

Government of the People's Republic of Bangladesh

Ministry of Food

Modern Food Storage Facilities Project –MFSP

**Terms of Reference
For
An Independent Procurement Panel**

Assignment title	An Independent Procurement Panel Comprising of three Individual Consultant
Assignment duration Contract Period	54 Man Months (Part-Time/On call position Three Months per year/ Individual Consultant
Primary assignment location	Dhaka
Funding source(s)	IDA Project Cr. Number: 5265- BD for Modern Food Storage Facilities Project – MFSP
Contracting entity	Project Director Directorate General of Food

Context of the Assignment

Government of The People's Republic of Bangladesh has received an IDA credit toward the cost of the Modern Food Storage Facilities Project (MFSP), being implemented by the Directorate General of Food, Ministry of Food, and intends to apply part of the IDA credit for Individual Consultancy Services. The overall project development objective is to increase the grain reserve available to households to meet their post-disaster needs and improve the efficiency of grain storage management.

The Project consists of major 3 components: (i) Development of an improved silo storage system to store grain through the construction of modern grain storage silos at eight selected strategic sites, provision of grain storage bins to eligible households under a voucher system for safekeeping of rice and other food in the event of disasters and food shortages and implementation of environmental and social safeguard management activities identified in the ESMPs and/or RAPs for the Project (Component-A). (ii) Implementation of a food policy research program including, inter alia, a range of priority studies for the development of evidence-based policies, strategies, legal and institutional frameworks for improved food stock management and distribution (Component-B). (iii) Project Management, Construction, Supervision, Technical Assistance, Training and Strategic Studies (Component-C).

The project will be implemented by the Ministry of Food through the DG Food. DG Food will have overall responsibility for project implementation, including fiduciary compliance. The DG Food will also be responsible for overall financial management and operation of the designated account. FPMU will lead the development, management and implementation of the integrated food policy research program under Component-B. The Project Steering Committee (PSC), chaired by the Secretary, MoFood, will provide overall guidance and help coordination among various government agencies. The project will be implemented over a period of six years. All works will be completed in year four or five of the project and one to two years will be allowed for the warranty period. A Project Management Unit (PMU) has been established nearby the DG Food's office for day-to-day implementation and monitoring of the project activities.

Following the provision of **Financial Agreement** numbered 5265 BD dated 7 April 2014 the GoB shall maintain, at all times during the period of implementation of the Project, a panel of international and local procurement experts with qualifications, experience and terms of reference satisfactory to the Association. GoB, by an executive order, will authorize and empower the procurement panel to act on behalf of the Government in conducting the procurement and oversee the management of those contracts for goods, works and services financed under the Project which shall be specified in the procurement panel for such purpose, and shall take all measures as shall be necessary to enable the said panel to discharge its functions in an efficient, transparent and independent manner. Procurement Panel will be formed and responsible for large value contracts as identified in the procurement plan. The Procurement Panel will be appointed by Directorate General of Food (DG Food) consisting of three members; out of which two are international consultants (one procurement and one technical), and one national senior procurement consultant. Bank's Procurement Guidelines will govern the entire procurement process including documentation, evaluation of bids, award of contract, and contract management.

Objectives of the Assignment

Detail task of the panel are to carry out the procurement process which would include: (a) short listing of consultants; (b) pre-qualification of contractors and suppliers; (c) review of the bidding documents / Request for Proposal (RFP) which will be prepared by the Design & Supervision Consultant /Implementing Agency; (d) evaluation of bids /proposals ensuring compliance and confidentiality of the process; (e) submission of the evaluation report to the Project Director (PD) in sealed envelope for onward approval process. The Procurement Panel would also oversee the contract management during implementation and changes in the scope, quality and variations in the contracts recommended by the design and supervision consultant following the application of the contractors submitted as per General Conditions of Contracts. However the panel's person-time allocation will be significantly more during procurement and selection processes, then in contract management stages. The national and international procurement specialists should have sound knowledge in international high-risk complex procurement of turnkey plants, civil works and consultancy services, and the technical specialist should have sound knowledge in specific technical requirement including grain logistics and handling, and food storage technology.

Scope of the Assignment

The Procurement Panel will act independently with regard to the Evaluation of Procurement Packages. The project director will work in close association with the panel in respect of administration and supervision of the procurement process and approval procedure of the contracts. The Panel will provide the procurement oversight function in a way that procurement and contract management under the project are carried out in an effective and transparent manner in accordance with the Procurement Guidelines of the World Bank, and if applicable, particularly on contract approval aspects, the Government Public Procurement Act 2006 and Public Procurement Rules 2008.

The Key Responsibilities of the Panel would include, but not limited to the following

General:

1. International Procurement expert will act as Chairman of the Procurement Panel and will do all necessary communication with the Project Director (PD) MFSP.
2. To take any procurement decision at least two panel members shall be physically available and provide input with the other member at distant locations always provided that the report will be signed eventually by all three members.

Process for Works and Goods Contract:

1. Procurement panel will do necessary review of the Draft Prequalification Documents (DPQD) or Draft Bidding Documents (DBD) prepared by design consultant and suggests changes (if required). Once the procurement panel is satisfied with the updated DPQD or DBD then the panel will send it to PD for onward transmission to the Bank for "no objection".

2. PD will take necessary step to publish the Invitation for Prequalification (IFP) or Invitation of Bid (IFB) after its finalization by the panel.
3. IFP or IFB will mention that all procurement related communication will be with the Project Director. PD will send queries / requests / complaints by the bidder to the chairman of the procurement panel for panel's review without any delay.
4. If an amendment of the prequalification / bidding document is required then chairman of the panel will prepare a justification of such amendment and send to the PD for onward transmission to the Bank for its "no objection". After getting Bank "no objection", PD will issue the amendment of PQ document or bidding document to the bidders / firms.
5. PD will receive the applications or bids.
6. PD in presence of procurement panel will arrange the public opening of bids and sharing the records of bid opening with all bidders that may be present at opening and sharing the same with the Bank.
7. After public opening the bids, the PD will hand over the bids to the procurement panel.
8. The panel members will conduct evaluation of bids by themselves without delegating any task to any other official/ staff/ person in any circumstance.
9. All panel members will work on a full-time basis at a specified office location (very similar to sequestering) until the evaluation is complete; the bid evaluation report (BER) is prepared, finalized, and signed.
10. Chairman of the panel will conduct necessary clarification with the bidders / firms (if required).
11. The panel members are not allowed to carry bids or its copy outside the specified office location (venue of evaluation) until the evaluation is complete, the report is signed and delivered to the PD in a sealed envelope.
12. Upon receipt of the evaluation report from the panel Chair, the PD will forward it to the Bank for its review and "no objection" and send copy of the bids, if the Bank specifically requests so.
13. take necessary action to obtain approval as per GoB's delegation of authority.
14. PD will take necessary steps for issuing notification of award and contract signing, and sending copies of the contract/s to the Bank immediately after signing in order to ensure that the contract records are complete, prior to the project submits its first withdrawal application that includes proceeds related to the subject contract/s.

Process for Consultancy Service:

15. PD will take necessary steps to publish the Request for Expressions of Interest (REoI).
16. REoI will mention that all procurement related communication will be with the Project Director (PD).
17. PD will receive the applications and hand those over to the procurement panel.
18. PD will do necessary communication with firms. PD will send queries / requests / complaints by the firms to the chairman of the procurement panel for panel's review without any delay.
19. Procurement panel will prepare the shortlist report and send to PD for onward transmission to the Bank for "**no objection**"
20. Procurement panel will do necessary review of the draft Request for Proposal (RFP) prepared by the agency and suggests changes (if required). Once the procurement panel is satisfied with the updated RFP then the panel will send it to the PD for onward transmission to Bank for "**no objection**".
21. If an amendment of the RFP is required then Chairman of the panel will prepare a justification of such amendment and send to the PD for onward transmission to the Bank for its "no

objection". After getting Bank "no objection", PD will issue the amendment of RFP to the short listed firms.

22. PD will organize the Pre-Proposal meeting
23. PD will receive the Technical and Financial Proposals.
24. PD in presence of procurement panel will arrange the public opening of technical proposal and share the records of technical proposal opening with all firms that may be present at opening and sharing the same with the Bank.
25. After public opening of the technical proposals, both technical proposals and sealed financial proposals will be handed over to the procurement panel.
26. The financial proposal will be kept in double key locker; one key will be with the Chair of the panel and other key will be with either PD or the head of the agency Director General of Food.
27. Conducting evaluation of proposals by the panel members themselves without delegating any task to any other staff in any circumstance.
28. All panel members will work on a full-time basis at a specified office location (very similar to sequestering) until the evaluation is complete; the Technical Evaluation Report (TER) is prepared, finalized, and signed.
29. Chairman of the panel will conduct necessary clarification with the firms (if required).
30. The panel members are not allowed to carry any proposal or its copy outside the specified office location (venue of evaluation) until the evaluation is complete, report is signed and delivered to the PD in a sealed envelope.
31. Upon receipt of the Technical Evaluation Report (TER), the PD will forward it to the Bank for "no objection". If the Bank requires review of the technical proposals, PD will arrange to send a copy of those immediately.
32. After getting Bank approval, the PD, in presence of the procurement panel, will arrange public opening of financial proposals and share its outcome with the Bank.
33. In case of Quality and Cost Based selection (QCBS), the PD will hand over the financial proposals to the procurement panel for combined evaluation. Once panel's review and reporting of combined evaluation report is complete, the PD will invite the top ranked firm in the combined evaluation for negotiation. In case of Quality Based Selection (QBS), the PD will invite the technically top ranked firm for negotiation. In all cases, the panel will advise the PD on which firm is to be invited for negotiations.
34. PD and the procurement panel will conduct the negotiation with the top ranked firm.
35. PD will send the draft negotiated contract to the Bank for "no objection" and take necessary action to obtain approval as per GoB's Delegation of Financial Power.
36. PD will take necessary steps for signing the contract, and sending copies of the contract to the Bank immediately after signing in order to ensure that the contract records are complete, prior to the project submits its first withdrawal application that includes proceeds related to the subject contract/s.

Expected Outputs & Deliverables

The Consultant will need to produce to following:

No	Description	Reporting Time
1	Short listing of consultants	Two weeks after handing over by PD
2	Pre-qualification of contractors and suppliers	Three weeks after submission by PD
3	Review of the bidding documents / Request for Proposal (RFP)	Three weeks after submission by PD
4	Evaluation of bids /proposals	Two weeks after receipt
5	Review of Variation Proposals	One week

Consultant qualifications and expertise required:

Designation	Position in Panel	Qualification	1.2.1 Expertise
International Technical expert	Member	<ul style="list-style-type: none">* Graduate chartered/professional Engineer with an MS degree in the relevant field.• Must have membership of renowned institution(s) in the field of Engineering.	<ul style="list-style-type: none">* 20 years general experience in field of Procurement of Industrial equipment* 5 year specific experience in field of Procurement/Design of grain handling/grain logistics/grain storage* Demonstrated capacity to work in foreign aided projects in a team environment;

Reporting and supervision arrangements:

The panel will send evaluation reports in Bank's standard format and all reviewed documents/deliverables to the Project Director within the stipulated time.

Responsibilities of the contracting party

PD will arrange a secured office room for procurement panel members. This room will remain locked all the time with access of panel members only. This office room is fully equipped with computer, photocopier, scanner, internet connection and double key locker/ cabinet to store the bids/proposals. The contracting authority will send queries/request/complaints and all procurement/contract documents required to be evaluated/ recommended by the panel. The contracting authority will provide any other assistance not readily available that the consultant may reasonably request, including liaison with the Government and other agencies concerned.

Ancillary Support

If the panel members need support of one or two local experts selected from the market in order to go through the documents submitted by the consultants and contractors as part of their EoIs, technical proposals, supporting documentation, PQ information and bids, the PMU will do the needful if such need requested by the panel chairman.

Duration of consultancy

The Chairman and other two members of the procurement panel would be hired for a period of 3 months per year and to be call whenever necessary. However, the individual contract will be subject to review on the basis of performance in achieving of objectives of the services. In fine, the panel members would be recruited on the need basis perhaps service of international/expatriate specialists would be on a part time basis and for the national procurement specialist for a longer duration.

Procurement Method

The individual panel members will be hired by the criteria based on qualification and expertise following the method of hiring the individual consultant provided in the World Bank Guidelines for Selection and Employment of Consultants under IDA Credits & Grants by World Bank Borrowers updated January 2011.

Annex- 1

Brief Description of the Project Modern Food Storage Facilities Project (MFSP)

Project Description

1. The major component of the project is an improvement of silo storage system to store milled rice (and wheat to a lesser extent) with a total capacity of around 535,500 tons. Subject to full compliance with the requirements in the publicly disclosed ESAMF and prior completion of all complementary site-specific studies and analyses required, the silos would be constructed at about eight sites in various strategic locations across the country. The eight sites proposed are on land currently owned by the DG Food, and no land acquisition will be required. BCCRF funds are expected to be used for silo construction at the Narayangang site. Subject to the above requirements or in the event that end-of-construction date at that site would go beyond the BCCRF Grant Agreement closing date, these funds could be used for the silo construction at another project site, subject to prior consultations and approval by the BCCRF Management Committee.

Overall Project Objective:

The overall project development objective is to increase the grain reserve available to households to meet their post-disaster needs and improve the efficiency of grain storage management

Specific Objective of the Project

The following are the key objectives of the project

- (i) Increased availability of grain stocks immediately following a major disaster event;
- (ii) Increased number of households whose grain needs can be met immediately after the disaster;
- (iii) Improved efficacy of the grain storage system, and monitoring and management of the food stock in the country;
- (iv) Reduced loss in grain stocks relative to pre-project losses;
- (v) Reduced cost in storing foods and its transportation and distribution;
- (vi) Ensured better monitoring, and improved governance and management of food stocks;
- (vii) Achieved higher operational efficiency;
- (viii) Minimized Land area required;
- (ix) Ensured higher security against pilferage; and
- (x) Minimized insect pest infestation and grain molds.

Description of the Project Components:

Component A – Construction of Modern Grain Storage Silo Facilities

The primary objective of this component is: i) to improve the storage capacity for grain at the country level by financing the construction of modern steel silos for rice and wheat, that will be built in accordance with social and environmental sustainability parameters and safeguards compliance criteria; and (ii) facilitate the access of households to domestic silos for food grain and seed storage, to improve household level food security during and after natural disasters. This component would include: (A1) Public storage facilities in the form of modern grain storage silos; (A2) Household level storage facility or family silos particularly in the disaster prone areas of the coastal zone; and (A3) Implementation of social and environmental management plans.

Component B – Support for Food Planning and Monitoring Program.

The objective of this component is threefold: i) enhance the institutional capacity of DG Food and FPMU and support these agencies in carrying out their respective mandates; ii) address analytical gaps and support the development of an evidence-based policy framework to improve the efficiency and performance of the country's overall food storage system and management of strategic grain reserves, and iii) improve the coordination of public agencies (in particular DG Food and FPMU with MoDMR) involved in procurement, public storage, and distribution of food grains, as well as disaster relief. FPMU is responsible for monitoring of the food situation in the country and the implementation of related policies, while DG Food is responsible for physical procurement and management of government food stocks in accordance with agreed food security policies including the supply of food to the disaster-affected population, through relief and rehabilitation programs. The component will contribute to reconciling policies and public interventions: i) on food distribution (taking into account short and longer term storage capacities), ii) in response to incremental demand for food grain in post-disaster situations, and iii) aimed at achieving price stabilization for coarse grains normally consumed by the poor and vulnerable.

Activities supported under this component will directly contribute to enhancing the coordination between MoFood and MoDMR agencies, and to improving the decision-making process on food storage, food distribution, and market intervention on the basis of up-to-date, sound and informed analyses. Subsequently, the Bank expects GoB to follow up on these policy recommendations with concrete policy actions and/or improvements to relevant regulations and institutional arrangements that address key questions around enhancing the efficiency and performance of the food storage and food distribution system. To that effect, a range of studies will be developed, undertaken and disseminated under Component B to answer the following strategic challenges: (a) the 'optimum' volume of grain to be stored and its implications on GoB's policies; (b) impacts of GoB food market interventions on price stabilization and broader food markets; (c) improvements in enabling environment to promote a sustainable participation of private sector; (d) strategy for disposing of the grain stored in the modern facilities; (e) current physical condition of the existing public storage facilities; (f) policy, legal and institutional framework, and technical requirements for nutrient fortification; and (g) introducing warehouse receipt system.

Component C- Project Management, Construction Supervision, Technical Assistance, Training and Strategic Studies.

This component will finance costs required to ensure adequate overall management of the project, monitoring and evaluation of the activities implemented, and capacity enhancement of selected stakeholders. It will include: (C1) project management of the task, incremental staff and expenditures of the DG Food in implementation of the project, the costs for implementing the Governance and Accountability Action Plan (GAAP), including a panel of experts, as needed, a procurement panel, audit and other such costs; (C2) cost of consultants for preparation of bidding documents, construction supervision and updating of designs required during the construction; this would among others include costs for construction supervision, monitoring and evaluation of project impacts; (C3) provision of technical assistance, training, institutional capacity building, preparation of future projects, and any strategic studies needed during project implementation and not covered under Component-B.