



Government of the People's Republic of Bangladesh
Ministry of Local Government, Rural Development and Cooperatives
Local Government Division

Terms of Reference (ToR)
For
Terms of Reference (TOR) for the
“Procurement Consultant”
under
Package No. DPHE/S-3

(SIC Contract)

Under
Flood Reconstruction Emergency Assistance Project for
Water Supply and Sanitation (GoB-ADB)
(FREAPWSS)



Department Of Public Health Engineering (DPHE)
December, 2023

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Government of the People's Republic of Bangladesh
Office of the Project Director
**Flood Reconstruction Emergency Assistance Project for
Water Supply and Sanitation (GoB-ADB)**
Department of Public Health Engineering
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**Terms of Reference (TOR) for the
“Procurement Consultant” under Package No. DPHE/S-3**

1. Background:

To improve the water supply, sanitation sector of six districts (Sylhet, Sunamganj, Habiganj, Moulavibazar, Netrokona and Kishoreganj) of Sylhet, Mymensingh and Dhaka divisions damaged by the devastating flood occurred on July 2022, this Flood Reconstruction Emergency Assistance Project (FREAP) project has been taken. Asian Development Bank (ADB) is supporting to the Government to implement this project by financing as Loan. The overall objective of this project is to improve water supply and sanitation facilities to enable continued and undisrupted services to fulfil residents' basic needs during future floods to ensure health and living standard of the people of the flood-affected areas of Bangladesh by increasing access to safe water supply and sanitation system.

The project includes the rehabilitation of 1,000 nos different type of tubewells; 1,800 deep hand tube wells with double platforms and 9,100 deep tube wells with submersible pumps with raised platforms. The project will construct approximately 30 mini water supply systems with water treatment facilities, supply about 16 truck-mounted mobile freshwater treatment plants; 6 water carriers; 100 mobile toilets and 105 public toilets, etc.

Specific Objectives of the project are to ensure safe water supply to the people through provision of mobile treatment plants, installation and rehabilitation of different types of tube wells as a support of post flood affects and future floods, household and community sanitation facilities among the flood affected people and emergency support during and after flood time.

DPHE intends to engage a Procurement Consultant for assisting PIU to conduct all the procurement activities and contract management of the project.

2. Objective and Purpose of the Assignment:

The main objectives of the assignment are to: (i) support PMU for all procurement related activities starting from preparation of bidding document to award of contract and (ii) closely monitor the contract management process of the signed contracts of this project for proper compliance of the contract.

The construction and rehabilitation of different water supply and sanitation infrastructures will be done under this project. The Procurement of the goods, works, and services will be done by PMU or with the involvement of PMU with adequate assistant of the procurement consultant. The outsourcing of vehicles, desktop computers with printers and accessories, laptop with accessories, office furniture, air conditioners, electrical equipment, office equipment, photocopier etc will make up most of the good's packages. The services will also be hired in this project. The budget for the fiscal years is to be prepared and maintained throughout the project period.

To complete these above tasks a procurement consultant is needed.

3. Scope of Consultant's Assignment and Key tasks/responsibility:

Department of Public Health Engineering (DPHE), under the Ministry of Local Government, Rural Development and Cooperatives (MLGRD&C), is the Implementing Agency, with overall project management provided by the Project Management Unit (PMU), headed by the Project Director. The PMU is mandated to manage the project in line with the Borrower's obligation to use the project fund with due regard to economy and efficiency and only for the purpose for which project financing was provided.

The overall responsibilities of the Procurement Consultant for the Project (GOB - ADB) are as follows:

- Responsible to the Project Director of FREAP-DPHE.
- Carry out procurement (Goods, Works, and Services) related activities of the project.
- Prepare annual procurement plan in GoB format and update the same as and when required.
- Enter and update related to the procurement plan & procurement processing schedule of goods, works and services and assist in getting approval of the respective authorities.
- Preparation of TOR/Specification/REOI/RFP etc and getting their approval.
- Concurrent monitoring and impact assessment.
- Prepare/update cost estimates.
- Assist in establishing and implementing e-GP by identifying hardware, software, training needs and adequacy of internet connectivity for piloting of Electronic Government Procurement (e-GP).
- Assist in publishing all information relating to bidding and procurement in newspapers and in the websites.
- Assist TEC/PEC in evaluation of bid/proposal & preparation of bid evaluation reports (BER);
- Preparation of final contracts and ensure timely distribution of all relevant procurement and contract documents to relevant stakeholders.
- Preparation of quarterly, half yearly and annual reports on procurement and submit to PD and the ADB and arrange publication in the websites.
- Carry out ex-post review of procurement and submit reports with recommendation to Project Director.
- Ensure that procurement is done by the provisions of the Financing Agreement and with ADB's Guidelines & PPA for Procurement.
- Handle complaints and provide guidance in handling complaints.
- Facilitate need based training for procurement personnel.
- Carry out procurement activities in accordance with PPR 2008 and the Asian Development Bank (ADB) guidelines.
- Assist PMU in contract management.
- Assist the project in carrying out all activities related to contracting including contract signing, and handling of documents that may be required for receiving, distributing and delivering goods.
- Work in close collaboration with PMU and ADB for procurement of goods, works and services.
- Verify payments due under procurement contracts and help prepare applications for payment.
- Provide on-the-job training and organize, if necessary, seminars on procurement for concerned personnel.
- Any other procurement related assignment as assigned by the PD/DPD.

4. Institutional Arrangement:

The consultants will work under direct control of the Project Director. S/he will report directly to the Project Director with close collaboration with other officials of the Project. The consultant shall be accountable to the Project Director for his/her day-to-day activities.

5. Required Key Qualification and Expertise:

Educational Qualifications and Professional Experience of the Consultant are:

(a) Educational Qualification

- Masters in engineering/economics/statistics/finance /business /administration/ management/law or other relevant subjects, with having internal accreditation or certification (CIPS/MPSM/PMP etc.) will be given preference.

(b) Professional Experience:

- Minimum 8 years of working experience with 5 years in private or public government of Procurement Consultant or Contract Administrator or equivalent positions.
- Have proven expertise in the use of internationally accepted contract documents for works, goods, and services. Must have a sound understanding of national regulation and international agencies' procurement guidelines.
- Experience in preparation of procurement plans for Government projects, bidding documents, RFPs, and evaluation reports following donor agencies guidelines shall be an added advantage;
- In-Depth knowledge of technical, commercial, and legal aspects of procurement in development projects, financed by the government and the ADB is preferred;
- Ability in computer operation with experience of working independently;
- Must possess excellent communication skills in English both written and spoken;
- Age must be within 55 years.

6. Duration of the assignment:

The duration of the consultancy services will be 21 (twenty-one) Man-months throughout the project duration upon review of satisfactory annual performance. The contract may be extended as per the requirement of the project.

7. Remuneration and Payment schedule:

The Procurement Consultant will be paid a negotiable consolidated remuneration inclusive of all applicable taxes and VAT as per the law of Bangladesh. Payment shall be made on a monthly basis upon satisfactory performance output certified by the Project Director.


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