

PROCUREMENT PLAN

Basic Data

Project Name: Fiji: Urban Water Supply and Wastewater Management Project	
Project Number: 49001-001	Approval Number: TBA
Country: Fiji	Executing Agency: Ministry of Finance
Project Procurement Classification: A	Implementing Agency: Water Authority of Fiji (WAF)
Procurement Risk: Moderate	
Project Financing Amount: US \$ 9,350,000 ⁽¹⁾ ADB Financing: US \$ 2,650,000 Non-ADB Financing: US \$ 6,700,000	Project Closing Date: 30 June 2017
Date of First Procurement Plan : 26 Apr 2015	Date of this Procurement Plan: 13 October 2015

⁽¹⁾ Project Design Advance (PDA) financing amount.

On 4th September 2015, the Government of Fiji, Ministry of Finance signed a Memorandum of Understanding with the Asian Development Bank (ADB) for provision of a Project Design Advance (PDA) Loan to enable commencement of detailed designs and project preparatory work. This Procurement Plan covers the scope of consulting services and associated goods to be procured throughout the Project PDA phase only.

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.

Procurement of Goods		
Method	Threshold	Comments
International Competitive Bidding for Goods	\$400,000	To match EIB threshold
National Competitive Bidding for Goods	\$100,000 up to \$400,000	To match EIB threshold
Shopping for "Of-the-shelf" Goods	Below \$100,000	

Consulting Services	
Method	Comments
Quality and Cost Based Selection (QCBS)	Based on WAF return of experience over the recent years, a quality and cost ratio of 80:20 will be applied for the selection of project management consultants, and design and supervision consultants, with the objective of increased quality of the consultancy services provided
Individual Consultant Selection	Individual Consultant Selection might be used to procure grant financed technical assistance consultants for capacity building

Section 3 of the present Procurement Plan anticipates that recruitment of consulting services under the project will be through firms only. Nevertheless the Executing Agency might consider recruitment of individual consultants through Individual Consultant Selection in accordance with ADB Guidelines on The Use of Consultants (March 2013, as amended from time to time) if and when need arises during the project implementation phase.

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

There are no major goods or works currently scheduled for procurement within the Project PDA phase.

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
CS01A	Package 1 (Part A): Project Preparatory Work and Capacity Building	US \$ 2,530,000	QCBS 80:20	Prior	Q4/2015	FTP	Int'l firm
CS02A	Package 2 (Part A): Design, Documentation & Tendering of Rewa River Water Supply Scheme and Kinoya Wastewater Treatment Plant Upgrade	US \$ 1,990,000	QCBS 80:20	Prior	Q4/2015	FTP	Int'l firm with DBO exp.
CS03A	Package 3 (Part A): Survey, Investigation, Detailed Design & Tendering of Wastewater System Upgrades & Extension	US \$ 3,330,000	QCBS 80:20	Prior	Q4/2015	FTP	Int'l firm

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/Post (Sample)]	Bidding Procedure	Advertisement Date (quarter/year)	Comments

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	Estimated Number of Contracts	Procurement Method	Review [Prior / Post/Post (Sample)]	Bidding Procedure	Comments

--	--	--	--	--	--	--	--

Consulting Services							
Package Number	General Description	Estimated Value	Estimated Number of Contracts	Recruitment Method	Review (Prior / Post)	Type of Proposal	Comments
CS01B	Package 1 (Part B): Project Implementation Support and Capacity Building	US \$ 4,510,000	1	QCBS 80:20 or SSS ⁽¹⁾	Prior	FTP	Int'l firm See Note ⁽²⁾
CS02B	Package 2 (Part B): Contract Management and Supervision of Rewa River WSS and Kinoya WWTP Upgrade	US \$ 2,140,000	1	QCBS 80:20 or SSS ⁽¹⁾	Prior	FTP	Int'l firm with DBO exp. See Note ⁽²⁾
CS03B	Package 3 (Part B): Contract Management and Supervision of Wastewater System Upgrades & Extension	US \$ 2,460,000	1	QCBS 80:20 or SSS ⁽¹⁾	Prior	FTP	Int'l firm See Note ⁽²⁾

⁽¹⁾ Possible Single Source Selection for 'Part B' assignments, subject to satisfactory performance of the consultant in the initial 'Part A' assignment.

⁽²⁾ Award of 'Part B' is contingent upon Government of Fiji signing proposed ADB main Project Loan (expected December 2016).

C. List of Awarded and On-going, and Completed Contracts

The following tables list the awarded and on-going contracts, and completed contracts.

1. Awarded and On-going Contracts

Goods and Works							
Package Number	General Description	Estimated Value	Awarded Contract Value	Procurement Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award ¹⁰	Comments ¹¹

¹⁰ Date of ADB Approval of Contract Award is the date of No-Objection letter to the EA/IA.

¹¹ Indicate the Contractor's name and the contract signing date.

Consulting Services							
Package Number	General Description	Estimated Value	Awarded Contract Value	Recruitment Method	Advertisement Date (quarter/year)	Date of ADB Approval of	Comments ¹²

						Contract Award¹⁰	

¹⁰ Date of ADB Approval of Contract Award is the date of No-Objection letter to the EA/IA.

¹² Indicate the Consulting Firm's name and the contract signing date.

2. Completed Contracts

Goods and Works								
Package Number	General Description	Estimated Value	Contract Value	Procurement Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award ¹⁰	Date of Completion ¹³	Comments

¹⁰ Date of ADB Approval of Contract Award is the date of No-Objection letter to the EA/IA.

¹³ The Date of Completion is the physical completion date of the contract.

Consulting Services								
Package Number	General Description	Estimated Value	Contract Value	Recruitment Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award ¹⁰	Date of Completion ¹³	Comments

¹⁰ Date of ADB Approval of Contract Award is the date of No-Objection letter to the EA/IA.

¹³ The Date of Completion is the physical completion date of the contract.

D. Non-ADB Financing

The following table lists goods, works and consulting services contracts over the life of the project, financed by Non-ADB sources.

Goods and Works				
General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Procurement Method	Comments

Consulting Services				
General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Recruitment Method	Comments

E. National Competitive Bidding - WAF

1. Regulation and Reference Documents

In accordance with the Public Enterprises Act 1996, as Commercial Statutory Authority, the Water Authority of Fiji is exempted to follow the laws set forth in the Fiji Procurement Regulation 2010.

The procedures to be followed for national competitive bidding shall be those set forth for the Water Authority of Fiji Policy for Purchase above F\$20,000 as issued in June 2012 and amended in November 2014, and the specific Standard Operating Procedure for Purchase above F\$20,000 as issued in November 2014, with the clarifications and modifications described in the following paragraphs. These clarifications and modifications are required for compliance with the provisions of the ADB Procurement Guidelines (April 2015, as amended from time to time).

2. Procurement Procedures

Application

Contract packages subject to National Competitive Bidding procedures will be those identified as such in the project Procurement Plan. Any change to the mode of procurement of any procurement package in the Procurement Plan shall be made through updating of the Procurement Plan, and only with prior approval of ADB.

Eligibility

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

Participation in Bidding

Foreign bidders shall be eligible to participate in bidding under the same conditions as national bidders. Bidding shall not be restricted to any particular class of contractors, and non-classified contractors shall also be eligible to bid. Bidding shall not be subject to preregistration of firms or to mandatory attendance to briefing meeting or site visit and such limitation shall not be stated in the bidding documents as a condition for the submission of bids.

Sanctioning

Bidders shall not be declared ineligible or prohibited from bidding on the basis of barring procedures or sanction lists, except individuals and firms sanctioned by ADB, without prior approval of ADB.

Preferences

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

Prequalification

Post qualification shall be used unless prequalification is explicitly provided for in the Procurement Plan.

Advertising

Bidding of NCB contracts estimated at \$400,000 or more for goods and related services or \$1,000,000 or more for civil works shall be advertised on ADB's website. The borrower has the option of requesting ADB to post other notices in the ADB website.

Time for bid preparation

Invitations to bid shall allow sufficient time for the preparation and submission of bids but this shall be no less than a minimum of twenty-eight (28) days, such period to begin with the availability of the bid documents or the advertisement, whichever is later.

3. Bidding Documents

Standard Bidding Documents

Standard bidding documents, acceptable to ADB, shall be used. The bidding documents shall provide clear instructions on how bids should be submitted, how prices should be offered, and the place and time for submission and opening of bids.

Qualification Criteria

Qualification criteria shall be clearly specified in the bidding documents, and only criteria so specified, shall be used to determine whether a bidder is qualified. Qualification shall be assessed on a pass or fail basis and merits points shall not be used. Such assessment shall only take into account the bidder's capacity and resources to perform the contract, specifically its experience and past performance on similar contracts, capabilities with respect to personnel, equipment, and construction and manufacturing facilities and financial capacity. The evaluation of the bidder's qualifications should be conducted separately from the technical and commercial evaluation of the bid.

Bid Opening and Bid Evaluation

The following shall be observed:

- (i) Bids shall be opened in public, immediately after the deadline for submission of bids. The name of the bidder, the total amount of each bid, and any discounts shall be read aloud and recorded in the minutes of the public bid opening.
- (ii) Evaluation of bids shall be made in strict adherence to the Qualifications and Evaluation Criteria stipulated in the bidding documents.
- (iii) No bidder shall be rejected merely on the basis of a comparison with the employer's estimate and budget ceiling without ADB's prior concurrence.
- (iv) The Contract shall be awarded to the technically responsive bidder that offers the lowest evaluated price, and meets the qualifying criteria. In determining the lowest evaluated price, the following are to be considered: (i) bid price, as offered, (ii) arithmetical corrections on the bid price, if any, and (iii) other evaluation criteria stated in the bidding document that are quantified in monetary terms.

Rejection of all Bids and Rebidding

WAF shall not reject all bids and solicit new bids without ADB's prior concurrence. Even when only one or a few bids is/are submitted, the bidding process may still be considered valid if the bid was satisfactorily advertised and prices are reasonable in comparison to market values.

No Negotiations

There shall be no negotiations, even with the lowest evaluated bidder, without ADB's prior concurrence. A

bidder shall not be required, as a condition of award, to undertake obligations not specified in the bidding documents, or otherwise, to modify the bid as originally submitted.

Publication of the Award of Contract

Publication of the contract award should include: (a) name of each bidder who submitted a bid; (b) bid prices as read out at bid opening; (c) name and evaluated price of each bid; (d) name of bidders whose bids were rejected; and (e) name of the winning bidder; upon request, WAF shall inform unsuccessful bidders of the reasons of their rejection.

Handling of Complaints

If any complaint is received from any bidder in a contract award procedure using ADB funds, details of the complaint and complainant shall immediately be forwarded to ADB and WAF shall cooperate fully in any action ADB deems appropriate to take to mitigate its risk. WAF shall respond promptly in writing to unsuccessful bidders who seek explanations on the grounds on which their bids are not selected.

Fraud and Corruption

ADB shall 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 ADB determines that the firm or individual has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive or obstructive practices in competing for, or in executing, a contract financed by ADB.

Right to inspect/audit

Each bidding document and contract financed from the proceeds of ADB financing shall include a provision requiring bidders, suppliers, contractors and subcontractors to permit ADB to inspect their accounts and records relating to the bid submission and performance of the contract and to have said accounts and records audited by auditors appointed by ADB. The deliberate and material violation by the bidder, supplier, contractor or subcontractor of such provision may amount to obstructive practice.

ADB Policy Clauses

A provision shall be included in all NCB works and goods contracts financed by 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.

A provision shall be included in all bidding documents for NCB works and goods contracts financed by ADB stating that 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.

A provision shall be included in all bidding documents for NCB works and goods contracts financed by ADB stating that 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 ADB determines that the firm or individual has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive or obstructive practices or any integrity violation in competing for, or in executing, ADB-financed contract.