



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Ministry of Public Works and Transport (MPWT)
Department of Waterways (DOW)

TERMS OF REFERENCE
NATIONAL PROCUREMENT CONSULTANT

Reference No. AF/C09

Lao PDR Southeast Asia Disaster Risk Management Project
(Lao PDR DRM Project_P160930)
And Additional Finance_P170945
Component 1. Integrated Urban Flood Risk Management

Vientiane, 15 December 2021



BACKGROUND

1. The South East Asia Disaster Risk Management Project for Lao PDR (LDRM) is being implemented with financing from the International Development Association (IDA), World Bank (WB), with the aim to mainstream disaster risk management in investment planning through technical assistance for institutional strengthening, systems improvements, and physical investments to reduce the risk of flooding and enhance disaster risk financing capacity of Lao PDR. The Project was approved and signed Financing Agreement between Lao People's Democratic Republic and International Development Association, World Bank, on 30 August 2017 and became effective on 11 October, 2017 to 2022, with a commitment amount of US\$30 million of which US\$13.5 million have been allocated to Component 1 for investment in MuangXay of Oudomxay (ODX) Province.
2. In 2018, Lao PDR experienced widespread floods, which significantly impacted its people and economy. The Additional Financing (Lao PDR DRM-Additional Finance Project) was approved and signed Financing Agreement on 28 January 2020 and became effective on 20 March, 2020 to 2024. To help reduce the financing gap and augment the response efforts, additional financing (AF) of about \$25 million have been allocated for Component 1 to implement similar activities in 2 additional provinces of Luang Prabang (LPB) and Borikhamxay (BKX), and Vientiane Capital for flood risk management strategies for future investments.
3. The consultancy services described by this ToR are part of Component 1: Integrated Urban Flood Risk Management in Oudomxay, Luangprabang, Bolikhamxay and Vientiane Capital, which will be implemented by the Department of Waterways (DOW), Ministry of Public Works and Transport (MPWT).

OBJECTIVE OF THE ASSIGNMENT

4. The objectives of the National Procurement Consultant' services are to:
 - 1) Assist the DOW in Preparation of Project Procurement Plan including the coordination and monitoring of procurement activities of DOW under the project.
 - 2) Build up capacity of the DOW and Ministry staff in World Bank procurement procedures to build procurement capacity at these institutions.
 - 3) Initiate and conduct all procurement processes for goods, works and consulting services required by the project-Component 1 under Original Finance (OF) and Additional Finance (AF).
 - 4) Ensure that the Bidding Committees do their work in accordance with the Bank procurement procedures and rules established in the Project Operational Manual.

DETAILED SCOPE OF WORK

5. The National Procurement Consultant's duties and responsibilities include, but are not limited to, the following:
 - 1) Supports DOW in achieving overall Project objectives;
 - 2) Assist DOW in preparing TOR and request for proposals for the procurement of consulting services, as well as Technical Specifications and bidding documents for the



procurement of goods, works for the purposes of implementing Component 1 of the Project; design criteria and documents to evaluate bids/proposals; and draft and submit procurement-related documents to the World Bank for review and approval subject to prior review contracts, in compliance with the Project Appraisal Document and the Project Operational Manual. All TORs will require World Bank clearance;

- 3) Prepares and submits to the Bank draft bidding documents, draft Request for Proposals (RFPs) for packages subject to prior review for review and no objection;
- 4) Send the procurement information to ICT for posting on the MPWT's website;
- 5) Maintains correspondence with bidders, provides necessary clarifications cooperating with certain DOW and DOF staff and other internal agencies;
- 6) Participates in bid opening procedure and drafts minutes of bids opening;
- 7) Keeps a record of firms who purchase the bidding documents;
- 8) Receives bids and proposals and ensure that they are kept confidential until bid opening or opening of proposals;
- 9) Participates in evaluation of bids, summarize strengths and weaknesses of consultants and clarifies evaluation procedure for the bidding committee;
- 10) Prepares reports on evaluation of bids or proposals based on the evaluation completed by the Evaluation Committee;
- 11) For contracts subject to prior review, submits bidding documents/request for proposals, bids evaluation report and technical proposals evaluation report for Bank's review and no objection.
- 12) Sends notification of contract award to all bidders;
- 13) For consulting contracts subject to prior review, submits draft negotiated contracts to the Bank for review and no objection;
- 14) Ensures that the signed contracts are sent to the Bank promptly, to provide for funds withdrawal;
- 15) Monitoring financial disbursement under the signed contracts activities;
- 16) Cooperates with Finance Staff regarding Project disbursements;
- 17) Prepares draft contract amendments if deemed appropriate for the Bank's review and no objection;
- 18) Assist DOW staff in using STEP and Regularly upload procurement documents into STEP for WB's review and Approval; ensures no many red flags are shown in the STEP.
- 19) Keeps all procurement documents on file per package as listed in the procurement plan, including copies of RFQ, RFP, bids, proposals, bid evaluation report, EOI evaluation report, TER, combined technical and financial evaluation report and signed contract;
- 20) Provides procurements documents to the Bank during post review and audit;
- 21) Update the Procurement Plan on a regular basis to reflect any changes to deadlines for contracting procurement of goods, works and consulting services;



- 22) Establish and maintain a database at the DOW of expressions of interest received from prospective consultants with the aim of inviting them for future engagement;
- 23) Communicate with selected consultants for evidences or supporting document/signed contracts of the consultant's recent similar experiences or clarifications, participate in contract negotiations as an observer and prepare Minutes of Negotiations.
- 24) Submit draft negotiated contracts for approval and signature by authorized representatives of line Ministries and Project Director and then submit them to the World Bank for prior approval;
- 25) Assist DOW on monitoring and manage the signed contract to ensure the efficient performance service under the contract conditions;
- 26) Train DOW and Ministry staff in World Bank procurement procedures to build procurement capacity at these institutions;
- 27) Take part in the World Bank's verification missions and collaborate with auditors during mandatory audit of reports;
- 28) Perform other duties in support of Project implementation as required by the Project Director;
- 29) Take part in the development, improvement, and implementation of the Project Operational Manual.
- 30) Any other procurement-related tasks that may be assigned by the Project Director/Manager.

MANAGEMENT OF THE ASSIGNMENT AND TIME FRAME

6. The assignment will require **12 months** on full time contract from **1st February 2022 to 31 January 2023** with the possibility of extension over the duration of the project. The Procurement Consultant will be based in Vientiane, Lao PDR.

DELIVERABLES

- 7.** The National Procurement Consultant will be required to deliver the following tasks:
- Prepare project bid advertisements, bidding documents, evaluation reports, requests for proposals for consulting services, draft contracts and other procurement related documents.
 - Update the procurement plan and tracking form every month.
 - Assist in updating the annual work plan, progress reports and interim financial reports.
 - Assist in preparing and oversee the delivery of a procurement capacity building plan for the DOW staff.
 - Be fully familiarized with the project Manual of Operations and Procedures.

EXPERIENCE AND QUALIFICATIONS

8. The National Procurement Consultant should have, at a minimum the following criteria:



- at least University degree (Bachelor or equivalent) in engineering, management, economics, business administration or related field
- At least 5 years of relevant working experience in public procurement in Lao PDR
- Familiarity with government and foreign aid project operations
- Knowledge and experience of World Bank procurement procedures is highly desirable
- Excellent communication skills, including speaking and writing in both English and Lao languages
- Good interpersonal skills and result orientation
- Excellent analytical and presentation skills.