

## PROCUREMENT PLAN

### Basic Data

<b>Project Name:</b> Northern Flood-Damaged Infrastructure Emergency Rehabilitation Project	
<b>Project Number:</b> 48326-001	<b>Approval Number:</b> 0411/0412
<b>Country:</b> Afghanistan, Islamic Republic of	<b>Executing Agency:</b> Ministry of Finance
<b>Project Financing Amount:</b> US\$ 57,240,000 <b>ADB Financing:</b> US\$ 40,000,000 <b>Cofinancing (ADB Administered):</b> US\$ 16,660,000 <b>Non-ADB Financing:</b> US\$ 580,000	<b>Implementing Agency:</b> Ministry of Energy and Water, Ministry of Rural Rehabilitation and Development
<b>Date of First Procurement Plan:</b> 16 October 2014	<b>Date of this Procurement Plan:</b> 16 October 2014

### A. Methods, Thresholds, Review and 18-Month Procurement Plan

#### 1. Procurement and Consulting Methods and Thresholds

Except as the Asian Development Bank (ADB) may otherwise agree, the following process thresholds shall apply to procurement of goods and works.

Procurement of Goods and Works		
Method	Threshold	Comments
International Competitive Bidding for Goods	US\$ 2,000,000 and Above	
National Competitive Bidding for Goods	Between US\$ 100,001 and US\$ 1,999,999	The first NCB is subject to prior review, thereafter post review.
Shopping for Goods	Up to US\$ 100,000	
International Competitive Bidding for Works	US\$ 5,000,000 and Above	
National Competitive Bidding for Works	Between US\$ 100,001 and US\$ 4,999,999	The first NCB is subject to prior review, thereafter post review.
Community Participation in Procurement for Works	Up to US\$ 100,000	MRRD and MEW CP contracts; first 5 and 2 contracts are subject to prior review, thereafter post review, for MRRD and MEW respectively.

Consulting Services	
Method	Comments
Fixed Budget Selection for Consulting Firm	
Quality- and Cost-Based Selection for Consulting Firm	Technical/Price is 90:10
Individual Consultants Selection for Individual Consultant	

#### 2. Goods and Works Contracts Estimated to Cost \$1 Million or More

The following table lists goods and works contracts for which the procurement activity is either ongoing or expected to commence within the next 18 months.

Package Number	General Description	Estimated Value	Procurement Method	Review (Prior/Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
MEW/NFD IP/NCB/1	Nahri shahi weir downstream rehabilitation/protect	1,310,000.00	NCB	Prior	1S1E	Q4 / 2014	Prequalification of Bidders: N

	Canal bank in Chemtal/Charbolak						Bidding Document: Large Works
MEW/NFD IP/NCB/2	Keshinda Bala/Pa'en Protect Canal bank	2,253,000.00	NCB	Prior	1S1E	Q4 / 2014	Prequalification of Bidders: N  Bidding Document: Large Works
MEW/NFD IP/NCB/3	Charbolak Beast Paical Protect Canal bank	1,685,000.00	NCB	Prior	1S1E	Q4 / 2014	Prequalification of Bidders: N  Bidding Document: Large Works

### 3. Consulting Services Contracts Estimated to Cost \$100,000 or More

The following table lists consulting services contracts for which the recruitment activity is either ongoing or expected to commence within the next 18 months.

Package Number	General Description	Estimated Value	Recruitment Method	Review (Prior/ Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
Cons-01	Quality assurance design engineer	108,000.00	ICS	Prior	Q4 / 2014		Assignment: International  Expertise: Quality Assurance  Comments: 6

							person-months
Cons-02	Project Director, MRRD	144,000.00	ICS	Post	Q4 / 2014		Assignment: National  Expertise: Project Management
MRRD/01	National Supervision consultants	900,000.00	QCBS	Prior	Q4 / 2014	STP	Assignment: National  Quality-Cost Ratio: 90:10  Comments: Quality of services is more important than cost.

**4. Goods and Works Contracts Estimated to Cost Less than \$1 Million and Consulting Services Contracts Less than \$100,000 (Smaller Value Contracts)**

The following table groups smaller-value goods, works and consulting services contracts for which the activity is either ongoing or expected to commence within the next 18 months.

Goods and Works								
Package Number	General Description	Estimated Value	Number of Contracts	Procurement Method	Review (Prior/Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
Equipment	Total station GPS, computers, etc.	470,000.00	5	SHOPPING	Post		Q4 / 2014	Prequalificati on of Bidders: N
MEW/NFD IP/NCB/4	Hacha Qala repair of Dam/ Repair of retaining wall in Khoja Do Koh/Reh of Zar Arigh intake	645,000.00	1	NCB	Prior	1S1E	Q4 / 2014	Prequalificati on of Bidders: N  Bidding Document: Small Works

MEW/NFD IP/NCB/5	Dary-e-suf Pa'en Spill way digging	158,000.00	1	NCB	Prior	1S1E	Q4 / 2014	Prequalificati on of Bidders: N  Bidding Document: Small Works
MEW CDC/DDA contracts-1	Community development contracts for rehabilitation of small irrigation and roads	100,000.00	2	CPP	Prior		Q4 / 2014	Prequalificati on of Bidders: N  Comments: First 2 CP contracts
MEW CDC/DDA contracts-2	Community development contracts for rehabilitation of small irrigation and roads	114,783.00	6	CPP	Post		Q4 / 2014	Prequalificati on of Bidders: N
MRRD CDC/DDA contracts-1	Community development contracts for rehabilitation of small irrigation and roads	500,000.00	5	CPP	Prior		Q4 / 2014	Prequalificati on of Bidders: N  Comments: First 5 CP contracts

MRRD CDC/DDA contracts-2	Community development contracts for rehabilitation of small irrigation and roads	31,380,000.00	795	CPP	Post		Q4 / 2014	Prequalificati on of Bidders: N
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<b>Consulting Services</b>								
<b>Package Number</b>	<b>General Description</b>	<b>Estimated Value</b>	<b>Number of Contracts</b>	<b>Recruitment Method</b>	<b>Review (Prior/Post)</b>	<b>Advertisement Date (quarter/year)</b>	<b>Type of Proposal</b>	<b>Comments</b>
Cons-11	Auditors	75,000.00	1	FBS	Prior	Q1 / 2015	BTP	Assignment: National
Cons-12	Field monitoring engineers	160,000.00	2	ICS	Prior	Q4 / 2014		Assignment: National  Expertise: Field engineers
Cons-13	PMO/PIU staff MRRD	4,186,000.00	107	ICS	Prior	Q4 / 2014		Assignment: National  Expertise: Project Management
Cons-14	PMO/PIU staff MEU	482,400.00	9	ICS	Prior	Q4 / 2014		Assignment: National  Expertise: Project Management

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## B. Indicative List of Packages Required Under the Project

The following table provides an indicative list of goods, works and consulting services contracts over the life of the project, other than those mentioned in previous sections (i.e., those expected beyond the current period).

Goods and Works							
Package Number	General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Procurement Method	Review (Prior/Post)	Bidding Procedure	Comments
None							

Consulting Services							
Package Number	General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Recruitment Method	Review (Prior/Post)	Type of Proposal	Comments
None							

## C. National Competitive Bidding

### 1. General

National competitive bidding for the procurement of goods and related services shall conform to the provisions for Open Tender without prequalification as prescribed in the *Procurement Law* of October 2005 and elaborated in the *Rules of Procedure for Public Procurement* issued by the Ministry of Finance in April 2007, with the clarifications and modifications described in the following paragraphs required for compliance with the provisions of the ADB Procurement Guidelines.

### 2. Registration and Other Pre-Bid Requirements

- (i) Bidding shall not be restricted to Shortlists or Standing Lists.
- (ii) No bid shall be declared as ineligible on the grounds of debarment without ADB's prior concurrence.
- (iii) No bid shall be declared ineligible on the grounds of government regulations that restrict sources without ADB's prior concurrence.
- (iv) Foreign suppliers and contractors from ADB member countries shall be allowed to bid, without registration, licensing, and other government authorizations. However, in case these foreign suppliers and contractors are declared winning bidders, the requirements may be completed after award and before signing of contract, without unreasonable costs or additional requirements.

### 3. Prequalification

Post qualification shall be used unless prequalification is explicitly provided for in the loan agreement/procurement plan. Irrespective of the procedure applied (whether prequalification or post qualification), no domestic or foreign contractor shall be precluded from participation.

If prequalification is undertaken, the prequalification criteria should include "Eligibility Requirements", "Financial Situation", "Pending Litigation", and "Experience". Technical Capacity (personnel and equipment) should not be part of the prequalification criteria.

Interested bidders shall be given a minimum period of 28 days for the preparation and submission of prequalification applications.

#### **4. Advertising**

Bidding of NCB contracts estimated at \$500,000 or more for goods and related services and NCB contracts estimated at \$1,000,000 or more for works shall be advertised on ADB's website via the posting of the Procurement Plan.

#### **5. Bidding Documents**

Procuring entities shall use standard bidding documents acceptable to ADB, based ideally on the standard bidding documents issued by ADB.

#### **6. Bidding Period**

Procuring entities shall allow for a minimum of four weeks for submission of bids.

#### **7. Bid Security**

Where required, bid security shall be in the form of a bank guarantee or check from a reputable bank and should not be more than two percent of the estimated value of contract to be procured.

#### **8. Preferences**

No preference of any kind shall be given shall be given to domestic bidders or for domestically manufactured goods.

#### **9. Evaluation**

No bid shall be rejected on the grounds of price, or for any other reason(s) not related to the evaluation and qualification criteria, without ADB's prior concurrence.

Prompt payment discounts offered by bidders shall not be considered in bid evaluation.

#### **10. Price Negotiations**

Price negotiation shall be allowed only after receiving ADB's prior concurrence.

#### **11. Advance Payments**

No advance payment shall be made without an advance payment security in the form of a bank guarantee or check from a reputable bank.

#### **12. Government-Owned Enterprises**

Government-owned enterprises in Afghanistan shall be eligible to participate only if they can establish that they are legally and financially autonomous, operate under commercial law, and are not a dependent agency of the procuring entity, or the Project Executing Agency, or the Implementing Agency.

### **13. Right to Inspect/Audit**

A provision shall be included in all NCB works and goods contracts financed by the Bank (ADB) requiring suppliers and contractors to permit ADB to inspect their accounts and records and other documents relating to the bid submission and the performance of the contract, and to have them audited by auditors appointed by ADB.

### **14. Anti-Corruption Policy**

- (i) The Borrower shall reject a proposal for award if it determines that the bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the contract in question.
- (ii) ADB will declare a firm or individual ineligible, either indefinitely or for a stated period, to be awarded a contract financed by ADB, if it at any time determines that the firm or individual has, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, ADB-financed contract, as indicated in paragraph 1.14 (a) of ADB's Procurement Guidelines.

### **15. Disclosure of Decision on Contract Awards**

At the same time that notification of award of Contract is given to the successful bidder, the results of bid evaluation shall be published in a local newspaper, or well-known freely accessible website identifying the bid and lot numbers and providing information on (i) name of each bidder who submitted a Bid, (ii) bid prices as read out at bid opening, (iii) name of bidders whose bids were rejected and the reasons for their rejection, and (iv) name of the winning bidder, and the price it offered, as well as duration and summary scope of the contract awarded. The executing agency/implementing agency/contracting authority shall respond in writing to unsuccessful bidders who seek explanations on the grounds on which their bids are not selected.

### **16. Eligibility**

The eligibility of bidders shall be as defined under section I of the Guidelines; accordingly, no bidder or potential bidder should be declared ineligible for reasons other than those provided in section I of the Guidelines, as amended from time to time.