

Terms of Reference Procurement Cell, DPHE

Background and context:

Public procurement playing a pivotal role in promoting transparency, accountability, integrity, non-discrimination, equitable treatment, fair competition and serves as a basis of good governance. To institutionalize these values, governments worldwide have adopted the unified national procurement framework and strengthened institutional capacities to standardize processes across public agencies.

In Bangladesh, prior to the enactment of the Public Procurement Act, 2006 (PPA 2006), procurement activities were generally governed by the Contract Act, which lacked the specificity and robustness needed to manage modern, complex procurement processes. Recognizing this gap, the Government introduced a dedicated legal and regulatory framework to reform public procurement. This began with the proclamation of the Public Procurement Rules, 2008 (PPR 2008) under the PPA-2006. The new framework standardized procurement procedures, evaluation methods, and approval processes-- enhance integrity, fostering competition, and ensuring better value for money (VfM) in public expenditure. A major milestone in Bangladesh's procurement reform journey was the launch of the Electronic Government Procurement (e-GP) System in 2011. It introduced a transparent, efficient, and accessible mechanism for managing procurement activities, thereby significantly reducing manual intervention, improving auditability, expanding competition through broader participation, and enhancing public trust in procurement processes.

In alignment with national reforms, the Department of Public Health Engineering (DPHE) institutionalized their procurement system. DPHE conduct procurement of goods, works, and consultancy services under the provision of PPA 2006, PPR 2008, relevant e-GP guidelines and where applicable development partner procurement guidelines. With over 100 Procuring Entities (PEs) operating from the central level down to district Executive Engineers, Project Directors and Superintending Engineers, DPHE manages a large and diverse volume of procurement activities. The majority of procurement in DPHE is carried out through the national e-GP portal, in line with government policy directives. DPHE's procurement governance includes the formation of Tender or Proposal Evaluation Committees (TEC/PEC), which are approved by the Chief Engineer for most cases. For contracts requiring higher-level approvals (e.g., by the Minister or the Cabinet Committee on Government Purchases – CCGP), TEC/PECs are constituted with the approval of the Local Government Division (Ministry of LGRD&C). The entire procurement cycle—including preparation and publication of Annual Procurement Plans (APPs), floating of e-Tender invitations, digital evaluation and approval processes, issuance of Notifications of Award (NoA), and signing of contracts—is executed electronically, ensuring traceability and compliance. Public disclosure and transparency are maintained through announcements in national newspapers and through digital platforms such as the e-GP portal, DPHE website, and the BPPA's website. In cases of non-compliance or misconduct, DPHE follows the debarment measures as outlined in Section 64 of PPA 2006, including the public listing blacklisted contractors and consultants for accountability and cross-verification.

Recognizing the increasing volume and technical complexity of procurement, DPHE established a dedicated Procurement Cell at the headquarters in November 2020. This initiative followed the issuance of official guidelines by the Central Procurement Technical Unit (CPTU). This unit, staffed by trained procurement professionals, is tasked with providing technical guidance, ensuring compliance and strengthening procurement oversight in evolving legal, regulatory and technological environment.

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Objective of the procurement cell:

The Procurement Cell is established to strengthen and streamline procurement governance within the Department of Public Health Engineering (DPHE), both at the central and field levels. It aims to institutionalize best practices that uphold the core principles of transparency, accountability, integrity, non-discrimination, equitable treatment, and fair competition in all procurement activities. The specific objectives of the Procurement Cell are to:

- **Ensure Regulatory Compliance:** Provide guidance and oversight to ensure that all procurement activities strictly adhere to the PPA-2006, PPR-2008, Electronic Government Procurement (e-GP) guidelines, and relevant procedures of development partners and donor-funded projects.
- **Deliver Technical Assistance:** Offer continuous technical support and advisory services to all Procuring Entities (PEs) within DPHE to enhance the quality, efficiency, and consistency of procurement operations.
- **Promote Sustainable and Responsible Procurement:** Encourage the adoption of sustainable, environment-friendly (green), and socially responsible procurement practices that align with national and international development goals.
- **Address Emerging Challenges:** Identify and respond to emerging procurement issues and promoting the use of innovative tools, technologies, and methodologies to improve procurement outcomes.
- **Build Institutional Capacity and Mitigate Risks:** Support capacity-building initiatives, including training and knowledge-sharing, to develop in-house procurement expertise while minimizing operational and compliance-related risks.

Through these objectives, the Procurement Cell acts as a catalyst for improving procurement performance, strengthening governance, and ensuring value for money in all public spending within DPHE.

Scope of Work of the procurement cell:

The Procurement Cell at DPHE plays a vital role in facilitating, monitoring, and enhancing the effectiveness of procurement operations across the organization. Its scope of work is comprehensive and evolving, and includes, but is not limited to, the following key responsibilities:

- **Technical Assistance and Operational Support:** Provide continuous technical support to all Procuring Entities (PEs) within DPHE to implement both offline and online procurement activities, in line with national and donor-funded project requirements.
- **Compliance Monitoring:** Monitor and ensure adherence to the Public Procurement Act (PPA), 2006 and Public Procurement Rules (PPR), 2008, as well as donor-specific procurement guidelines, ensuring compliance at all levels of procurement execution.
- **Support to the Head of the Procuring Entity:** Assist the Chief Engineer, DPHE—designated as the Head of the Procuring Entity—in fulfilling the roles and responsibilities assigned under the national procurement framework and the **Delegation of Financial Powers (DoFP)** issued by the Ministry of Finance.
- **e-GP System Facilitation:** Provide end-to-end support to Procuring Entities and members of Tender/Proposal Evaluation Committees in processing activities through the **Electronic**

Government Procurement (e-GP) system, including troubleshooting, guidance, and process clarification.

- **ICT Support Services:** Offer technical troubleshooting and user support related to the Management Information System (MIS), server access, and official email services to all stakeholders involved in procurement, including PEs, Tender Opening Committees (ToC), and TEC members.
- **e-GP Organization Administration:** Perform the role of **Organization Admin** in the e-GP system on behalf of the Chief Engineer, DPHE, ensuring secure and efficient system operations.
- **Expert Advisory on Complex Procurement Matters:** Provide expert opinions and recommendations on complex procurement issues upon request from the Chief Engineer, Project Directors, Superintending Engineers, and Executive Engineers.
- **Document Review and Validation:** Review and verify tender documents, Requests for Proposal (RFPs), technical specifications, Terms of Reference (ToR), and other procurement documents prepared by Procuring Entities—especially for procurements above designated thresholds or as deemed necessary.
- **Issuance of Guidelines and Instructions:** Prepare and disseminate circulars, guidance notes, and operational instructions to DPHE's Procuring Entities on various procurement-related matters to ensure standardized practices and compliance.
- **Capacity Building and Professional Development:** Design, promote, and support training programs, workshops, and other professional development initiatives for DPHE officials involved in public procurement, thereby strengthening institutional capacity.

Operational procedure of the procurement cell:

The Procurement Cell of the Department of Public Health Engineering (DPHE) will function under the guidance and authority of the Chief Engineer, DPHE, who shall nominate all members of the cell. The Chief Engineer retains the exclusive right to modify or reconstitute the membership of the Procurement Cell at any time, without requiring prior approval from the Chairperson of the cell.

Formation and Roles and responsibilities of the member of Procurement cell:

The Procurement Cell shall be composed of members from various levels of the organization to ensure cross-functional representation and technical expertise. The structure, designations, and corresponding responsibilities of the members are outlined below:

Designation	Members	Responsibility
Chairperson	Additional Chief Engineer, DPHE	<ul style="list-style-type: none"> • Preside over all meetings of the Procurement Cell. • Provide strategic guidance and policy advice on procurement-related matters. • Review and approve meeting agendas, decisions, and minutes. • Make final decisions based on discussions and recommendations from the cell.
Co-chair	PD/SE, DPHE	<ul style="list-style-type: none"> • Facilitate effective communication and coordination among cell members. • Ensure timely execution of meeting decisions and action points.

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		<ul style="list-style-type: none"> Promote and support implementation of procurement-related initiatives across the department.
Member Secretary	Executive Engineer, DPHE	<ul style="list-style-type: none"> Convene meetings upon instruction or approval of the Chairperson. Prepare and circulate meeting agendas in advance. Lead the discussions during meetings and ensure proper documentation. Maintain records of proceedings, prepare and preserve all meeting resolutions and decisions.
Member	Superintending Engineer/Project Director/Executive Engineer/DPD/Assistant Engineer, DPHE	<ul style="list-style-type: none"> Attend meetings regularly and actively participate in discussions. Contribute informed opinions and share field-level experiences. Support and execute decisions and follow-up actions as assigned by the Cell.

This structured framework will enable the Procurement Cell to operate efficiently, ensure consistency in decision-making, and uphold the principles of transparency, accountability, and professional integrity in DPHE's procurement operations.

Knowledge Pool:

The Procurement Cell of the Department of Public Health Engineering (DPHE) will function as a centralized **Knowledge Pool** for public procurement, serving as an institutional hub of expertise, guidance, and capacity development. As a repository of current procurement laws, rules, donor-specific guidelines, standard operating procedures, and good practices, the Cell will ensure that all levels of DPHE—headquarters, zonal, and field—have access to consistent, accurate, and up-to-date information.

In this capacity, the Procurement Cell will:

- Consolidate and disseminate** the latest updates to procurement laws, PPA and PPR provisions, donor-specific requirements, e-GP circulars, and policy directives;
- Document and share** lessons learned and case studies from complex or high-value procurement experiences across projects and regions;
- Promote awareness** of emerging procurement trends, including digital transformation, e-Government Procurement (e-GP), sustainable procurement, gender-sensitive procurement, and value-for-money approaches;
- Support knowledge exchange** by facilitating workshops, webinars, and training sessions for field-level and headquarters officials;
- Coordinate with external institutions** (e.g., BPPA, LGED, donor agencies) to remain aligned with national reforms and global good practices.

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To effectively fulfill this role, all members of the Procurement Cell are expected to maintain a high level of professional competence and stay continuously updated on relevant procurement policies, tools, and innovations. Their proactive engagement ensures that the Cell can offer timely, informed, and practical solutions to complex procurement challenges across the department, thereby strengthening institutional capacity and improving procurement outcomes.

Meeting Frequency:

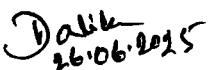
The Procurement Cell of DPHE will operate through a structured meeting schedule to ensure continuous coordination, timely decision-making, and effective oversight of procurement activities. The Cell shall convene on a monthly or quarterly basis, depending on the volume and complexity of procurement operations during a given period.

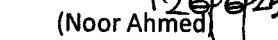
In addition to regular meetings, a year-end meeting shall be held and designated as the Annual Meeting, which will serve to review the overall performance of procurement operations, assess key achievements, identify challenges, and set priorities for the upcoming year.

The Cell also reserves the flexibility to hold ad-hoc or emergency meetings in response to urgent or critical procurement issues. Such meetings may be called by the Chairperson or Member Secretary with short notice, and the Cell will provide prompt advice or recommendations as necessary.

To support evidence-based discussion and decision-making, the Procurement Cell may invite other relevant officers, technical experts, or consultants—including Project Directors, field-level engineers, or donor representatives—to attend meetings and provide inputs on specific topics or procurement-related matters.

Meeting minutes will be formally documented, approved by the Chairperson, and preserved for institutional record-keeping and follow-up action.


26/06/2025
(Dalila Afrose)
Executive Engineer
&
Member Secretary
Procurement cell, DPHE


26/06/2025
(Noor Ahmed)
Project Director
&
Co-chair,
Procurement cell, DPHE

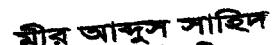

26/06/2025
(Eheteshamul Russel Khan)
Additional Chief Engineer
&
Chairperson,
Procurement cell, DPHE

CE, DPHE
proposed ToR may be
approved.

Approved


26/06/2025

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26/06/2025


Md. Ahsanul Haq
প্রধান প্রকৌশলী
জনসাধ্য প্রকৌশল অধিদপ্তর
ঢাকা।