Civil Supplies and Disposal, Manuals on Procurement of Goods, Services and Works issued by Department of Expenditure, Ministry of Finance, Gol, Guidelines issued by individual ministries/departments etc. Also Indian Parliament has passed Procurement Bill 2012.	Average
2. Does the procurement law have implementing regulations?	Yes		Average
3. Are the procurement law and regulations clear and concise?	Yes		Low
4. What does the procurement law/regulation cover?		The law/regulations/guidelines/policies cover all the aspects of procurement to be followed in procurement practices.	Low
5. Does the procurement law/regulation cover the procurement of consulting services?	Yes	The law/regulations/guidelines/policies cover all the aspects of procurement of consulting services also.	Low
6. Does the procurement law/regulation differentiate between processes for goods, works and consulting services?	Yes		Low

Question	Yes/No	Narrative Explanation	Risk
7. Does the law/regulation require the advertisement of all procurement opportunities?	Yes	Procurement practices require advertisement of all opportunities subject to certain exceptions depending on value of the work and prevailing work requirements.	Low
8. Are contract awards advertised?	No	There is no provision for advertisement of contract awards.	Average
9. Are there restrictions on goods, works and services on the basis of origin?	No	There is no restriction except for cases in which there is security of the nation is a concern.	Low
10. Do the procurement law or relevant legislation and regulation provide acceptable provisions for the participation of state-owned enterprises (SOEs)?	Yes	If SOE meets the technical and financial criteria specified in the bid document, it is entitled to participate in the procurement process as all the SOEs work as separate commercial entities.	Low
11. Are there restrictions on the nationality of bidders and consulting firms to be invited?	No	There is no specific restriction on the nationality of bidders in case of ICB. As per ADB guidelines National Consultants should be Nationals of the Country.	Low
12. Are foreign bidders and consultants forced to submit offers through or with local partners?	No	No such provision exists.	Low
13. Is there a domestic preference scheme?	No	As per ADB procurement guidelines there is provision for off loading of 15% for all EXW items procured through ICBs. No other domestic preference scheme exists in general.	Low
14. Is there a national standard mandated for the use for quality control purposes?	Yes	Indian Standards have been provided for quality control purposes in general. Wherever the national standards are not available, international standards are followed.	Low
15. Are any agencies or parts of public expenditure exempt from the procurement law/regulation?	No		Low

Question	Yes/No	Narrative Explanation	Risk
16. Is the default method for procurement open competition?	Yes	Default method for procurement is open competition.	Low
17. Is open competition easily avoided?	No	Open competition are not avoided.	Low
18. Does the procurement law/regulation require pre-qualification?	No	There is requirement of pre qualification in general procurement over a threshold value. In case of proprietary articles or off the shelves goods and supplies or smaller procurement there is no prequalification requirement.	Low
19. Does the procurement law/regulation require the pre-registration of bidders?	No	For general works and supplies there is provision for pre - registration/listing/approval of vendors and suppliers and it is carried out by concerned departments based on their requirement.	Average
20. Does the procurement law/regulation mandate the use of standard documents?	Yes	The preparation of Standard Documents is the prerogative of the respective departments going for procurement. The documents are prepared in accordance with various guidelines/ circulars/Central/State GFRs/Delegation of Financial Power Rules (DFPRs)/Manuals of Ministry of Finance, Government of India/CVC guidelines etc. and procurement practices followed in the department concerned. Previous proven RFP documents are taken as model for new procurement.	Average
21. Have these standard documents been approved for use on ADB projects?	No	This is the first case of procurement with ADB funding by APGC. Hence APGC is approaching ADB for approval as for all ADB funded projects standard bid documents along with guidelines for procurement provided by ADB	Low

Question	Yes/No	Narrative Explanation	Risk
		are followed.	
22. Is there a national procurement manual or guide?	Yes	Manuals have been published by Department of Expenditure, Ministry of Finance, Government of India on procurement of Goods, Services and Works. However, the procurement practices in tandem with CVC guidelines provide a good framework for procurement.	Average
B. INSTITUTIONAL FRAMEWORK			
23. Which body oversees public procurement?		Every wing of the organization, i.e. Generation, Transmission and Distribution has been assigned with different works and public procurement is made by concerned division /circle as per their requirement and overseen by head of the wing.	Average
24. What powers does the oversight body have?		The oversight body is empowered to authorize procurement and implementation in accordance with laid down guidelines, policies and procedures followed in the organization.	Average
25. Is there a nationwide procurement-training plan?	Yes	There is ADB INRM procurement training calendar under implementation. Besides ADB has a support unit stationed in Guwahati for assisting the EAs/IAs of North Eastern States in Procurement related matters. No other nationwide training plan on procurement exists in general in the organization.	Average
26. Is there a procurement accreditation or professionalization program?	No	There is no procurement accreditation or professionalization program.	Average
27. Are major projects identified within agencies' appropriations or budgets?	Yes	Major projects are identified and funds for the projects are earmarked in Annual Plan of the organization.	Average
28. Is the procurement cycle tied to an annual budgeting cycle, i.e.	Yes	Once a project gets Public Investment Board's (PIB),	Average

Question	Yes/No	Narrative Explanation	Risk
can procurement activity only commence once a budget is approved?		approved funds are earmarked in annual budgets.	
29. Once an appropriation or budget is approved, will funds be placed with the agency or can the agency draw them down at will?	Yes	Funds will be placed with the agency.	Average
30. Is there a nationwide system for collecting and disseminating procurement information, including tender invitations, requests for proposals, and contract award information?	Yes	Through website and newspaper advertisements, there is a system for disseminating procurement information, including tender invitations, RFP. There is no provision for disseminating contract award information.	Low
31. When an agency is implementing a project using funds from the national budget, are there general experiences/reports of funding delays that significantly hamper procurement?	No	Budget is earmarked in Annual Plan and hence in normal cases there is no possibility of funding delays.	Average
32. Is consolidated historical procurement data available to the public?	No	There is no provision of making and providing consolidated historical procurement data to the public.	Average
33. Does the law/regulation require the collection of nationwide statistics on procurement?	No	No such law exists.	Average
C. PROCUREMENT MARKET AND OPERATIONS			
34. Do formal mechanisms exist to encourage dialogue and partnerships between the government and the private sector, and are these well established in the procurement law/regulation?	Yes	Formal mechanisms exist. The mechanisms are established and it is in the process of getting well established. Government and Private sector partnership is being encouraged.	Average
35. Are private sector institutions well organized and able to facilitate access to the market?	Yes	Private sector institutions are well organized and able to facilitate access to the market.	Average

Question	Yes/No	Narrative Explanation	Risk
36. Is there an alternative disputes resolution process independent of the government and courts?	Yes	Ministry of Commerce, Government of India strongly recommends incorporation of arbitration clause in procurement documents and India Council of Arbitration has jurisdiction to adjudicate in disputed issues between contracting parties.	Average
D. INTEGRITY OF THE PROCUREMENT SYSTEM			
37. Are there systematic procurement process audits?	Yes	There is a system of Internal Audit within the organization. Further Comptroller and Auditor General (CAG) of India also audit public procurement processes.	Average
38. Does the procurement law/regulation contain provisions for dealing with misconduct, such as fraud and corruption? A cross reference to an anti-corruption law will suffice.	Yes	Anti corruption law is in force in the country, which deals with all the cases of fraud and corruption.	Average
39. Is fraud and corruption in procurement regarded as a criminal act, whereby the penalty includes imprisonment?	Yes	Under Prevention of Corruption Act, fraud and corruption in procurement is considered criminal.	Average
40. Have there been prosecutions for fraud and corruption?	No	There are no instances of prosecution of any officer/official in APGC.	Average
41. Does the legal/regulatory framework allow for sovereign immunity to agencies for claims against them?	No	All are equal in the eye of Law.	Low
42. Do the regulations allow for the debarment of firms and individuals?	Yes	The executing agency can black list or debar a firm or individual from participation in the bid. This is carried out after approval of the Board of Directors.	Low (P.Das and Co. has been debarred for 6 MW Lungit Small Hydro Project

II. General Ratings

Criterion	Risk
A. Legal and Regulatory Framework	Low
B. Institutional Framework	Average
C. Procurement Market and Operations	Average
D. Integrity of the Procurement System	Average
OVERALL RISK RATING	Average

AGENCY QUESTIONNAIRE

Risk Ratings	Extremely High	High	Average	Low
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I. Specific Assessment and Ratings

Question	Answer/Finding	Risk
A. ORGANIZATIONAL AND STAFF CAPACITY		
A.1. How many years experience does the head of the procurement department/unit have in a direct procurement role?	5-12 years	Average
A.2. How many staff in the procurement department/unit are:	5 Numbers (CGM-1, DGM-1, Dy. Manager-2, IT Personnel-1)	High
i. Full Time?	Nil	
ii. Part Time?	Part time and as per requirement of the work.	
iii. Seconded?		
A.3. Does the procurement staff have English language proficiency?	Yes	Average
A.4. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	The EA personnel have required qualification and some experience in procurement for thermal power plants; they do not have enough experience on procurement related to hydropower projects. Further APGC does not possess exposure to procurement for ADB and WB funded projects. Further the number of dedicated personnel with procurement experience is required to be enhanced for additional procurement.	High
A.5. Does the unit have adequate facilities, such as PCs, internet connections, photocopy facilities, printers, etc., to undertake the planned procurement?	Though at present adequate facilities in relation to PCs, internet connections, photocopy facilities, printers, etc. is available, the IT infrastructure requires strengthening.	High
A.6. Does the agency have a procurement training program?	There is no specific training schedule or program for training in procurement matters. However intermittently, the executives in the organization in general are sent for training on procurement. There are many ADB funded capacity building programs which have been attended to by the officers of the organization.	High
A.7. Does the agency have a Procurement Committee that is	Yes.	Average

Question	Answer/Finding	Risk
independent from the head of the agency?		
A.8. Does the agency have a procurement department/unit, including a permanent office that performs the function of a Secretariat for the Procurement Unit, and which serves as the main support unit of the Procurement Committee??	Yes. The agency does have a separate Contracts and Procurement department/unit. However the work of instant procurement are being performed by executives entrusted with other jobs and functions to them in their respective division and they will also be serving as support unit for the procurement committee. For ADB related works PIU is being established who will be fully responsible for procurement activities supported by PMU.	Average
A.9. If yes, what type of procurement does it undertake?	The Contracts and Procurement department/unit takes up Procurement of Natural Gas.	
A.10. At what level does the department/unit report (to the head of agency, deputy etc.)?	The head of the procurement unit is CGM and reports to Managing Director of the organization.	Average
A.11. Do the procurement positions in the agency have job descriptions, which outline specific roles, minimum technical requirements and career routes?	No	Average
A.12. Is there a procurement process manual for goods and works?	No, such manual does not exist. The GFR/ manuals/ guides issued by Govt. of Assam and Govt. of India and Delegation of Financial Powers is followed for Procurement of Goods and works.	High
A.13. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Not applicable as no manual exists. However for ADB assisted projects, ADB procedures and guidelines shall be followed.	
A.14. Is there a procurement process manual for consulting services?	No. However ADB assisted projects will follow ADB's procedures and guidelines.	
A.15. If there is a manual, is it up to date and does it cover foreign-assisted projects?	Not applicable as manual does not exist.	
A.16. Are there standard documents in use, such as Standard Procurement Documents/Forms, and have they been approved for use on ADB funded projects?	No such standard formats exist, as APGC had no procurement activities related to ADB funded projects in the past.	

Question	Answer/Finding	Risk
A.17. Does the ToR follow a standard format such as background, tasks, inputs, objectives and outputs?	No, there is no standard format.	
A.18. Who drafts the procurement specifications?	Concerned division/circle.	Average
A.19. Who approves the procurement specifications?	Head of the department.	
A.20. Who drafts the bidding documents?	Procurement unit of the concerned department.	
A.21. Who manages the sale of the bidding documents?	The sale of the document is through website of the organization and it is managed by procurement unit of the concerned department.	
A.22. Who identifies the need for consulting services requirements?	Concerned department identifies the need of consulting services.	Average
A.23. Who drafts the terms of reference (ToR)?	Concerned department.	
A.24. Who prepares the request for proposals (RFPs)?	Procurement unit of the concerned department prepares the request for proposal. However, for ADB assisted projects preparation of the request for proposal shall be responsibility of PMU.	
B. INFORMATION MANAGEMENT		
B.1. Is there a referencing system for procurement files?	Yes	Average
B.2. Are there adequate resources allocated to record keeping infrastructure, which includes the record keeping system, space, equipment and personnel to administer the procurement records management functions within the agency?	Yes. Adequate resources and infrastructure is provided for record keeping.	Average
B.3. For what period are records kept?	10 Years	Low
B.4. Are copies of bids or proposals retained with the evaluation?	Yes	Low
B.5. Are copies of the original advertisements retained with the pre-contract papers?	Yes	Low
B.6. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	Yes	Average
B.7. Are copies of invoices included with the contract papers?	Yes	Average
C. PROCUREMENT PRACTICES		
Goods and Works		
C.1. Has the agency undertaken foreign-assisted procurement of goods or works recently (last 12 months, or	APGC has never undertaken foreign-assisted procurement of goods or works recently particularly in the last 12	High

Question	Answer/Finding	Risk
last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	months, or last 36 months where as APDC has undertaken ADB assisted procurement of goods or works in the past.	
C.2. If the above answer is yes, what were the major challenges?	APDC has successfully made the procurement as per ADB guidelines where as APGC has never undertaken procurement of goods and works for foreign assisted projects. The procurement capacity of EA/IA has to be enhanced through consultants.	
C.3. Is there a systematic process to identify procurement requirements (for a period of one year or more)	Yes. Procurement is carried out as per budget and work requirement from time to time.	Average
C.4. Is there a minimum period for preparation of bids and if yes how long?	Not defined.	High
C.5. Are all queries from bidders replied to in writing?	Yes	
C.6. Does the bidding document state the date and time of bid opening?	Yes	Low
C.7. Is the opening of bids done in public?	Yes. Bid opening is carried out in the presence of bidders who choose to remain present.	Low
C.8. Can late bids be accepted?	No	
C.9. Can bids be rejected at bid opening?	No	
C.10. Are minutes of the bid opening taken?	Yes	Low
C.11. Who may have a copy of the minutes?	Procurement unit.	
C.12. Are the minutes free of charge?		
C.13. Who undertakes the evaluation of bids (individual(s), permanent committee, ad-hoc committee)?	Permanent committee.	Low
C.14. What are the qualifications of the evaluators with respect to procurement and the goods and/or works under evaluation?	Qualified procurement officers carry out the evaluation with sufficient backup from qualified engineering and finance professionals.	Average
C.15. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	It is subject to additional approval.	Low
C.16. Using at least three real examples, how long does it normally take from the issuance of the invitation for bids up to contract effectiveness?	4-6 months. However there is no example of procurement in respect of ADB funded projects in APGC.	Average
C.17. Are there processes in place for the collection and clearance of cargo	Yes.	Average

Question	Answer/Finding	Risk
through ports of entry?		
C.18. Are there established goods receiving procedures?	Yes.	Average
C.19. Are all goods that are received recorded as assets or inventory in a register?	Yes	Average
C.20. Is the agency/procurement department familiar with letters of credit?	Yes	Average
C.21. Does the procurement department register and track warranty and latent defects liability periods?	Yes	Average
Consulting Services		
C.22. Has the agency undertaken foreign- assisted procurement of consulting services recently (last 12 months, or last 36 months)? (If yes, please indicate the names of the development partner/s and the Project/s.)	No.	High
C.23. If the above answer is yes, what were the major challenges?	Not Applicable	
C.24. Are assignments and requests for expressions of interest (EOIs) advertised?	Yes	Low
C.25. Is a consultants' selection committee formed with appropriate individuals, and what is its composition (if any)?	Standard Procurement Committee exists for all kind of contracts including consultancy contracts.	
C.26. What criteria is used to evaluate EOIs?	A minimum Technical and Financial requirement criterion, which is different for different type of works, is used. In case of ADB assisted projects ADB's shortlisting procedure, which covers job expertise in similar works, geographical knowledge, experience with EAs/IAs, experience with ADB process, managerial capacity etc. with different weightages, are used to arrive at shortlisting from the list of EOIs.	Low
C.27. Historically, what is the most common method used (QCBS, QBS, etc.) to select consultants?	QCBS and QBS depending on the estimated value.	Average
C.28. Do firms have to pay for the RFP document?	No, RFPs are provided to only shortlisted firms.	Low
C.29. Does the proposal evaluation criteria follow a pre-determined structure and is it detailed in the RFP?	Yes	Low

Question	Answer/Finding	Risk
C.30. Are pre-proposal visits and meetings arranged?	Yes, if required.	Low
C.31. Are minutes prepared and circulated after pre-proposal meetings?	Yes	
C.32. To whom are the minutes distributed?	Minutes are circulated to all the bidders and also issued as an addendum to the bidding document.	
C.33. Are all queries from consultants answered/addressed in writing?	Yes	Low
C.34. Are the technical and financial proposals required to be in separate envelopes?	Yes	Low
C.35. Are proposal securities required?	Yes	Low
C.36. Are technical proposals opened in public?	Yes	Low
C.37. Are minutes of the technical opening distributed?	Yes, Minutes of technical bid opening are made available to the representatives of the bidders.	
C.38. Do the financial proposals remain sealed until technical evaluation is completed?	Yes	Average
C.39. Who determines the final technical ranking and how?	Procurement committee based on evaluation criteria given in RFP.	
C.40. Are the technical scores sent to all firms?	No.	
C.41. Are the financial proposal opened in public?	Yes	Low
C.42. Are minutes of the financial opening distributed?	The attendees can be provided with the minutes of the financial bid opening.	
C.43. How is the financial evaluation completed?	Based on technical bid and price bid, per unit rate forms the basis for the evaluation of overall financial proposals.	Low
C.44. Are face-to-face contract negotiations held?	Yes, if required.	
C.45. How long after financial evaluation is negotiation held with the selected firm?	15-30 days in general.	
C.46. What is the usual basis for negotiation?	Bid price as corrected.	
C.47. Are minutes of negotiation taken and signed?	Yes	
C.48. How long after negotiation is the contract signed?	30-40 days in general.	Average
C.49. Is there an evaluation system for measuring the outputs of consultants?	Yes	Low
Payments		

Question	Answer/Finding	Risk
C.50. Are advance payments made?	Yes	Average
C.51. What is the standard period for payment included in contracts?	Within 30 days	Average
C.52. On average, how long is it between receiving a firm's invoice and making payment?	30-45 days within acceptance of invoice after completing the work	
C.53. When late payment is made, are the beneficiaries paid interest?	There is no such provision.	
D. EFFECTIVENESS		
D.1. Is contractual performance systematically monitored and reported?	Yes	Average
D.2. Does the agency monitor and track its contractual payment obligations?	Yes	Average
D.3. Is a complaints resolution mechanism described in national procurement documents?	No, however for ADB assisted projects, ADB guideline for resolution of complaints is followed.	Average
D.4. Is there a formal non-judicial mechanism for dealing with complaints?	No	High
D.5. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default/withheld payment?	Yes	Average
E. ACCOUNTABILITY MEASURES		
E.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes, there is general ASEB Service Regulations in the organization to which every one in the organization.	Average
E.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	Yes	Average
E.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) that are outside of the budgeting process?	No approval is required from agency external to the organization.	Average
E.4. Who approves procurement transactions, and do they have procurement experience and qualifications?	Board/ Managing Director of the concerned department who has administrative and financial powers and may have enough procurement experience.	Average
E.5. Which of the following actions require approvals outside the procurement unit or the evaluation committee, as the case may be, and		Average

Question	Answer/Finding	Risk
who grants the approval?		
a) Bidding document, invitation to pre-qualify or RFP	Head of the procurement wing who heads the department.	
b) Advertisement of an invitation for bids, pre-qualification or call for EOIs	Head of the procurement wing who heads the department.	
c) Evaluation reports	MD/Board of Directors	
d) Notice of award	Head of the procurement wing who heads the department.	
e) Invitation to consultants to negotiate	Head of the procurement wing who heads the department.	
f) Contracts	Head of the procurement wing who heads the department.	
E.6. Is the same official responsible for: (i) authorizing procurement transactions, procurement invitations, documents, evaluations and contracts; (ii) authorizing payments; (iii) recording procurement transactions and events; and (iv) the custody of assets?	No	Average
E.7. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes	Average

II. General Ratings

Criterion	Risk
A. Organizational and Staff Capacity	Average
B. Information Management	Average
C. Procurement Practices	Average
D. Effectiveness	Average
E. Accountability Measures	Average
OVERALL RISK RATING	Average