

## PROCUREMENT PLAN

### Basic Data

<b>Project Name:</b> Transport Network Development Investment Program - Tranche 4	
<b>Project Number:</b> 44482-025	<b>Approval Number:</b> 0422/0423
<b>Country:</b> Afghanistan, Islamic Republic of	<b>Executing Agency:</b> Ministry of Public Works
<b>Project Procurement Classification:</b> Category A	<b>Implementing Agency:</b> N/A
<b>Project Procurement Risk:</b> Substantial	
<b>Project Financing Amount:</b> US\$ 146,000,000 <b>ADB Financing:</b> US\$ 109,000,000 <b>Cofinancing (ADB Administered):</b> US\$ 21,000,000 <b>Non-ADB Financing:</b> US\$ 16,000,000	<b>Project Closing Date:</b> 31 December 2019
<b>Date of First Procurement Plan:</b> 15 December 2014	<b>Date of this Procurement Plan:</b> 22 January 2016, Version 1

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

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

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

Procurement of Goods and Works		
Method	Threshold	Comments
International Competitive Bidding for Goods	US\$ 2,000,000 and Above	Prior review
National Competitive Bidding for Goods	Between US\$ 100,001 and US\$ 1,999,999	The first NCB is subject to prior review, thereafter post review.
Shopping for Goods	Up to US\$ 100,000	Prior review
Direct Contracting for Goods	No threshold (allowed for any amount)	Prior review
International Competitive Bidding for Works	US\$ 5,000,000 and Above	Prior review
National Competitive Bidding for Works	Between US\$ 100,001 and US\$ 4,999,999	The first NCB is subject to prior review, thereafter post review.
Shopping for Works	Up to US\$ 100,000	Prior review

Consulting Services	
Method	Comments
Quality- and Cost-Based Selection for Consulting Firm	Prior review
Individual Consultants Selection for Individual Consultant	Prior review

#### 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
CW-1	Reconstruction and Rehabilitation of Beharak-Eshkashim (108 km)	94,200,000.00	ICB	Prior	1S2E	Q1 / 2015	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Large Works  Comments:

							Financed by ADB
CW-O&M Kabul Jalalabad Road	Civil works for the Pilot O&M for Kabul Jalalabad Road	3,285,500.00	NCB	Prior	1S2E	Q1 / 2016	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Small Works  Comments: EU-financed
Goods-1	Border Crossing Point and Road Monitoring Equipment for CAREC Corridors 5 & 6	5,100,000.00	ICB	Prior	1S2E	Q4 / 2015	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Goods  Comments: Description: Automatic digital scales, CCTV cameras, networking equipment. Financed by EU.
Goods-2	Goods for AfRA Capacity Development	1,500,000.00	NCB	Prior	1S2E	Q2 / 2016	Prequalification of Bidders: N  Domestic Preference Applicable: N  Bidding Document: Goods

### 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
CS-1	Construction Supervision of Reconstruction and Rehabilitation of Beharak-Eshkashim	7,700,000.00	QCBS	Prior	Q4 / 2015	FTP	Assignment: International  Quality-Cost

							Ratio: 90:10  Comments: The civil works contract is design-build modality thus high quality supervision consultant is required to ensure international standard design and construction.
Indv-AfRA Support	Individual Consultants for AfRA Support	7,200,000.00	ICS	Prior	Q4 / 2015		Assignment: International  Expertise: Railway  Comments: Financed by EU. 150 person-months international and 450 person-months national for training and advisory services.
Indv-CAR EC Corridors	Individual Consultants for Studies on CAREC Corridors 5 & 6	2,600,000.00	ICS	Prior	Q3 / 2015		Assignment: International  Expertise: Transport Facilitation  Comments: Financed by EU. 50 person-months international and 100 person-months national for three separate studies on corridor performance monitoring, cross-border transport agreements and analysis of bottlenecks at border crossing points.
Indv-PMO Support	Individual Consultants for PMO Support	1,100,000.00	ICS	Prior	Q3 / 2015		Assignment: International  Expertise: Project Management

O&M Kabul Jalalabad ICS1	Individual Consultants for Pilot O&M Study for Kabul Jalalabad Road	380,000.00	ICS	Prior	Q2 / 2015		Assignment: International  Expertise: Chief Resident Engineer/Team Leader  Comments: Financed by EU for 12 person-months
O&M Kabul Jalalabad ICS2	Individual Consultants for Pilot O&M Study for Kabul Jalalabad Road	187,352.00	ICS	Prior	Q2 / 2015		Assignment: International  Expertise: Project Management Coordinator  Comments: Financed by EU for 6 person-months
O&M Kabul Jalalabad ICS4	Individual Consultants for Pilot O&M Study for Kabul Jalalabad Road	126,000.00	ICS	Prior	Q2 / 2015		Assignment: National  Expertise: Pavement/Desig n Engineer  Comments: Financed by EU for 18 person-months

#### 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
None								

Consulting Services								
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
O&M for Kabul Jalalabad ICS3	Individual Consultants for Pilot O&M Study for Kabul Jalalabad Road	30,000.00	1	ICS	Prior	Q2 / 2015		Assignment: National  Expertise: Quantity Surveyor  Comments: EU financed

								for 6 person-months
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## B. Indicative List of Packages Required Under the Project

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

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

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

## C. 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
None							

## D. National Competitive Bidding

### 1. General

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

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

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

## **3. Prequalification**

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

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

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

## **4. Advertising**

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

## **5. Bidding Documents**

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

## **6. Bidding Period**

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

## **7. Bid Security**

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

and should not be more than two percent of the estimated value of contract to be procured.

## **8. Preferences**

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

## **9. Evaluation**

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

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

## **10. Price Negotiations**

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

## **11. Advance Payments**

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

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

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

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

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

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

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

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

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

## **16. Eligibility**

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