

**Terms of Reference and Scope of Services**  
**for**  
**National Procurement Consultant**  
**of**  
**Bangladesh Regional Waterway Transport Project 1 (Dredging in Chittagong-Dhaka-Ashuganj IWT Corridor**  
**along with associated linked routes and construction of terminal with allied infrastructure)**

**Background**

The Government of the People's Republic of Bangladesh has received an SDR 254 million Credit from the International Development Association (IDA) – a member of the World Bank Group – for financing the cost of the *Bangladesh Regional Waterway Transport Project 1 (Dredging in Chittagong-Dhaka-Ashuganj IWT Corridor along with associated linked routes and construction of terminal with allied infrastructure)* (BRWTP-1), being implemented by the Bangladesh Inland Water Transport Authority (BIWTA), and intends to apply part of the IDA Credit for procuring the services of a National Procurement Consultant (NPC) for its Project Implementation Unit (PIU).

The development objective of the Project is to improve transport efficiency, reliability and safety for passengers and cargo on priority inland waterways along the Chittagong-Dhaka-Ashuganj Inland Water Transport Corridor of Bangladesh. The Project is also being implemented within the broader context of the BBIN/Eastern Corridor regional program which aims to facilitate the movement of passengers and cargo on multimodal transport networks for the benefit of traders, transporters, producers, passengers and communities in Bangladesh, Bhutan, India, and Nepal.

The Project consists of 3 (three) major components: (i) *Improved Inland Waterway Navigation* (Component 1) will include work to maintain and increase advertised depths and to delineate channel routes through provision of long-term navigation and utilizing the mechanism of performance based contracts (PBCs); (ii) *Improved Services at Priority Inland Waterway Terminals and Landing Stations* (Component 2) to support the development of two cargo terminals, four passenger terminals and 15 landing *ghats* (stations); and (iii) *Institutional Capacity Development and Sector Sustainability* (Component 3) comprising of a series of activities to support overall enhancement of the management systems and human resources capacity of BIWTA for modern, efficient, and high quality management of the IWT sector in line with international standards.

BIWTA, an autonomous body established under the Ministry of Shipping, is the implementing agency of the Project and is responsible for its overall implementation, management and monitoring. BIWTA was set up for development, maintenance and operation of inland water transport and waterways in Bangladesh. Strategic management functions are performed by a Board of Directors which is headed by its Chairman – holding the rank of an Additional Secretary of the Government – and supported by senior officials of the Government of Bangladesh (GoB).

Implementation of the Project involves, among other activities, procurement of goods, works and services of substantial values through a number of contracts, including one large performance-based contract (PBC). It is necessary to build an adequate support structure from resources both within and outside BIWTA to process these contracts and to carry out other Project implementation activities. The institutional arrangement agreed between the World Bank and GoB is to set up a PIU with personnel

deputed from within GoB as well as contracted from the market for various durations within the project implementation period. One such contracted position will be that of the National Procurement Consultant (NPC).

### **The Consultant**

The activities of the NPC will be guided by, and be in conformity with, the relevant guidelines of the World Bank for the procurement of goods, works, and services. These guidelines comprise of, but are not limited to:

- (a) *Guidelines, Procurement of Goods, Works, and Non-Consulting Services under IBRD Loans and IDA Credits & Grants by World Bank Borrowers*, July 2014;
- (b) *Guidelines, Selection and Employment of Consultants under IBRD Loans and IDA Credits & Grants by World Bank Borrowers*, July 2014;
- (c) *Standard Bid Evaluation Form, Procurement of Goods or Works*, April 1996;
- (d) *Sample Form of Evaluation Report, Selection of Consultants*, October 1999.

The NPC will also refer to the provisions of the *Public Procurement Act 2006* and the *Public Procurement Rules 2008* – which together constitute the body of statutes governing public procurement in Bangladesh – where such referral has received explicit prior agreement of the World Bank.

### **Activities**

#### Responsibilities of the NPC

The NPC will carry out the following main activities, in conjunction with other PIU members as needed:

- (1) Assist in preparing and updating periodically the project procurement plan and use of Systemic Tracking of Exchanges in Procurement (STEP) for the procurement activities;
- (2) Prepare, with assistance from other members of the PIU, the drafts of Invitation for Bids (IFB), Request for Expressions of Interest (REOI), Amendments, Bidding Document, Prequalification Document, and Request for Proposals (RFP);
- (3) Take part in pre-bid and pre-proposal conference, prepare minutes of the conferences, assist PIU in preparing responses to queries from Bidders /Consultants;
- (4) Assist in evaluation of Bids, Applications for Prequalification, Expressions of Interest, Technical Proposals, and Financial Proposals received from business entities and individuals competing for contracts;
- (5) Take part, as a member of evaluation committees, in the evaluation of Bids, Applications for Pre-qualification, Expressions of Interest, Technical and Financial Proposals received against RFP from business entities competing for contracts, if requested;

- (6) Assist the Project Director (PD) and Project team in conducting negotiations with awardee(s) of contracts;
- (7) Assist in drawing up draft negotiated contracts;
- (8) Assist the PD and Project team in responding and taking necessary actions on procurement related complaints, if any;
- (9) Provide advice and training to PIU members on procurement related matters on a need basis as part of the institutional capacity building of BIWTA;
- (10) Provide hands on support to the PIU for effective contract management (during performance of contracts);
- (11) Assist in maintaining records and other documentations required for procurement audit and progress reporting purposes;
- (12) Prepare monthly progress reports of procurement activities according to formats provided by the PD and the World Bank.

The NPC will provide assistance to, and/or seek advice from, the International Procurement Consultant and the PD to address complaints (if any) arising out of procurement activities, which will include review of the complaints vis-à-vis the respective procurement processes and documents. The NPC will have a significant role in assuring the integrity, fairness, and overall quality of procurement conforming to the requirements of the guidelines of the World Bank and the procurement laws of Bangladesh.

The inputs of the NPC will be required on all working days and hours as per BIWTA calendar during the tenure of the contract. The NPC will work from office space provided in the PIU.

### **Required Qualifications**

- Educational Qualifications:
  - Post-graduate level education in Procurement/Supply Chain Management/ Law/ Business Administration or similar disciplines from an educational institution recognized by Bangladesh; or
  - Graduate level education in any Engineering or a similar discipline from an educational institution recognized by Bangladesh.
  - Internationally recognized professional education in Procurement / Supply Chain Management.
- General Experience:
  - At least 10 (ten) years' experience in Public Procurement, Contract Management, or Project Management.
- Specific Experience:

- Experience in internationally advertised procurement of goods, works, and services;
- Experience in procurement following the guidelines of World Bank, Asian Development Bank, or other multilateral development financing institutions (DFIs).

### **Reporting Requirements**

The PD will be the direct report of the NPC. The NPC will submit monthly report on significant procurement activities and issues. Each monthly report will be submitted within the first 7 (seven) days of the following calendar month.

### **Remuneration and other Facilities Provided by the Employer**

Payment to the NPC will comprise of 2 (two) parts: Remuneration and Reimbursable, which will be fixed during contract negotiation. Applicable local taxes will be identified during negotiation and reflected separately in the contract. The Project / BIWTA may agree to either pay local taxes on behalf of the NPC or to reimburse him/her for taxes duly paid. Payments to the NPC will be made on a monthly basis in arrears and normally within the first calendar week of the consecutive month.

In addition, BIWTA will provide office space for the NPC, with access to office equipment required to carry out his/her functions. All day to day office travel, transportation, and accommodation arrangements will lie entirely on the account of the NPC. However, in case of necessary travel to field and or outside the office at Dhaka the BIWTA will provide transportation or travel costs and per diem as per contract. BIWTA may provide additional reasonable assistance in connection with carrying out his/her responsibilities, upon request by the NPC.

### **Tenure / Duration**

The contract with the NPC will be for duration of 57 (fifty-seven) person months on a full-time basis to perform procurement-related tasks of the Project.

### **Responsibilities**

The NPC will be fully responsible to coordinate his/her day to day work with the PD and Project team with high dedication, integrity and ethical behavior. The NPC should not have any conflict of interest while working in the procurement activities and should keep all the Project information confidential. He/She will be fully responsible for own transport, accommodation, income tax clearance, as well as necessary insurances for health and accident, if any.