Procurement

1. **Procurement risk assessment.** The Project will be implemented by the BRLPS (JeeVika) which is the implementing agency for two Bank funded projects, namely the Bihar Rural Livelihoods Project and the National Rural Livelihoods Project and the GEFT funded project for Sustainable Livelihoods and Climate Change Adaptation. Over the years of successful implementation of these projects BRLPS has established robust State and District level procurement management systems and supervision arrangements for community level procurement that will be leveraged and scaled across all districts for implementing the proposed Bihar Rural Transformation project. The project procurement risk rating for the project is “Moderate”.

2. Procurement of goods and non-consulting services under the project and to be financed out of the proceeds of the Credit shall be done in accordance with the requirements set forth or referred to in the Guidelines: Procurement of Goods, Works and Non-Consulting Services under IBRD Loans and IDA Credits & Grants by World Bank Borrowers (January 2011), updated in July 2014 (Procurement Guidelines). Selection of consulting services under the project and to be financed out of the proceeds of the Credit shall be done in accordance with the requirements set forth or referred to in the Guidelines: Selection and Employment of Consultants under IBRD Loans and IDA Credits & Grants by World Bank Borrowers (January 2011), updated in July 2014 (Consultant Guidelines) and any additional provisions mentioned in the Financing Agreement, the agreed aspects of which are detailed in the Procurement Manual prepared for the Project. Community Procurement Guidelines as described in the Procurement manual will be followed at the community level, and recommended post review arrangements for CDD projects, based on the World Bank “Guidance Note For Management Of Procurement Responsibilities In Community-Driven Development Projects” dated December 2009 will be followed for fiduciary assurance.

3. **Procurement arrangements and staffing.** At the state level, the State Project Management Unit (SPMU) established under the BRLPS will be responsible for managing and supervising the procurements under the project. All civil works, goods and services would be procured using India-specific Bank’s model documents as well as the formats of the community contracts specifically approved for the Project. The SPIU will have a dedicated procurement cell that will handle all types of procurement (goods, works, non-consulting services, and consulting services). The procurement cell will be staffed with an experienced Procurement Manager and supported by two professional dedicated procurement staff and necessary supporting staff. All procurement activities under this project shall be processed through this cell. Dedicated Procurement Officers positioned at all District Level Offices will be responsible for managing District and Level Procurements and overseeing Block and Community level procurements.

4. An e-procurement system is not currently used by the SPIU. However, e-procurement will be introduced in phases to increase efficiency and transparency of procurement.

5. **Procurement planning.** For each contract to be financed under the project, the different procurement methods or consultant selection methods, the need for pre-qualification, estimated
costs, prior review requirements, and time frames for all key procurement activities will be reflected in the Procurement Plan to be agreed between the borrower and the Bank project team.

6. The SPMU shall prepare a Procurement Plan covering the first 18 months of project implementation. The prior review thresholds will also be indicated in the Procurement Plan. The Procurement Plan shall be agreed between the borrower and the Association/Bank before negotiations and shall be subsequently updated annually (or earlier/later, if required) and will reflect the changes in prior review thresholds, if any. All Procurement Plans, their updates, or modifications shall be subject to the Association’s/Bank’s prior review and ‘no objection’ before implementation.

Selection of Consultants

7. The SPMU shall use the standard request for proposal for selection of consultants. The following methods will be adopted depending upon the size and complexity of assignments and as agreed in the Procurement Plan.

- Quality and Cost Based Selection (QCBS);
- Quality Based Selection (QBS);
- Fixed Budget Selection (FBS);
- Least Cost Selection (LCS);
- Selection based on Consultant’s Qualification (CQS);
- Single Source Selection (SSS);
- Individual Consultants.

8. A short list of consultants for services estimated to cost less than US$800,000 equivalent per contract may be composed entirely of national consultants in accordance with the provision of paragraph 2.7 of the Consultant Guidelines.

Procurement of Goods, Works, and Non-consulting Services

9. International Competitive Bidding (ICB). There are no ICB contracts for the project.

10. National Competitive Bidding (NCB). Contracts estimated to cost up to US$ 4,00,00,000 for works and US $ 30,00,000 for goods shall be procured following the NCB procedures. Procurement of goods, works, and non-consulting services shall be conducted in accordance with paragraph 3.3 and 3.4 of the Procurement Guidelines. For the procurement of goods, works, and non-consulting services the SPMU will use the Bank’s standard bidding documents and the following additional provisions shall apply:
• Only the model bidding documents for NCB agreed with the GoI’s Task Force (and as amended from time to time), shall be used for bidding.

• Invitations for bid shall be advertised in at least one widely circulated national daily newspaper (or on a widely used website or electronic portal with free national and international access along with an abridged version of the said advertisement published in a widely circulated national daily, among other things, giving the website/electronic portal details from which the details of the invitation to bid can be downloaded), at least 30 days before the deadline for the submission of bids.

• No special preference will be accorded to any bidder either for price or for other terms and conditions when competing with foreign bidders, state-owned enterprises, small-scale enterprises or enterprises from any given state.

• Except with the prior concurrence of the Association, there shall be no negotiation of price with the bidders, even with the lowest evaluated bidder.

• Extension of bid validity shall not be allowed with reference to contracts subject to the Association’s prior review without the prior concurrence of the Association for (a) the first request for extension if it is longer than four weeks; and (b) all subsequent requests for extension irrespective of the period (such concurrence will be considered by the Association only in cases of force majeure and circumstances beyond the control of the purchaser/employer).

• Re-bidding shall not be carried out with reference to contracts subject to the Association’s prior review without the prior concurrence of the Association.

• The system of rejecting bids outside a pre-determined margin or ‘bracket’ of prices shall not be used in the project.

• Rate contracts entered into by the Directorate General of Supplies and Disposals (DGS&D) will not be acceptable as a substitute for NCB procedures unless agreed with the Association on a case-to-case basis. Such contracts will be acceptable, however, for any procurement under the shopping procedures.

• Two or three envelope system will not be used (except when using an e-procurement system assessed and agreed by the Association).

11. **Shopping.** The shopping method in accordance with paragraph 3.5 of the Procurement Guidelines may be adopted for procuring readily available off-the-shelf goods of value less than US$100,000. For the shopping procedure, list of vendors/contractors already registered with government departments may be used for inviting quotations. The Procurement Plan should determine the cost estimate of each contract and the aggregate total amount. The borrower should solicit at least three price quotations for the purchase of goods, materials, or services (non-consulting), to formulate a cost comparison report.
12. **Direct contracting.** Goods, works, and non-consulting services, which meet the requirement of paragraph 3.6 of the Procurement Guidelines, may be procured following the direct contracting method.

13. Table 3.1 describes the various procurement methods to be used for activities financed by the proposed Credit. These methods along with agreed thresholds will be reflected in the Procurement Plan. The thresholds indicated in the table apply to the initial 18-month implementation period and are based on the procurement performance of the project; these thresholds will be modified as required.

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<th>Category</th>
<th>Method of Procurement</th>
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<td>Particular Types of Consultants</td>
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<td>Selection Based on Consultants’ Qualifications (CQS)</td>
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<td>(a) International short list</td>
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<td>(b) Short list may comprise national consultants only</td>
<td>Up to 800,000</td>
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14. **Prior review by the Association.** The Association will prior review the following contracts:

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¹ DGS&D rate contracts may be used as the FA, subject to the following conditions:

- Use of DGS&D rate contracts as the FA must be reflected on the Procurement Plan agreed by the Association for particular goods.
- Before issuing the purchasing order, the implementing agency will carry out a price analysis on the specific goods that are intended to be purchased. If after this due diligence the implementing agency concludes (and the Association agrees) that the DGS&D rate contracts are more advantageous, DGS&D rate contracts may be used as the FA.
- To meet the Association's requirements for right to audit and F&C, these clauses may be included in the Purchase Orders (in case the purchasers are directly placing the purchase orders to DGS&D rate contract holders). On the other hand, if indent is placed through DGS&D, the
(a) Goods, Services (other than consultancies) and IT systems: All contracts more than US$1.0 million equivalent
(b) Works: All contracts more than US$10.0 million equivalent
(c) Consultancy services: More than US$500,000 equivalent for firms and more than US$200,000 equivalent for individuals
(d) Single source selection of Consultants: $50,000 and above
(e) Direct contracts for Goods and Works: $50,000 and above

15. In addition, the justifications for all contracts to be issued on the basis of limited international bidding or single-source or direct contracting (except for contracts less than US$50,000 in value) will be subject to prior review. The above thresholds are for the initial 18-month implementation period; based on the procurement performance of the project, these thresholds may be subsequently modified. The prior review thresholds will also be indicated in the Procurement Plan. The Procurement Plan will be subsequently updated annually (or at any other time if required) and will reflect any change in prior review thresholds as well as changes in thresholds for procurement methods. The Association will carry out an annual ex post procurement review of the procurement falling below the prior review thresholds provided above.

16. **STEP.** An online Systematic Tracking of Exchanges in Procurement (STEP) shall be adopted to prepare the Procurement Plan once the initial Procurement Plan has been agreed. It is a web-based tool owned by the Bank which helps in tracking dates of the different stages of procurement activities and contract management that are planned or under implementation. The system establishes a new, easy to use, and more efficient way for Bank teams and clients to interact, while at the same time providing an audit trail of the process. The Bank will make arrangements to train the staff of the SPMU in operating STEP.

17. **Complaint handling mechanism.** The SPMU shall establish a complaint handling mechanism to address complaints/grievances from contractors/suppliers more effectively. On receipt of complaints, immediate action will be initiated to acknowledge the complaint and redress it within a reasonable timeframe. All complaints during the bidding/award stage as well as complaints during the contract execution along with the analysis and response of the SPMU shall invariably be submitted to the Association for review.

18. **Anticorruption Measures**

(a) **Disclosure Requirements.** The project shall comply with the disclosure requirements stipulated in the Bank’s Procurement Guidelines and Consultant Guidelines, January 2011 and updated in July 2014. Accordingly, the following documents shall be disclosed on the project’s website: (i) Procurement Plan and all subsequent updates; (ii) invitations for bids for goods, works and non-consulting services; (iii) requests for Purchaser has the option to sign a separate undertaking with DGS&D rate contract holder, where Association’s right to audit and F&C clauses could be mentioned.
expression of interest (REOI) for selection/hiring of consulting services; (iv) short list of consultants; (v) contract awards; (vi) lists of contracts following direct contracting, CQS, or SSS on a quarterly basis; and (vii) action-taken reports on complaints received on a quarterly basis.

(b) The following details shall be published by the SPIU through client connection or sent to the Bank for publishing on their behalf on the Bank’s external website and UNDB online: (a) General Procurement Notice (GPN); (b) requests for expression of interest for consulting services estimated to cost more than US$300,000; and (c) contract award details of all consulting services, with estimated cost of more than US$300,000. The project shall also publish on its website any information required under the provisions of disclosure, as specified by the Right to Information Act of India.

19. Use of government institutions and enterprises. Government-owned enterprises or institutions in India may be hired for activities of a unique and exceptional nature if their participation is considered critical to achievement of project objectives. In such cases, the conditions provided in clause 1.13 of the Consultant Guidelines will be satisfied.
## PROCUREMENT
India : Bihar Transformative Development Project

### PLAN

#### General Information
- **Country:** India
- **Bank’s Approval Date of the Original Procurement Plan:** 2016-10-31
- **Revised Plan Date(s) inforce Amended:** Leave Blank if app
- **Project ID:** P109576
- **GSP Date:** Leave Blank if app
- **Project Name:** Bihar Transformative Development Project
- **Loan / Credit No:** ISA / 58078
- **Executing Agency:** Bihar Rural Livelihoods Promotion Society

### WORKS

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<td>2016-10-06</td>
<td>2016-11-20</td>
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<td>Agency for Crop Advisory</td>
<td>Post</td>
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<td>Open - National</td>
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<td>2016-11-23</td>
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**INDIVIDUAL CONSULTANTS**