

PROCUREMENT CAPACITY ASSESSMENT

A. Introduction

1. As part of the project-preparation process, Asian Development Bank (ADB) requires an assessment of the capacity of the executing agency and implementing agencies to procure goods, works and consulting services, and recommendations to be made on actions required to address weakness or constraints. Specifically, the assessment exercise involves:
 - (i) evaluating the ability of existing executing agency and implementing agencies procurement processes to comply with ADB's procurement guidelines;
 - (ii) identifying the need for training and specific procurement arrangements (in resources or processes) to be adopted during project preparation and implementation, to develop staff competence and improve effectiveness, and to minimize implementation risks; and
 - (iii) defining the appropriate level of review, either prior or post by ADB.
2. The assessment has three components:
 - (i) The assessment of the general procurement environment.
 - (ii) A questionnaire completed by the executing agency and implementing agencies.
 - (iii) The preparation of a procurement capacity assessment report, including corrective recommendations.

B. Expected Procurement under the Project

3. The project will involve a broad range of procurement contracts covering consulting services, goods, and works contracts. There will be 17 goods contracts procured by international competitive bidding (ICB) (above \$1.0 million), three works contract procured by ICB (above \$10 million), one goods contract procured by national competitive bidding (NCB) (between \$0.1 million but less than \$1.0 million), and 18 works contracts procured by NCB (between \$0.1 million and \$10 million). There will be also three consulting service contracts, one by QCBS selection and two by individual consultant selection. The QCBS (90:10) method will be used to procure consulting services for the loan implementation.

C. Assessment of General Procurement Environment

4. The assessment of the general procurement environment for the People's Republic of China (PRC) is an exercise that is undertaken by ADB and updated normally on an annual basis. The ADB assessment is shown in **Table 1**.
5. This assessment is essentially to ascertain the level of risks (low, average, or high) associated with the procurement process. The main areas with high risks are identified:
 - (i) Existing procurement law makes no differentiation between procurement processes for consulting services and goods and/or works.
 - (ii) Lack of a procurement manual specifying how the legal requirements are translated into detail work procedures.
 - (iii) Lack of procurement accreditation or professionalization program.
6. However, the requirement to adhere to the procedures stated in ADB Procurement Guidelines will mitigate these risks to acceptable levels.

Table 1 : The National Procurement Environment

General Procurement Environment Assessment	Risk Assessed as:	Low	Average	High
1. Is there a procurement law? The answer to this is a simple yes or no, i.e. is there a single law governing procurement, which is representative of best practice or is procurement governed through various laws, decrees etc.? Assess this as either "high" or "low".		X yes		
2. Are the laws and regulations clear and concise? If there is no single law check "high", and similarly if the law is complex and difficult to follow check "average". If the law is easy to follow check "low".		X		
3. What does the law (or regulations applicable to procurement) cover? If there is a single law, "low" will apply when the law covers drafting and use of standard bidding documents evaluation, contracting, through to the management of contracts including payment, warranty, and defects liability periods. The less the procurement process is covered the higher the risk. If there is no single law, check "high".			X	
4. Does the law cover the procurement of consulting services? If consulting services are not covered or there is no law the risk is high, if they are covered the risk is low.			X	
5. Does the law differentiate between processes for consulting services and Goods/Works? If there is no law, or it applies the same processes to consulting services as for goods and works check high. If there is some differentiation but the processes are similar, check average. If consulting services are dealt with separately check low.			X	
6. Does the law require advertisement of all procurement opportunities? Low risk will be represented through advertisement all above \$25,000, average above all above \$100,000, high by no advertisement or advertisement at a higher threshold than \$100,000.		Requirements are different in different provinces and sectors		
7. Are contract awards advertised? The same thresholds as stated in question 6 should be applied.				
8. Are there restrictions on goods works and services on the basis of origin? If procurement is limited to solely national origin check high, if there are restrictions or a national preference scheme, average. If none, low.		X		
9. Do the law or relevant legislation and regulations provide acceptable provision for the participation of state owned enterprises? Only if the SOE is legally and financially autonomous and not a dependent agency of the purchaser low, other than this, high.				X
10. Are there restrictions on the nationality of bidders and consulting firms invited? If procurement is limited to solely national firms and individuals, check high; if there are restrictions or a national preference scheme, average. If none, low.		X		
11. Are foreign bidders and consultants forced to offer through or with local partners? If yes, high; in certain circumstances, average; never, low.			X	
12. Is there a domestic preference scheme? If there is across the board high, if applicable in limited circumstances, average, if none, low.		X		
13. Is there a national standard mandated for use for quality control purposes? No, or Yes with direct, accessible international equivalents low, yes without international equivalents, high.				X
14. Are any agencies exempt from the law? Such as the security forces, if yes high, also high if any types of goods are exempt from parts of the law such as medicines, text books or any other commodity.		For government procurement, yes; for general procurement, no.		

General Procurement Environment Assessment	Risk Assessed as:		
	Low	Average	High
15. Is the default method for procurement open competition? Either yes or no, and low or high.	X		
16. Is open procurement easily avoided? If the procurement law allows avoidance of open procurement above the national threshold on the basis of circumstances that are not in response to natural disasters, i.e. simple urgency, check high; if open procurement can be avoided by senior management decision average. If avoidance requires approval of an oversight agency, low.	X		
17. Do the rules and regulations require prequalification? Only for complex contracts, low; no contracts, average; all contracts, high.	X		
18. Do the rules and regulations require registration? If yes, high; if only for specialist goods such as medicines, average; if no registration, low.	Require company registered		
19. Are there systematic procurement process audits? Yes, low; only financial audits, average; none, high.		X	
20. Is there a national procurement manual or guide? A single procurement manual or guide, low; manual exists but out of date/not in wide use, average; none, high.	X		
21. Do the laws and regulations mandate the use of standard documents? Documents for goods, works, and consultants services, low; just for two of the three, average; only one or none, high.	Depend on sectors, some line ministries have standard documents		
22. Have these standard bidding documents been approved for use on ADB projects? Yes, low; some but not all, average; no, high.	X		
23. Do the regulations require the collection of nationwide statistics on procurement? Yes and statistics collected, low; yes but data not collected or used, average; no, high.			X
24. Is consolidated historical procurement data available to the public? Yes, low; too much or too little, average; no, high.			X
25. Do the procurement laws and regulations contain provisions for dealing with misconduct? Such as fraud and corrupt practices – the procurement law or regulations may include or cross refer to anticorruption legislation. Yes, low; no, high.	X		
26. Is fraud and corruption in procurement regarded as a criminal act? The penalties should include penal servitude (prison) yes, low; no high.	X		
27. Have there been prosecutions for fraud and corruption? If there have been successful prosecutions for fraud and corruption, low; if prosecutions seem to focus solely on low grade junior staff, average; none, high.	X		
28. Is there an alternative disputes resolution process independent of government and courts? If there is an arbitration law and independent process, low; if the standard contracts use ICC or similar dispute resolution, average; if arbitration is through the courts or can be overturned by courts, high.		X	
29. Does the law allow for sovereign immunity to the executing agency for claims against it? If plaintiffs can sue the government for contractual nonperformance, low; if they cannot, high.	X		
30. Do the regulations allow for black listing (disbarment) of firms and individuals? If there is no black listing process or the process is transparent and equitable and undertaken by an independent oversight agency, low. If there is a process and it is administered by a single line agency such as finance, average. If it is administered by the executing agency, high.	X		

General Procurement Environment Assessment	Risk Assessed as:	Low	Average	High
31. Which body oversees procurement? Independent body reporting to the elected body, low; single body reporting to the cabinet, average; no body or reports to a single state agency, such as the Prime Minister or Finance Minister, high.		By government at different levels		
32. What powers does the oversight body have? If the body can impose administrative sanctions on an executing agency and its staff and overturn contract awards including ministerial decisions, low. If the body only can impose sanctions through the head of the executing agency, average. If the body can only recommend action, high.			X	
33. Is there a nationwide procurement training plan? If procurement training is assessed and planned for nationwide, low. If this is delegated to line agencies, average. If there is no strategy or plan, high.			X	
34. Is there a procurement accreditation or professionalization program? An externally recognized program, low. A government sponsored program, average. None, high.				X
35. Are major projects identified within an agencies appropriation or budget? Yes low, no but a system in place for the ring-fencing of project funds average, neither low		X		
36. Is the procurement cycle tied to an annual budgeting cycle i.e. can procurement activity only commence once a budget is approved? No medium expenditure framework in place, low. Activity may start up to but excluding contract award, average; Yes tied to annual budget, high		Budget need to be approved, but may not be always on annual basis.		
37. Once an appropriation or budget is approved will funds be placed with the executing agency or can the executing agency draw them down at will? Yes, low. No (additional controls imposed such as cash release system), high.				X
38. Can an executing agency draw directly from a loan or imprest account or will it spend budgeted funds with the borrower claiming reimbursement? Draws directly, low; from budgeted funds, high.		Both		
39. When an executing agency is implementing a project using funds from the national budget has a delay in funding significantly delayed procurement? No or not applicable, low; yes, high.			X	

D. Executing Agency's Procurement Capacity Assessment

7. The procurement questionnaire as shown in Annex 1 was used to assess Jilin provincial project management office (PMO). The PMO was established under Jilin provincial executive order dated 22 May 2006 (79–2006). The PMO is headed by the director of Jilin Provincial Housing and Urban Construction Department. Four full-time staff, including a full-time deputy director, are assigned to the PMO in charge of the daily operation. The PMO was established under Jilin Provincial Housing and Urban Construction Department, and will take the lead for the procurement process for the entire project. The PMO will engage a tendering company to assist in procurement for all subprojects in Baicheng and Baishan. The PMO will coordinate with the consultants and the design institute for bidding document preparation, bidding process, bidding evaluation, prepare and submit bidding evaluation reports to ADB for endorsement. The procurement capacity is evaluated through interviews and the questionnaire as divided into five subsections:

- (i) general resources: staffing and equipment;
- (ii) procurement processes for goods and works: preparation of bid documents and tendering process;
- (iii) procurement processes for consulting services: consultant selection procedure;
- (iv) process oversight and control: checks-and-balance and contract administration; and
- (v) record keeping.

1. Assessment of General Resources

8. The PMO staff have experience with procurement of urban infrastructure development for domestic funded project, and also have some years' experience on procurement for ADB financed projects. Though there are only four people, they are quite capable and efficient, and know well how to utilize the consultant resources to realize good control of the project progress, cost, and quality. A mature project management mechanism has been established, and relevant training has been conducted to ensure that they could adequately coordinate and guided in the implementation of the procurement plan.

9. The capacity constraint due to inadequacy knowledge of procurement staff could result in delays or mistakes in directing and coordinating engineering design, bidding document preparation, bidding process, bidding evaluation, etc. during the procurement process. The loan implementation consultant is indispensable for successful implementation of the loan project, which should be engaged by the executing agency to provide additional resources in assisting the executing agency and implementing agencies in complying with the loan agreement terms as regards procurement, project management, and other aspects. Even before the engagement of the loan implementation consultant, additional procurement support either from project preparatory technical assistance (PPTA) or other resources especially in bidding document preparation, will be required to assist the PMO and implementing agencies for the early stage of the procurement process.

2. Assessment of Procurement Processes for Goods and Works

10. Responses to the questionnaire show a systematic process is not yet fully in place for preparing bid documents, bids evaluation, and contract award. The PMO is not full of engineering knowledge. It is understood that the executing agency will hire a design institute to prepare the preliminary and construction drawing designs, and engage a tendering company to assist the preparation of the bidding documents and bidding process. The common practice in

the PRC is that the design institute will prepare the detailed design drawings and the bills of quantities as the technical parts of the bidding documents, while the tendering company will prepare the commercial part of the bidding documents. However, since the bidding documents for the foreign-funded projects require the full technical specifications and much more detailed bills of quantities, the domestic design institutes and PMO staff are usually not able to complete the technical bidding documents to the quality required for the foreign-funded projects. An extensive support from ADB shall be provided to ensure the implementation of the project. Since both design institute and the tendering company are usually not familiar with ADB funded projects, it is necessary to include experienced procurement specialists both in the implementation consultant team and prior to the engagement of the implementation consultants to help the executing agency and implementing agencies prepare bidding documents and help in bidding process. The "Bid Evaluation Committee" composed of the owner's representatives and selected experts external to the organization will decide the successful bidder. The procedure is in principle satisfactory so long as the additional procedures specified in the ADB Procurement Guidelines are also complied with.

11. Due to the lack of engineering background in the implementation of procurement for this kind of complex project, and lack of capacity in preparing the technical parts of the bidding documents involved in the project, it is recommended that the capacity building program for the PMO should include experienced procurement specialists with adequate input assisting bidding document preparation and procurement training.

12. During project implementation, the loan implementation consultant should provide on-the-job training on procurement, review the design documents from the design institute and provide assistance in prepare and review the bid documents and update them using ADB standard bidding documents to ensure compliance with ADB requirements, and in addressing ADB's comments during the tendering process.

3. Assessment on Procurement Processes for Consulting Services

13. Based on discussions and interviews of the PMO management and staff, it is concluded that they have some experience of procuring a consulting firm for implementation of the Project. It is suggested that ADB provide guidance to the PMOs during recruiting the consulting firm process. It's recommended that the consulting firm is recruited as soon as possible, certainly before the civil works and equipment contracts are awarded.

4. Assessment of Process Control and Oversight

14. Based on interviews and surveys, PMO staff is familiar with domestic procurement process for recruiting consulting services. There are well established national and local guidelines and regulations to engage consultants for the domestic consulting services. The staff attended procurement trainings provided by ADB and other government agencies and with knowledge for ADB procurement process for consulting services. It appears that control and oversight will be established:

- (i) Separate agencies are involved in approving bid documents, tender recommendations, etc.
- (ii) There are procedures for dealing with invoicing, payment, and nonpayment.
- (iii) Declaration of conflict of interest in procurement process will be required.

15. However, closely monitoring and detailed instructions to the PMO during the procurement process will be required. Additional controls by ADB through its reviews and approvals of bidding documents, instructions to the bidding process and contracts serve to

ensure fairness, and openness in procurement and compliance with ADB's procurement principles.

5. Assessment of Record Keeping

16. From responses received, it appears that a reasonable record system will be established for safekeeping the original contracts, copies of bids and bid evaluation, and contract administration documents. However, the importance of book keeping and clearly defined filing system shall be addressed to PMO's and the filing system shall be enhanced through capacity development and training.

E. Procurement Capacity of Implementing Agencies

17. There are two implementing agencies for the project, Baicheng Municipal Government and Baishan Municipal Government. The primary role of each implementing agency is to carry out the construction of the subproject in each city, and they are responsible for project construction management, supervision, quality control, etc. The implementing agency (**IA1**) for Baicheng subproject is Baicheng Municipal Government and the project implementation unit (PIU) under BCMG is Baicheng Economic Development Zone Investment & Development Company (BIDC), which is responsible for the construction of the subcomponents of Baicheng integrate solid waste management and Western Area Urban Road & Municipal Services. BIDC is a city-owned enterprise established by Baicheng Economic Development Zone in 2004 with the targeted service sectors of urban infrastructure development, real estate development, municipal services, and other business activities. Currently, there are one full-time and two part-time staff in procurement department. The company is familiar with the procurement process for the domestic construction projects, but does not have any experience working with foreign-funded projects.

18. The implementing agency for Baishan subproject, **IA2**, is Baishan Municipal Government. The subproject have two project implementation units. One is Baishan Solid Waste Disposal Company, responsible for the implementation of the subcomponent, integrated solid waste management. The company is a city-owned enterprise established by Baishan HUCB in 2004, which focus in assisting the county government to carry out urban development, urban infrastructure, and municipal service facility construction, real estate development, and other business activities. Baishan Xibeicha Qiyuan Hydropower Corporation (Baishan Qiyuan) is responsible for the implementation of the subcomponent, water supply. There are two part-time staff in the procurement department. Baishan Qiyuan is a city-owned enterprise established by Baishan Water Bureau in 2010 with two part-time staff in the procurement department. Both the company staff are well-experienced in domestic procurement process but does not have any experience in foreign-funded projects.

19. Based on the responses from the procurement capacity assessment questionnaires for the three implementing agencies' PIUs (Annex 2 to Annex 4), the procurement capacities of all implementing agency PIUs have been assessed and evaluated in the four aspects and the results are summarized in the followings:

1. Assessment of General Resources

20. The staffs from all three implementing agencies have certain experience with the procurement of urban infrastructure development for domestic funded project, but they do not have experience for procurement for foreign-funded urban development projects. The staffs are in general lack of knowledge and experience for ADB procurement procedures, bidding document preparation, and procurement process.

2. Assessment of Procurement Processes for Goods and Works

21. The staff from all three implementing agencies are familiar with domestic procurement process and experienced dealing with domestic urban development projects. However, the responses to the questionnaire show a systematic process is not yet fully in place for preparing bid documents, bids evaluation and contract award as required by ADB procurement procedures. In particular, the staffs do not have knowledge of bidding document preparation and ADB procurement procedures. Since both design institute and the tendering company are not familiar with ADB funded projects, it is necessary to include experienced procurement specialists both in the implementation consultant team and prior to the engagement of the implementation consultants to help the executing agency and implementing agencies prepare bidding documents and help in bidding process.

3. Assessment on Procurement Processes for Consulting Services

22. Based on the responses to the questionnaires to all three implementing agencies, it is concluded that the management staff from three implementing agencies have limited experience in recruiting consulting service for domestic projects but no experience of procuring a consulting firm for implementation of the project.

4. Assessment of Process Control and Oversight

23. Based on interviews and surveys, the implementing agency staff are familiar with domestic procurement process for recruiting consulting services. There are well established national and local guidelines and regulations to engage consultants for the domestic consulting services. It appears that control and oversight will be established:

- (i) Separate agencies are involved in approving bid documents, tender recommendations, etc.
- (ii) There are procedures for dealing with invoicing, payment, and non-payment.
- (iii) Declaration of conflict of interest in procurement process will be required.

5. Assessment of Recordkeeping

24. Similar to the executing agency and/or PMO, it appears that a reasonable record system will be established for safekeeping the original contracts, copies of bids and bid evaluation, and contract administration documents. However, the importance of book keeping and clearly defined filing system shall be addressed to implementing agencies and the filing system shall be enhanced through capacity development and training.

25. There are two aspects to procurement capacity as far as implementing agencies are concerned. First, the implementing agencies need to have the organization setup and resources and technical knowledge to handle the procurement processes. Second, it is necessary to examine the current procurement processes adopted to see how well these are aligned with ADB Procurement Guidelines. The implementing agencies are mainly concerned with the procurement of contractors in accordance with the Procurement Plan developed during the PPTA and updated regularly thereafter.

26. The assessment indicates that implementing agencies have some relevant experience, but they are lack of experience and knowledge for the procurement of goods and works for internationally financed project. Some implementing agency staff received training in ADB procedures during the PPTA process.

27. The implementing agencies follow the procurement processes spelled out in governing documents, notably the 'PRC Tendering Law' in accordance with established administrative procedures. Key processes adopted relating to procurement of contractors for goods and works are as follows:

- (i) Design institute to develop construction drawings, bills of quantities, and a brief technical design notes, which is far too simplified in comparison to the full contract technical specifications used in the developed countries.
- (ii) Tendering agency to draft commercial part of the bidding documents following ADB standard.
- (iii) PMOs to approve contract documents.
- (iv) Procedures in place for tender notification, submission, and rejection.
- (v) Tender evaluation by a committee composed of the owner and selected experts.
- (vi) Need for personnel involved to declare any potential conflict of interest.
- (vii) Requirement for external approval of major procurement decisions.
- (viii) Requirement for written narratives for procurement decisions.
- (ix) Monitoring of contractual performance and fulfillment of payment obligations.
- (x) Requirement for safe keeping of original contract and contract correspondence.

28. The assessment also reveals that there is no procurement manual available to guide detail operations, and that the implementing agencies have no previous experience with ADB funded projects. Therefore, more procurement training is necessary and capacity of procurement must be enhanced.

F. Summary of Assessment and Recommendations

29. The Jilin Provincial PMO is responsible for the procurement of the consulting services for the project implementation, and the PMO is also responsible to provide guidance and coordinate with the two implementing agencies to procure all construction contracts for the three subprojects and provides oversight of contract management. The PMO will coordinate and manage the preparation of bid documents by the design institute (technical part) and the tendering company (commercial part), organize bid evaluation, coordinate for contract award and signing of contracts. Subsequently the PMO will coordinate with implementing agencies to provide contract administration and record keeping. The two implementing agencies under the guidance of PMO will carry out procurement preparation activities and contract management activities, including working with the design institute and the loan implementation consultant to prepare the technical part of the bidding documents, provide project specified contract document requirements, construction and contract management and construction supervision.

30. Based on the evaluation of the executing agency and implementing agencies and the responses to the procurement capacity questionnaires, the general findings of the assessment are as follows:

- (i) The PMO and the three implementing agencies have established procurement units/divisions, and the staffs are experienced in procurement for domestic urban infrastructure projects, but they do not have much procurement experience for foreign-funded including ADB projects.
- (ii) The PMO has certain experience in procurement for consulting service contracts for domestic projects, and some experience for foreign-funded projects.
- (iii) The implementing agencies have adequate technical resources to handle Water supply and urban infrastructure components, but they do not have experience in

procurement, contract management, and construction management for foreign-funded projects.

- (iv) Rules and regulations will be in place within the PMO and implementing agencies for handling the various stages of procurement from bid document preparation, bid evaluation, contract award and administration ensuring fairness and a reasonable degree of check-and-balance during the procurement process. Safe record keeping for contract documentations will also be provided for. However there is no detail procurement manual to guide detail operations.
- (v) The implementing agencies lack of expertise in bidding document preparation for foreign-funded including ADB projects. The common domestic practice for urban infrastructure construction does not need the PMO and/or implementing agencies get involved in the bidding document preparation as those are prepared by the design institute and the tendering company. However, for the foreign-funded projects, the comprehensive technical bidding documents including bills of quantities, specifications and construction drawings are required. The common design institutes are usually do not have the expertise and experience to prepare them.
- (vi) The implementing agencies have not implemented ADB projects before and therefore are unfamiliar with ADB procurement requirements and procedures, in particular if special actions are required for advance contracting and retrospective financing.

31. Based on the above assessment for the current procurement capacity for the executing agency and implementing agencies, the potential risks and other constraints associated with procurement are summarized as follows:

- (i) Due to lack of procurement capacity in dealing with foreign-funded and ADB project, it is expected to take longer time for the PMO and implementing agencies to learn and to get familiar with ADB procurement policies and procedure, especially during the early stage of the project implementation, including the contracts for advance contracting and retroactive financing.
- (ii) As implementing agencies have no international procurement experience and have no staff with good command of professional English, it is difficult to ensure high quality English bidding documents for international bids.
- (iii) Lack of a detail procurement manual in the implementing agencies make it difficult to ensure all work performed by the individual implementing agencies are consistent and to the same format and quality, and this in turns makes supervision and coordination difficult. Adoption of the ADB Procurement Guidelines providing standard detail procedures will mitigate these risks.
- (iv) The PMO and/or implementing agencies as well as the design institute do not have expertise and capacity to prepare bidding documents meeting ADB procurement procedure requirements since the comprehensive technical bidding documents are not required for common domestic projects.

32. Based on the assessment and previous working experience with the municipal governments in similar size and natures, the following recommended measures to mitigate risks and facilitate procurement are proposed:

- (i) The loan implementation consultant to be engaged by the executing agency should include building procurement capacity, providing on-the-job training to PMO and implementing agencies procurement staff on ADB requirements and procedures, and providing technical assistance in terms of review of detail design and bid documents, review of bid evaluation report, and addressing ADB's comments on relevant documents.
- (ii) The training for procurement capacity shall be provided in the project preparation stage, i.e. during PPTA to the executing agency and implementing agencies

- procurement staffs so that they can get familiar with ADB procurement policies and procedures to ensure efficient implementation of the project.
- (iii) After the completion of PPTA and before the mobilization of the loan implementation consultants, there is a period of time up to six or more months when there are no consultants help the executing agency and implementing agencies, and which is also the period that the bidding documents for the early contracts need to be prepared. It is recommended that an experienced procurement specialist team should be engaged, either from PPTA consultants or independent consultants, to help the executing agency and implementing agencies in bidding document preparation, bidding process, bid evaluation and other procurement related tasks.
 - (iv) The common practice in PRC is to hire a tendering company to handle bidding process. The tendering company can only assist the owner in preparing commercial part of the bidding documents and help the owner to carry out the bidding process. It is important to ask PMO and/or implementing agencies to engage a tendering company that have previous foreign-funded and ADB project experience.
 - (v) There is a need for assurance of ADB's Guidelines on procurement. This will be in the form of 'Prior Review' by ADB in accordance with the agreed Procurement Plan. Prior review will be required for all ICB contracts, the first NCB contract for civil works, and the first NCB contract for goods for each implementing agency. Post review will be applied to other procurement packages.
 - (vi) Extensive training on procurement will be necessary to reinforce understanding and compliance with ADB's Guidelines. Prior to the recruitment of procurement specialist and/or consulting firm, the staff from the PMO and implementing agencies should seek opportunities to participate ADB or World Bank procurement training and workshops. Special training and workshops provided by the loan implementation consultant, and also by the ADB procurement specialist.

33. Nevertheless, it must be recognized that in the PRC, the procurement under externally funded projects is handled through a certified procurement agent system, which requires the project executing agency to engage a certified international tendering company as its agent to handle the loan-funded procurement operations. The procurement agent is engaged through national competitive procedures. The service is normally financed by domestic funding sources. The qualification of the certified international tendering companies is subject to the licensing requirements of the government. As indicated previously, the tendering company can only assist the executing agency and implementing agencies in preparing the commercial part of the bidding document and the bidding process, and they are not capable to prepare the technical bidding documents, rather this is the task to be completed by the executing agency and implementing agencies with the supports from the design institute and the consultants from the loan implementation firm or PPTA consultants.

ANNEX 1
Capacity Assessment Questionnaire – Executing Agency/PMO

Part A: General Resource Assessment	Response
A.1. Is there a procurement department?	yes
A.2. What procurement does it undertake?	works , consulting service
A.3. Are the staff provided with written job descriptions?	no
A.4. How many years experience does the head of the procurement unit have in a direct procurement role?	6 years
A.5. How many staff in the procurement department are:	
i) Full-time?	
ii) Part-time?	
iii) Seconded?	2
A.6. At what level does the department report (to the head of agency, deputy etc.)?	head of agency
A.7. Do the staff that will be involved with the procurement have English language skills sufficient to undertake international procurement?	yes
A.8. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	no
A.9. Does the unit have adequate facilities such as PCs, internet connections, photocopy facilities, printers etc. to undertake the expected procurement?	yes
A.10. Is there a procurement training program?	yes
Part B: Procurement Processes: Goods and Works	
B.1. Has the agency undertaken foreign assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes funded by whom and name of the Project)	no
B.2. If the above is yes, what were the major challenges?	n/a
B.3. Is there a procurement process manual for goods and works?	Yes
B.4. If there is a manual is it up to date and does it cover foreign assisted procurement?	Yes
B.5. Is there a systematic process to identify procurement requirements (1 year or more)?	No
B.6. Who drafts the specifications?	n/a
B.7. Who approves the specification?	n/a
B.8. Are there standard bidding documents in use and have they been approved for use on ADB funded projects?	No
B.9. Who drafts the bidding documents?	bidding agency for commercial part, nobody for technical part
B.10. Who manages the sale of the document?	PMO
B.11. Are all queries from bidders replied to in writing?	yes
B.12. Is there a minimum period for preparation of bids and if yes how long?	20 days
B.13. Does the bidding document state the date and time of opening and how close is it to the deadline for submission?	28 days
B.14. Is the opening public?	yes
B.15. Can late bids be accepted?	no
B.16. Can bids be rejected at bid opening?	no
B.17. Are minutes taken?	yes
B.18. Who may have a copy of the minutes?	the trading center
B.19. Are the minutes free of charge?	yes
B.20. Who undertakes the evaluation (individual(s), permanent committee, ad-hoc committee)?	Selected experts from the pool of experts, and IA representatives
B.21. What are the qualifications of the evaluators in respect to procurement and the goods and works under evaluation?	experts from the pool of experts
B.22. Is the decision of the evaluators final or is the evaluation subject to additional approvals?	It's final
B.23. Using at least three real examples how long between the issue of the invitation for bids and contract effectiveness?	32 days
B.24. Are there processes in place for the collection and clearance of cargo through ports of entry?	no
B.25. Are there established goods receiving procedures?	no
B.26. Are all goods received recorded as assets or inventory in a register or similar?	yes
B.27. Is the agency / procurement department familiar with letters of credit?	no

Part A: General Resource Assessment	Response
B.28.Does the procurement department register and track warranty and latent defects liability periods?	yes
Part C: Procurement Processes: Consulting Services	
C.1.Has the agency undertaken foreign assisted procurement of consulting services recently (last 12 months, or last 36 months)?	no
C.2.If the above is yes what were the major challenges?	n/a
C.3.Is there a procurement process manual for consulting services procurement?	Yes
C.4.Is the manual up to date and does it cover foreign assisted projects?	Yes
C.5.Who identifies the need for consulting services requirements?	Executing agency /PMO and implementing agencies
C.6.Who drafts the ToR?	PPMO, IA and bidding agency
C.7.Do the ToR follow a standard format such as background, tasks, inputs, objectives and outputs?	No
C.8.Who prepares the request for proposals?	PPMO
C.9.Are assignments advertised and expressions of interest called for?	Yes
C.10.Is a consultants' selection committee formed with appropriate individuals in terms of procurement and technical expertise?	Yes
C.11.What criteria are used to evaluate EOIs?	commitment and cost
C.12.Historically what is the most common method used (QCBS, QBS etc.)?	QBS
C.13.Do firms have to pay for the proposal document?	Some firms do
C.14.Do the evaluative criteria follow a pre-determined structure and are they detailed in the RFP?	No
C.15.Are pre-proposal visits and meetings arranged?	yes
C.16.Are minutes prepared and circulated after pre-proposal meetings?	yes
C.17.To who are minutes distributed?	Attendants
C.18. Are all queries from consultants answered to in writing?	Yes
C.19.Are the financial and technical proposals in separate envelopes?	yes
C.20.Are proposal securities required?	no
C.21.Are technical proposals opened in public?	No
C.22.Do the financial proposals remain sealed until technical evaluation is completed?	yes
C.23.Are minutes of technical opening distributed?	yes
C.24.Who determines the final technical ranking and how?	Experts committee , and by the scores
C.25.Are the technical scores published and sent to all firms?	no
C.26.Is the financial proposal open in public?	no
C.27.Are there minutes taken and distributed of financial proposal opening?	yes
C.28.How is the financial evaluation completed?	Use the procedure and formula in the bidding documents to calculate
C.29.Are face to face contract negotiations held?	Yes
C.30.How long after financial evaluation is the selected firm to negotiate?	7 days
C.31.What is the usual basis for negotiation?	bidding documents and other related documents
C.32.Are minutes of negotiation taken and signed?	No
C.33.How long after negotiations until the contract is signed?	within 30 days
C.34.Are advance payments made?	Yes
C.35.Is there an evaluation system for measuring the outputs of consultants?	No
Part D: Process Oversight and Control	
D.1.Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	Yes
D.2.Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	No
D.3.Is the commencement of procurement dependent on external approvals (formal or de-facto) outside of the budgeting process?	No
D.4.Who approves procurement transactions and do they have procurement experience and qualifications?	yes
D.5.Which of the following actions require approval outside of the procurement unit or a permanent evaluation committee and who grants the approval?	Varies from case to case
a)Bidding document, invitation to pre-qualify or request for proposal	
b)Advertisement of an invitation for bids, pre-qualification or call for expressions of interest	

Part A: General Resource Assessment	Response
c)Evaluation reports	
d)Notice of award	
e)Invitation to consultants to negotiate	
f)Contracts	
D.6.Is contractual performance systematically monitored and reported upon?	yes
D.7.Does the agency monitor and track its contractual payment obligations?	Yes
D.8.On average how long is it between receiving a firm's invoice and making payment?	within 5 days
D.9.What is the standard period for payment included in contracts?	
D.10.When payment is made late are the beneficiaries paid interest?	No
D.11.Are payments authorized by the same individuals empowered to approve invitation documents, evaluations and contracts?	Yes
D.12.Is there a written auditable trail of procurement decisions attributable to individuals and committees?	Yes
D.13.Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default / withheld payment?	Yes
D.14.Is there a formal non-judicial mechanism for dealing with complaints?	Yes
D.15.Is a complaints resolution mechanism described in national procurement documents?	not seen
Part E: Records Keeping	
E.1.Is there a referencing system for procurement files?	Yes
E.2.Are original contracts secured in a fire and theft proof location?	Yes
E.3.Are copies of bids or proposals retained with the evaluation?	Yes
E.4.Are copies of the original advertisements retained with the pre-contract papers?	Yes
E.5.Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	yes
E.6.Are copies of invoices included with contract papers?	No
E.7.For what period are records kept?	Permanent

ANNEX 2

Capacity Assessment Questionnaire – Baicheng Implementing Agency/PIU1 Baicheng Economic Development Zone Investment and Development Company Limited

Part A: General Resource Assessment	Response
A.1.Is there a procurement department?	yes
A.2.What procurement does it undertake?	works procurement
A.3.Are the staff provided with written job descriptions?	no
A.4.How many years experience does the head of the procurement unit have in a direct procurement role?	8 years
A.5.How many staff in the procurement department are:	1
i) Full Time?	2
ii) Part Time?	
iii) Seconded?	
A.6.At what level does the department report (to the head of agency, deputy etc.)?	head of agency
A.7.Do the staff that will be involved with the procurement have English language skills sufficient to undertake international procurement?	yes
A.8.Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	yes
A.9.Does the unit have adequate facilities such as PCs, internet connections, photocopy facilities, printers etc. to undertake the expected procurement?	yes
A.10. Is there a procurement training program?	yes
Part B: Procurement Processes: Goods and Works	

B.1.Has the agency undertaken foreign assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes funded by whom and name of the Project)	no
B.2.If the above is yes, what were the major challenges?	
B.3.Is there a procurement process manual for goods and works?	yes
B.4.If there is a manual is it up to date and does it cover foreign assisted procurement?	Yes
B.5.Is there a systematic process to identify procurement requirements (1 year or more)?	yes
B.6.Who drafts the specifications?	procurement specialists
B.7.Who approves the specification?	head of agency
B.8.Are there standard bidding documents in use and have they been approved for use on ADB funded projects?	yes
B.9.Who drafts the bidding documents?	bidding agency
B.10.Who manages the sale of the document?	bidding agency
B.11.Are all queries from bidders replied to in writing?	yes
B.12.Is there a minimum period for preparation of bids and if yes how long?	20 days
B.13.Does the bidding document state the date and time of opening and how close is it to the deadline for submission?	Yes, and 15 days
B.14.Is the opening public?	yes
B.15.Can late bids be accepted?	no
B.16.Can bids be rejected at bid opening?	no
B.17.Are minutes taken?	yes
B.18.Who may have a copy of the minutes?	bidding agent, and it's management agency
B.19.Are the minutes free of charge?	yes
B.20.Who undertakes the evaluation (individual(s), permanent committee, ad-hoc committee)?	specialists in database
B.21.What are the qualifications of the evaluators in respect to procurement and the goods and works under evaluation?	specialists in database
B.22.Is the decision of the evaluators final or is the evaluation subject to additional approvals?	final
B.23.Using at least three real examples how long between the issue of the invitation for bids and contract effectiveness?	30 days
B.24.Are there processes in place for the collection and clearance of cargo through ports of entry?	yes
B.25.Are there established goods receiving procedures?	yes
B.26.Are all goods received recorded as assets or inventory in a register or similar?	yes
B.27.Is the agency / procurement department familiar with letters of credit?	yes
B.28.Does the procurement department register and track warranty and latent defects liability periods?	yes
Part C: Procurement Processes: Consulting Services	
C.1.Has the agency undertaken foreign assisted procurement of consulting services	no

recently (last 12 months, or last 36 months)?	
C.2.If the above is yes what were the major challenges?	
C.3.Is there a procurement process manual for consulting services procurement?	yes
C.4.Is the manual up to date and does it cover foreign assisted projects?	yes
C.5.Who identifies the need for consulting services requirements?	head of agency
C.6.Who drafts the ToR?	procurement agency
C.7.Do the ToR follow a standard format such as background, tasks, inputs, objectives and outputs?	Yes, international procurement practice
C.8.Who prepares the request for proposals?	procurement specialists
C.9.Are assignments advertised and expressions of interest called for?	yes
C.10.Is a consultants' selection committee formed with appropriate individuals in terms of procurement and technical expertise?	yes
C.11.What criteria are used to evaluate EOIs?	impute and cost
C.12.Historically what is the most common method used (QCBS, QBS etc.)?	QBS
C.13.Do firms have to pay for the proposal document?	yes
C.14.Do the evaluative criteria follow a pre-determined structure and are they detailed in the RFP?	yes
C.15.Are pre-proposal visits and meetings arranged?	yes
C.16.Are minutes prepared and circulated after pre-proposal meetings?	yes
C.17.To who are minutes distributed?	procurement agency
C.18. Are all queries from consultants answered to in writing?	yes
C.19.Are the financial and technical proposals in separate envelopes?	yes
C.20.Are proposal securities required?	no
C.21. Are technical proposals opened in public?	yes
C.22.Do the financial proposals remain sealed until technical evaluation is completed?	yes
C.23.Are minutes of technical opening distributed?	yes
C.24.Who determines the final technical ranking and how?	Bid committee according to the score of the bidding document
C.25.Are the technical scores published and sent to all firms?	yes
C.26.Is the financial proposal open in public?	yes
C.27.Are there minutes taken and distributed of financial proposal opening?	yes
C.28.How is the financial evaluation completed?	hire financial specialists
C.29.Are face to face contract negotiations held?	yes
C.30.How long after financial evaluation is the selected firm to negotiate?	within 7 days
C.31.What is the usual basis for negotiation?	Bidding documents, bid-winning notice, etc.
C.32.Are minutes of negotiation taken and signed?	yes
C.33.How long after negotiations until the contract is signed?	Within 30 days
C.34.Are advance payments made?	yes
C.35.Is there an evaluation system for measuring the outputs of consultants?	yes
Part D: Process Oversight and Control	

D.1. Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	yes
D.2. Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	yes
D.3. Is the commencement of procurement dependent on external approvals (formal or de-facto) outside of the budgeting process?	yes, de-facto
D.4. Who approves procurement transactions and do they have procurement experience and qualifications?	Authorization to specialists. Yes.
D.5. Which of the following actions require approval outside of the procurement unit or a permanent evaluation committee and who grants the approval?	All need to be approved by the committee
a) Bidding document, invitation to pre-qualify or request for proposal	
b) Advertisement of an invitation for bids, pre-qualification or call for expressions of interest	
c) Evaluation reports	
d) Notice of award	
e) Invitation to consultants to negotiate	
f) Contracts	
D.6. Is contractual performance systematically monitored and reported upon?	yes
D.7. Does the agency monitor and track its contractual payment obligations?	yes
D.8. On average how long is it between receiving a firm's invoice and making payment?	within 5 days
D.9. What is the standard period for payment included in contracts?	10 days
D.10. When payment is made late are the beneficiaries paid interest?	no
D.11. Are payments authorized by the same individuals empowered to approve invitation documents, evaluations and contracts?	no
D.12. Is there a written auditable trail of procurement decisions attributable to individuals and committees?	yes
D.13. Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default / withheld payment?	yes
D.14. Is there a formal non-judicial mechanism for dealing with complaints?	yes
D.15. Is a complaints resolution mechanism described in national procurement documents?	yes
Part E: Records Keeping	
E.1. Is there a referencing system for procurement files?	yes
E.2. Are original contracts secured in a fire and theft proof location?	yes
E.3. Are copies of bids or proposals retained with the evaluation?	yes
E.4. Are copies of the original advertisements retained with the pre-contract papers?	yes
E.5. Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	yes
E.6. Are copies of invoices included with contract papers?	no
E.7. For what period are records kept?	The entire procurement process

ANNEX 3
Capacity Assessment Questionnaire –Baishan Implementing Agency/PIU2
Baishan Solid Waste Disposal Company Limited

Part A: General Resource Assessment	Response
A.1. Is there a procurement department?	yes
A.2. What procurement does it undertake?	construction material, equipment
A.3. Are the staff provided with written job descriptions?	no
A.4. How many years experience does the head of the procurement unit have in a direct procurement role?	6 years
A.5. How many staff in the procurement department are:	
i) Full Time?	
ii) Part Time?	2
iii) Seconded?	
A.6. At what level does the department report (to the head of agency, deputy etc.)?	Head of agency
A.7. Do the staff that will be involved with the procurement have English language skills sufficient to undertake international procurement?	no
A.8. Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	no
A.9. Does the unit have adequate facilities such as PCs, internet connections, photocopy facilities, printers etc. to undertake the expected procurement?	yes
A.10. Is there a procurement training program?	no
Part B: Procurement Processes: Goods and Works	
B.1. Has the agency undertaken foreign assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes funded by whom and name of the Project)	no
B.2. If the above is yes, what were the major challenges?	n/a
B.3. Is there a procurement process manual for goods and works?	no
B.4. If there is a manual is it up to date and does it cover foreign assisted procurement?	no
B.5. Is there a systematic process to identify procurement requirements (1 year or more)?	no
B.6. Who drafts the specifications?	n/a
B.7. Who approves the specification?	n/a
B.8. Are there standard bidding documents in use and have they been approved for use on ADB funded projects?	no
B.9. Who drafts the bidding documents?	bidding agency for commercial part, nobody for technical part
B.10. Who manages the sale of the document?	PMO
B.11. Are all queries from bidders replied to in writing?	yes
B.12. Is there a minimum period for preparation of bids and if yes how long?	Yes, 20 days
B.13. Does the bidding document state the date and time of opening and how close	Yes, 28 days

is it to the deadline for submission?	
B.14.Is the opening public?	No
B.15.Can late bids be accepted?	No
B.16.Can bids be rejected at bid opening?	No
B.17.Are minutes taken?	Yes
B.18.Who may have a copy of the minutes?	Bidding center
B.19.Are the minutes free of charge?	yes
B.20.Who undertakes the evaluation (individual(s), permanent committee, ad-hoc committee)?	specialists and implementing agency
B.21.What are the qualifications of the evaluators in respect to procurement and the goods and works under evaluation?	specialists
B.22.Is the decision of the evaluators final or is the evaluation subject to additional approvals?	It's final
B.23.Using at least three real examples how long between the issue of the invitation for bids and contract effectiveness?	32 days
B.24.Are there processes in place for the collection and clearance of cargo through ports of entry?	no
B.25.Are there established goods receiving procedures?	no
B.26.Are all goods received recorded as assets or inventory in a register or similar?	yes
B.27.Is the agency / procurement department familiar with letters of credit?	no
B.28.Does the procurement department register and track warranty and latent defects liability periods?	yes
Part C: Procurement Processes: Consulting Services	
C.1.Has the agency undertaken foreign assisted procurement of consulting services recently (last 12 months, or last 36 months)?	no
C.2.If the above is yes what were the major challenges?	
C.3.Is there a procurement process manual for consulting services procurement?	no
C.4.Is the manual up to date and does it cover foreign assisted projects?	no
C.5.Who identifies the need for consulting services requirements?	EA/PMO and International practice
C.6.Who drafts the ToR?	PPMO, implementation agency, and bidding agency
C.7.Do the ToR follow a standard format such as background, tasks, inputs, objectives and outputs?	no
C.8.Who prepares the request for proposals?	PPMO
C.9.Are assignments advertised and expressions of interest called for?	yes
C.10.Is a consultants' selection committee formed with appropriate individuals in terms of procurement and technical expertise?	yes
C.11.What criteria are used to evaluate EOIs?	input and cost
C.12.Historically what is the most common method used (QCBS, QBS etc.)?	QBS
C.13.Do firms have to pay for the proposal document?	no
C.14.Do the evaluative criteria follow a pre-determined structure and are they	no

detailed in the RFP?	
C.15.Are pre-proposal visits and meetings arranged?	yes
C.16.Are minutes prepared and circulated after pre-proposal meetings?	yes
C.17.To who are minutes distributed?	Chairman, general manager
C.18. Are all queries from consultants answered to in writing?	yes
C.19.Are the financial and technical proposals in separate envelopes?	yes
C.20.Are proposal securities required?	no
C.21.Are technical proposals opened in public?	no
C.22.Do the financial proposals remain sealed until technical evaluation is completed?	yes
C.23.Are minutes of technical opening distributed?	yes
C.24.Who determines the final technical ranking and how?	Permanent committee, according to the evaluation criteria
C.25.Are the technical scores published and sent to all firms?	no
C.26.Is the financial proposal open in public?	no
C.27.Are there minutes taken and distributed of financial proposal opening?	yes
C.28.How is the financial evaluation completed?	Calculated by the program or formula in the bidding document
C.29.Are face to face contract negotiations held?	yes
C.30.How long after financial evaluation is the selected firm to negotiate?	7 days
C.31.What is the usual basis for negotiation?	Bidding document and others
C.32.Are minutes of negotiation taken and signed?	no
C.33.How long after negotiations until the contract is signed?	within 30 days
C.34.Are advance payments made?	yes
C.35.Is there an evaluation system for measuring the outputs of consultants?	no
Part D: Process Oversight and Control	
D.1.Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	yes
D.2.Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	no
D.3.Is the commencement of procurement dependent on external approvals (formal or de-facto) outside of the budgeting process?	no
D.4.Who approves procurement transactions and do they have procurement experience and qualifications?	authority
D.5.Which of the following actions require approval outside of the procurement unit or a permanent evaluation committee and who grants the approval?	Varies according to conditions
a)Bidding document, invitation to pre-qualify or request for proposal	
b)Advertisement of an invitation for bids, pre-qualification or call for expressions of interest	
c)Evaluation reports	

d)Notice of award	
e)Invitation to consultants to negotiate	
f)Contracts	
D.6.Is contractual performance systematically monitored and reported upon?	yes
D.7.Does the agency monitor and track its contractual payment obligations?	yes
D.8.On average how long is it between receiving a firm's invoice and making payment?	Within 15 days
D.9.What is the standard period for payment included in contracts?	
D.10.When payment is made late are the beneficiaries paid interest?	no
D.11.Are payments authorized by the same individuals empowered to approve invitation documents, evaluations and contracts?	yes
D.12.Is there a written auditable trail of procurement decisions attributable to individuals and committees?	yes
D.13.Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default / withheld payment?	yes
D.14.Is there a formal non-judicial mechanism for dealing with complaints?	yes
D.15.Is a complaints resolution mechanism described in national procurement documents?	no
Part E: Records Keeping	
E.1.Is there a referencing system for procurement files?	no
E.2.Are original contracts secured in a fire and theft proof location?	yes
E.3.Are copies of bids or proposals retained with the evaluation?	yes
E.4.Are copies of the original advertisements retained with the pre-contract papers?	no
E.5.Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	no
E.6.Are copies of invoices included with contract papers?	no
E.7.For what period are records kept?	payment

ANNEX 4

Capacity Assessment Questionnaire – Baishan Implementing Agency/PIU3 Baishan Xibeicha Qiyuan Hydropower Company Limited

Part A: General Resource Assessment	Response
A.1.Is there a procurement department?	yes
A.2.What procurement does it undertake?	Works\equipment
A.3.Are the staff provided with written job descriptions?	Yes
A.4.How many years experience does the head of the procurement unit have in a direct procurement role?	1
A.5.How many staff in the procurement department are:	2
i) Full Time?	
ii) Part Time?	2
iii) Seconded?	

A.6.At what level does the department report (to the head of agency, deputy etc.)?	Head of agency
A.7.Do the staff that will be involved with the procurement have English language skills sufficient to undertake international procurement?	no
A.8.Are the number and qualifications of the staff sufficient to undertake the additional procurement that will be required under the proposed project?	no
A.9.Does the unit have adequate facilities such as PCs, internet connections, photocopy facilities, printers etc. to undertake the expected procurement?	yes
A.10. Is there a procurement training program?	no
Part B: Procurement Processes—Goods and Works	
B.1.Has the agency undertaken foreign assisted procurement of goods or works recently (last 12 months, or last 36 months)? (If yes funded by whom and name of the Project)	no
B.2.If the above is yes, what were the major challenges?	
B.3.Is there a procurement process manual for goods and works?	no
B.4.If there is a manual is it up to date and does it cover foreign assisted procurement?	
B.5.Is there a systematic process to identify procurement requirements (1 year or more)?	no
B.6.Who drafts the specifications?	do not know
B.7.Who approves the specification?	do not know
B.8.Are there standard bidding documents in use and have they been approved for use on ADB funded projects?	no
B.9.Who drafts the bidding documents?	bidding agency
B.10.Who manages the sale of the document?	PMO
B.11.Are all queries from bidders replied to in writing?	yes
B.12.Is there a minimum period for preparation of bids and if yes how long?	20 days
B.13.Does the bidding document state the date and time of opening and how close is it to the deadline for submission?	28 days
B.14.Is the opening public?	yes
B.15.Can late bids be accepted?	no
B.16.Can bids be rejected at bid opening?	no
B.17.Are minutes taken?	yes
B.18.Who may have a copy of the minutes?	Trading center
B.19.Are the minutes free of charge?	yes
B.20.Who undertakes the evaluation (individual(s), permanent committee, ad-hoc committee)?	Expert
B.21.What are the qualifications of the evaluators in respect to procurement and the goods and works under evaluation?	Expert in the specialists' data base
B.22.Is the decision of the evaluators final or is the evaluation subject to additional approvals?	Final decision
B.23.Using at least three real examples how long between the issue of the invitation for bids and contract effectiveness?	32 days
B.24.Are there processes in place for the collection and clearance of cargo through	no

ports of entry?	
B.25.Are there established goods receiving procedures?	yes
B.26.Are all goods received recorded as assets or inventory in a register or similar?	yes
B.27.Is the agency / procurement department familiar with letters of credit?	yes
B.28.Does the procurement department register and track warranty and latent defects liability periods?	yes
Part C: Procurement Processes: Consulting Services	
C.1.Has the agency undertaken foreign assisted procurement of consulting services recently (last 12 months, or last 36 months)?	No
C.2.If the above is yes what were the major challenges?	no
C.3.Is there a procurement process manual for consulting services procurement?	no
C.4.Is the manual up to date and does it cover foreign assisted projects?	no
C.5.Who identifies the need for consulting services requirements?	EA/PMO and National laws and regulations,
C.6.Who drafts the ToR?	provincial PMO implementing agency and tendering agency
C.7.Do the ToR follow a standard format such as background, tasks, inputs, objectives and outputs?	yes
C.8.Who prepares the request for proposals?	Provincial PMO
C.9.Are assignments advertised and expressions of interest called for?	yes
C.10.Is a consultants' selection committee formed with appropriate individuals in terms of procurement and technical expertise?	no
C.11.What criteria are used to evaluate EOIs?	Input and output
C.12.Historically what is the most common method used (QCBS, QBS etc.)?	QBS
C.13.Do firms have to pay for the proposal document?	don't know
C.14.Do the evaluative criteria follow a pre-determined structure and are they detailed in the RFP?	no
C.15.Are pre-proposal visits and meetings arranged?	yes
C.16.Are minutes prepared and circulated after pre-proposal meetings?	yes
C.17.To who are minutes distributed?	manager
C.18. Are all queries from consultants answered to in writing?	yes
C.19.Are the financial and technical proposals in separate envelopes?	yes
C.20.Are proposal securities required?	no
C.21.Are technical proposals opened in public?	no
C.22.Do the financial proposals remain sealed until technical evaluation is completed?	yes
C.23.Are minutes of technical opening distributed?	yes
C.24.Who determines the final technical ranking and how?	Bid evaluation experts according to the score
C.25.Are the technical scores published and sent to all firms?	no
C.26.Is the financial proposal open in public?	no
C.27.Are there minutes taken and distributed of financial proposal opening?	yes

C.28.How is the financial evaluation completed?	according to the bidding document
C.29.Are face to face contract negotiations held?	yes
C.30.How long after financial evaluation is the selected firm to negotiate?	within 7 days
C.31.What is the usual basis for negotiation?	bidding documents, bid-winning notice, etc.
C.32.Are minutes of negotiation taken and signed?	no
C.33.How long after negotiations until the contract is signed?	Within 30 days
C.34.Are advance payments made?	yes
C.35.Is there an evaluation system for measuring the outputs of consultants?	no
Part D: Process Oversight and Control	
D.1.Is there a standard statement of ethics and are those involved in procurement required to formally commit to it?	yes
D.2.Are those involved with procurement required to declare any potential conflict of interest and remove themselves from the procurement process?	no
D.3.Is the commencement of procurement dependent on external approvals (formal or de-facto) outside of the budgeting process?	no
D.4.Who approves procurement transactions and do they have procurement experience and qualifications?	Authorities
D.5.Which of the following actions require approval outside of the procurement unit or a permanent evaluation committee and who grants the approval?	Varies according to condition
a)Bidding document, invitation to pre-qualify or request for proposal	
b)Advertisement of an invitation for bids, pre-qualification or call for expressions of interest	
c)Evaluation reports	
d)Notice of award	
e)Invitation to consultants to negotiate	
f)Contracts	
D.6.Is contractual performance systematically monitored and reported upon?	yes
D.7.Does the agency monitor and track its contractual payment obligations?	yes
D.8.On average how long is it between receiving a firm's invoice and making payment?	Within 15 days
D.9.What is the standard period for payment included in contracts?	
D.10.When payment is made late are the beneficiaries paid interest?	no
D.11.Are payments authorized by the same individuals empowered to approve invitation documents, evaluations and contracts?	yes
D.12.Is there a written auditable trail of procurement decisions attributable to individuals and committees?	yes
D.13.Are procurement decisions and disputes supported by written narratives such as minutes of evaluation, minutes of negotiation, notices of default / withheld payment?	yes
D.14.Is there a formal non-judicial mechanism for dealing with complaints?	yes
D.15.Is a complaints resolution mechanism described in national procurement	no

documents?	
Part E: Records Keeping	
E.1.Is there a referencing system for procurement files?	no
E.2.Are original contracts secured in a fire and theft proof location?	yes
E.3.Are copies of bids or proposals retained with the evaluation?	yes
E.4.Are copies of the original advertisements retained with the pre-contract papers?	no
E.5.Is there a single contract file with a copy of the contract and all subsequent contractual correspondence?	no
E.6.Are copies of invoices included with contract papers?	no
E.7.For what period are records kept?	payment