

## PROCUREMENT PLAN

### Basic Data

<b>Project Name:</b> Solid Waste Management Improvement Project	
<b>Project Number:</b> 45366-004	<b>Approval Number:</b> 3067
<b>Country:</b> Uzbekistan	<b>Executing Agency:</b> State Committee for Nature Protection, Tashkent Hokimiyat (Municipality)
<b>Project Procurement Classification:</b> Category B	<b>Implementing Agency:</b> Maxsustrans
<b>Project Procurement Risk:</b> Low	
<b>Project Financing Amount:</b> US\$ 76,000,000 <b>ADB Financing:</b> US\$ 69,000,000 <b>Cofinancing (ADB Administered):</b> <b>Non-ADB Financing:</b> US\$ 7,000,000	<b>Project Closing Date:</b> 30 June 2019
<b>Date of First Procurement Plan:</b> 28 August 2013	<b>Date of this Procurement Plan:</b> 11 January 2017, Version 2

### 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\$ 500,000 and Above	Prior
National Competitive Bidding for Goods	Between US\$ 100,000 and US\$ 499,999	Prior. First bidding document will be reviewed by ADB, and will be used for all subsequent NCB procurements.
Shopping for Goods	Up to US\$ 99,999	Post
International Competitive Bidding for Works	US\$ 2,000,000 and Above	Prior. ADB standard bid documents; Post-qualification.
National Competitive Bidding for Works	Between US\$ 100,000 and US\$ 1,999,999	Prior. First bidding document will be reviewed by ADB, and will be used for all subsequent NCB procurements.
Shopping for Works	Up to US\$ 99,999	Post

Consulting Services	
Method	Comments
Consultant's Qualification Selection for Consulting Firm	Prior. ADB standard request for proposal.
Least-Cost Selection for Consulting Firm	Prior. ADB standard request for proposal.
Quality- and Cost-Based Selection for Consulting Firm	80:20 weightage. Prior. ADB standard request for proposal.
Quality-Based Selection for Consulting Firm	Prior. ADB standard request for proposal.
Individual Consultants Selection for Individual Consultant	Prior. Posted in the consultant management system

#### 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
CW1	Sanitary landfill establishment	17,831,000.00	ICB	Prior	1S1E	Q3 / 2017	Prequalification of Bidders: N

							Domestic Preference Applicable: N  Bidding Document: Large Works
CW2	Transfer station rehabilitation	1,497,000.00	NCB	Prior	1S1E	Q3 / 2017	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Large Works  Comments: Civil works (design and build)
CW3	Dumpsite closure	5,700,000.00	ICB	Prior	1S1E	Q3 / 2017	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Large Works
G1	Landfill equipment and machinery	1,858,000.00	ICB	Prior	1S1E	Q1 / 2017	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Goods
G2	Waste collection trucks and Transfer trucks; trailers and containers (3 Lots)	13,642,000.00	ICB	Prior	1S1E	Q4 / 2016	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Goods  Comments: Equipment vehicles, and goods

	Lot 1: Lot 1-Waste Collection Truck	4,860,000.00					
	Lot 2: Lot 2-Waste Collection Truck, Cesspool Car, Oil Tanker Truck, Watering Truck	4,682,000.00					
	Lot 3: Lot 3-Container Trucks	4,100,000.00					
G3	Waste collection bins (750 and 1100) (2 Lots)	7,885,000.00	ICB	Prior	1S1E	Q3 / 2016	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Goods  Comments: Equipment and goods
	Lot 1: Lot 1-Waste Collection Bins (770 Liter)	2,615,000.00					
	Lot 2: Lot 2-Waste Collection Bins (1100 Liter)	5,270,000.00					

### 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_1	PIU Consultants	2,236,700.00	QCBS	Prior	Q2 / 2016	FTP	Assignment: International  Quality-Cost Ratio: 80:20  Comments: International, National
Cons_2	Sanitary Landfill Design and Supervision Consultants	2,116,000.00	QCBS	Prior	Q1 / 2017	FTP	Assignment: International  Quality-Cost Ratio: 80:20
Cons_3	Capacity Development Program	1,450,000.00	QCBS	Prior	Q1 / 2017	FTP	Assignment: International  Quality-Cost Ratio: 80:20
Cons_6	Community Collection	294,000.00	QCBS	Prior	Q4 / 2016	BTP	Assignment:

	Points Design and Supervision Consultants						International  Quality-Cost Ratio: 80:20
Cons_7	Transfer Station Design and Supervisions Consultant	180,000.00	QCBS	Prior	Q3 / 2017	BTP	Assignment: International  Quality-Cost Ratio: 80:20

**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 lists 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
CW4	Garage rehabilitation	779,000.00	1	NCB	Prior	1S1E	Q3 / 2017	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Small Works  Comments: Civil works
CW5_tbd1	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Small Works  Comments: Civil works
CW5_tbd10	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N  Domestic Preference Applicable: N

								Bidding Document: Large Works Comments: Civil works
CW5_tbd1 1	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works Comments: Civil works
CW5_tbd2	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works Comments: Civil works
CW5_tbd3	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works Comments: Civil works
CW5_tbd4	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works Comments: Civil works

CW5_tbd5	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works Comments: Civil works
CW5_tbd6	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works Comments: Civil works
CW5_tbd7	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Small Works Comments: Civil works
CW5_tbd8	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N Bidding Document: Large Works Comments: Civil works
CW5_tbd9	Collection points upgrade and rehabilitation	284,000.00	1	NCB	Prior	1S1E	Q4 / 2017	Prequalification of Bidders: N Domestic Preference Applicable: N

								Bidding Document: Large Works  Comments: Civil works
--	--	--	--	--	--	--	--	--

Consulting Services								
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
Cons_5	Audit Consultants	34,000.00	2	LCS	Prior	Q2 / 2016	BTP	Assignment: International  Comments: International, National

## 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. 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 Ongoing 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	Comments
None							

Consulting Services							
Package Number	General Description	Estimated Value	Awarded Contract Value	Recruitment Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments
Cons_4-IC-01	EAs consultants	465,902.00	386,962.00	ICS	Q1 / 2015	19-AUG-15	Project Management and Procurement

							Specialist (International)
Cons_4-IC-02	EAs consultants	141,934.00	115,634.00	ICS	Q1 / 2015	19-AUG-15	Safeguards Specialist (International)
Cons_4-IC-03	EAs Consultants	30,300.00	27,300.00	ICS	Q1 / 2015	21-JUL-15	Financial Management Specialist (National)
Cons_4-IC-04	EAs Consultants	30,300.00	27,300.00	ICS	Q1 / 2015	21-JUL-15	Monitoring and Evaluation Specialist (National)

## D. National Competitive Bidding

### 1. General

The procedures to be followed for national competitive bidding shall be those set forth in the applicable resolutions of the cabinet of ministers (COM) of Republic of Uzbekistan with the clarifications and modifications described in the following paragraphs required for compliance with the provisions of the ADB *Procurement*.

### 2. Eligibility

The eligibility of bidders shall be as defined under section I of the *Procurement Guidelines*; accordingly, no bidder or potential bidder should be declared ineligible for reasons other than those stated in section I of the *Procurement Guidelines*. Bidders must be nationals of member countries of ADB, and offered goods, services, and works must be produced in and supplied from member countries of ADB.

### 3. Prequalification

Normally, post-qualification shall be used unless explicitly provided for in the loan agreement/procurement plan. Irrespective of whether post qualification or prequalification is used, eligible bidders (both national and foreign) shall be allowed to participate.

### 4. Registration and Licensing

- (i) Bidding shall not be restricted to pre-registered/licensed firms.
- (ii) Where registration or licensing is required, bidders (i) shall be allowed a reasonable time to complete the registration or licensing process; and (ii) shall not be denied registration/licensing for reasons unrelated to their capability and resources to successfully perform the contract, which shall be verified through post-qualification.
- (iii) Foreign bidders shall not be precluded from bidding. If a registration or licensing process is required, a foreign bidder declared the lowest evaluated bidder shall be given a reasonable opportunity to register or to obtain a license.

### 5. Bidding Period

The minimum bidding period is 28 days prior to the deadline for the submission of bids.

## **6. Bidding Documents**

Procuring entities should use standard bidding documents for the procurement of goods, works and services acceptable to ADB.

## **7. Preferences**

No domestic preference shall be given for domestic bidders and for domestically manufactured goods.

## **8. Advertising**

Invitations to bid shall be advertised in at least one widely circulated national daily newspaper or freely accessible, nationally known website allowing a minimum of 28 days for the preparation and submission of bids.

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

## **9. Bid Security**

Where required, bid security shall be in the form of a bank guarantee from a reputable bank.

## **10. Bid Opening and Bid Evaluation**

- (i) Immediately after the date and time set for the deadline for bid submission, bids shall be opened in public. A record of bid opening shall be prepared by the executing agency, or implementing agency, or the contracting authority, and such record shall be distributed to all bidders.

{Note: The revision of the above provision is recommended on the basis of the points discussed in the World Bank's Country Procurement Assessment Report for the Republic of Uzbekistan ("WBAR"), which are as follows: (i) major defects in the current procedures in Uzbekistan include that of the failure to require that the bid opening coincide with the deadline for submission of bids, resulting in the virtual non-application of best practice; a time lag of as long as one week between the deadline for submission of bids and bid opening, and failure to disclose the minutes of the bid opening (see Item C.2.15 of the WBAR), and (ii) Resolution No. 305 of the Cabinet of Ministers specifically stipulates that the minutes of the bid opening are not to be published.}

- (ii) Evaluation of bids shall be made in strict adherence to the criteria declared in the bidding documents and contracts shall be awarded to the lowest evaluated bidder.
- (iii) Bidders shall not be eliminated from detailed evaluation on the basis of minor, non-substantial deviations.
- (iv) No bidder shall be rejected on the basis of a comparison with the contract cost estimate(s) and budget ceiling(s) set by the borrower/executing agency without ADB's prior concurrence.
- (v) A contract shall be awarded to the technically responsive bidder that offers the lowest evaluated price, and meets the qualifying requirements. Negotiations shall not be permitted.
- (vi) Price verification shall not be applied.

## **11. Rejection of All Bids and Rebidding**

Bids shall not be rejected and new bids solicited without ADB's prior concurrence.

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

Government-owned enterprises in Uzbekistan shall be eligible to participate as bidders only if they can establish that they are legally and financially autonomous, operate under commercial law and are not a dependent agency of the contracting authority/executing agency/implementing agency. Furthermore, they will be subject to the same bid and performance security requirements as other bidders.

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

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.

## **14. Fraud and Corruption**

- (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) The Asian Development Bank (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.

## **15. Pre-shipment Inspections**

Pre-shipment inspections, if necessary, shall be carried out by an independent reputable testing authority/surveyor in the supplier's country for reasons of sound engineering practice and economy and efficiency in project implementation.

{Note: Inclusion of the above provision is recommended because (i) as indicated in Item C.2.19 of the WBAR, provision is included in COM Resolution No. 66 that pre-shipment inspection is to be carried out by firms accredited by Uzdavstandart (as of the date of publication of the WBAR, four companies are accredited); and (ii) COSO's memorandum to Project Departments dated 12 February 1999 states, in part as follows: "the concerned Project Divisions should examine whether the above inspection and tests are necessary and if so, inspections and tests shall be carried out by an independent reputable testing authority/surveyor in the supplier 's country".}

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

At the same time that notification on award of contract is given to the successful bidder, the results of bid evaluation shall be published in a local newspaper or a 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.

{Note: The inclusion of the above provision is recommended for the following reasons: (a) to comply with the requirement stated in paragraph 3.4 of the *Procurement Guidelines*, and (b) to complement the provisions stated in the COM Resolutions (as discussed in Item C.2.23 of the WBAR, COM Resolution No. 305, bid

protest procedure is available only before entry into force of the procurement contract, and under other COM resolutions, only judicial recourse is available for bid protests).}

