

BANK PROCEDURE

Procurement in IPF and Other Operational Procurement Matters

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Content
Procedure governing procurement activities financed by IPF and other operational procurement matters

Applicable to
IBRD and IDA

Issuer
Vice President, OPCS

Sponsor
Chief Procurement Officer, Operations Risk Management, OPCS

WORKING DRAFT

SECTION I – PURPOSE AND APPLICATION

1. This Procedure sets out the procedural instructions related to Procurement in IPF and other operational procurement matters, such as procurement accreditation, OPRC, and inter-institutional operational conflict of interest.
2. This Procedure applies to the Bank.

SECTION II – DEFINITIONS AND ACRONYMS

As used in this Procedure, the capitalized terms and acronyms have the meaning set out: (a) in Section II of Procurement Policy, _____, 201_, Catalogue No. _____, and Section II of Procurement Directive, _____, 201_, Catalogue No. _____; or (b) below.

1. **APM**: Accredited Practice Manager, GGP.
2. **APS**: Accredited Practice Specialist.
3. **CD**: Country Director.
4. **CL**: country lawyer.
5. **FMS**: Financial Management Specialist.
6. **ICOIO Adviser**: Inter-Institutional Business Conflict of Interest Office, Adviser, LEG.
7. **Instructions**: means operational instructions (e-link).
8. **IPR**: Independent Procurement Review.
9. **ISR**: Implementation Status and Results (ISR) report or similar instrument which may replace said ISR.
10. **LEG-PrA**: Legal Procurement Advisor, LEGOP.
11. **MD&COO**: Managing Director and Chief Operating Officer.
12. **OPCSVP**: Vice President, OPCS.
13. **OPRC**: Operational Procurement Review Committee.
14. **PAS**: Procurement Accredited Staff.
15. **PASP (or Panel)**: Professional Accreditation and Standards Panel.
16. **PIO Director**: Director for Public Integrity and Openness, GGP.
17. **PM**: Practice Manager.

18. **Procurement Directive:** Bank Directive, “Procurement in IPF and Other Procurement Operational Matters”, ____, 201__, Catalogue No. ____, as may be amended from time to time. (e-link)
19. **Procurement Guidance:** Bank Guidance, “Procurement in IPF and Other Operational Procurement Matters”, ____, 201__, Catalogue No. ____, as may be amended from time to time. (e-link)
20. **Team Leader (or TL):** Bank staff leading IPF task teams.

SECTION III – SCOPE

1. This Procedure supplements and should be read in conjunction with Procurement Policy and Procurement Directive. In addition, this Procedure comprises or refers to other Bank-wide processing, documentation (including templates) and other technical requirements applicable to IPF operations, among others:
 - (i) Bank Procedure, “Operational Policy Waivers and Waivers of Operational Requirements”, July 1, 2014, Catalogue No. OPCS5.06-PRO.01; e-link
 - (ii) Bank Procedure, “Small Recipient-Executed Trust Funds Grants”, March 9, 2015, Catalogue Number OPCS5.03-PROC.01; e-link
 - (iii) Bank Procedure, “Working Arrangements among the Global Practices, the Regions, INT and OPCS Concerning Fraud and Corruption”, March 20, 2015, Catalogue Number OPCS5.03-PROC.02; e-link
 - (iv) “Instructions: Additional Financing for Investment Project Financing”; e-link
 - (v) “Instructions: Investment Project Implementation Support to Project Completion”; e-link
 - (vi) “Instructions: Preparation of Investment Project Financing (Track 1)”; e-link
 - (vii) “Instructions: Preparation of Investment Project Financing (Track 2)”; e-link
 - (viii) “Instructions: Preparation of Investment Project Financing - Situations of Urgent Need of Assistance or Capacity Constraints”; e-link
 - (ix) “Instructions for Suspension, Cancellation and Placement of Bank Loans in Nonperforming Status”; e-link and
 - (x) Operational Policy, “Waivers and Waivers of Operational Requirements”, April 7, 2014, Catalogue No OPCS5.06-PRO.01; e-link
2. Procurement accredited staff, including the APS, PAS, APM, and CPO, are responsible and accountable for procurement clearances and procurement advice provided to TL. The TL is responsible and accountable for compliance with the clearances given by procurement accredited staff.

3. The Recommender is responsible for resolving substantive disagreements with advice received. If the disagreement is: (a) material to the proposal; and (b) cannot be resolved at that level, the Recommender discusses the matter with the Concurrer. If there is no Concurrer, or if the Concurrer is unable to resolve the matter, the Recommender initiates a discussion with the Decider. The Decider either resolves the matter or escalates it further up the management chain.
4. The following table and related annexes set out the processing steps and ADM Roles related to IPF procurement, and other operational procurement matters, such as accreditation of Bank procurement staff; OPRC; and inter-Institutional operational conflict of interest.

[The table below, templates, annexes, etc. will be developed further after the CODE/AC discussion and included in the Board package. This Procedure will be finalized and issued when Procurement Policy and the Procurement Directive are issued.]

I. PROJECT PREPARATION

A. Procurement Activities subject to OPRC review Identified during IPF Preparation

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>Procurement activities subject to OPRC review identified during IPF Preparation.</u></p> <p>With the support from APS/PAS, TL prepares a memorandum seeking CPO's approval to incorporate into the decision meeting package proposals for the implementation and monitoring OPRC activities identified during appraisal.</p> <p>The memorandum is supported with relevant draft project documents, including: (i) PAD (ii) PPSD, including Activity Procurement Strategies, as appropriate, (iii) legal agreement (if available), and (iv) other relevant documents/ information that support this request.</p> <p>OPRC also reviews Activity Procurement Strategies for contracts over OPRC review thresholds developed during project implementation.</p>	<p>TL: recommends</p> <p>APM: concurs</p> <p>LEG-PrA: advises</p> <p>CPO: decides</p>			<ul style="list-style-type: none"> Desirable to alert in writing (template) the CPO as early as possible about the forthcoming OPRC cases. Guidance note to be developed. Upon the CPO's approval, this proposal is incorporated into the decision Meeting package without substantive or material changes. The chair of the decision meeting ultimately decides whether to the proposal on how OPRC contracts will be implemented and monitored.

B. Alternative Procurement Arrangements

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>APA Proposal for Borrower's agency(ies)</u></p> <p>With the support from APS/PAS, TL prepares an APA proposal memorandum seeking CPO's approval to incorporate into the decision meeting package a proposal for the use of the procurement arrangements of an agency of the Borrower.</p> <p>The memorandum is supported with relevant draft project documents, including: (i) PAD, including proposed actions for the implementation and monitoring the APA, (ii) PPSD, (iii) legal agreement (if available) and (iv) other relevant documents/ information that support this request.</p>	<p>TL: recommends</p> <p>APM: concurs</p> <p>LEG-PrA: advises</p> <p>CPO: decides</p>			<ul style="list-style-type: none"> Desirable to alert in writing (template) the CPO and the PIO Director as early as possible about the forthcoming APA proposals related to Borrower's agencies. Procurement Guidance <u>"How to process APA, and the methodology for assessing Borrower's agencies"</u> (To be developed) Bank's Anti-Corruption Guidelines are operationalized by requiring that bidders/consultants present a signed acceptance of the provisions at the time of bidding. (Annex IX of this Procedure for a copy of the letter of acceptance) Upon approval of the APA by the CPO, this proposal is incorporated into the decision meeting package without substantive or material changes. The chair of the decision meeting ultimately decides whether to the APA proposal is included in the project/financing design.

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>APA Proposal for bilateral or multilateral agencies or organizations</u></p> <p>With the support from APS/PAS, TL prepares an APA proposal memorandum seeking PIO Director's approval to incorporate into the Decision Meeting package a proposal for the use of the procurement arrangements of a bilateral or multilateral agency or organization</p> <p>The memorandum is supported with relevant draft project documents, including: (i) PAD; (ii) PPSD, (iii) agreement with the development agency/organization for the use of APA, (iv) legal agreement (if available) and (v) other relevant documents that support the request for the use of APA.</p>	<p>TL: recommends</p> <p>APM: concurs</p> <p>CL: clears the draft of the APA agreement</p> <p>LEG-PrA: advises</p> <p>PIO Director: decides¹</p>			<ul style="list-style-type: none"> Desirable to alert in writing (template) the PIO Director and the CPO as early as possible about the forthcoming APA proposal. The memorandum copy of the PPSD, among other documents Upon approval of the APA by the PIO Director, the proposal is incorporated into the decision meeting package without substantive or material changes. The Bank's Anti-Corruption Guidelines are operationalized by requiring that bidders/consultants present a signed acceptance of the provisions at the time of bidding. (Annex IX of this Procedure for a copy of the letter of acceptance) The Chair of the Decision meeting ultimately decides whether to the APA proposal is included in the project/financing design.

¹ This decision is a function delegated by the CPO to the GGP.

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>APA implementation</u></p> <p>With the support from APS/PAS, the TL monitors and assists in the implementation of the APA pursuant to its terms.</p>				<ul style="list-style-type: none"> Through ISRs or other means the TL informs the CPO and PIO Director of the APA status.
<p><u>APA non-compliance</u></p> <p>Non-compliance by the Borrower agency with the terms of the APA is dealt with as appropriate, similar to other cases of non-compliance.</p> <p>Non-compliance by the agency performing procurement oversight (bilateral/multilateral development agencies or organizations) on behalf of the Bank is dealt with in accordance with the terms of the APA agreement.</p>	<p>TL: recommends</p> <p>CPO/PIO Director: clears (depending if APA refers a Borrower's agency or development agency or organization, respectively)</p> <p>CL: clears</p> <p>LEG-PrA: advises</p> <p>CD: decides</p>			<ul style="list-style-type: none"> Procurement Guidance on APA provides additional information on how non-compliance cases should be handled internally will be developed.
<p><u>Modification or Revocation of APA</u></p> <p>When cases of APA non-compliance require modification or revocation of the APA, the TL prepares and circulates draft memorandum to the CD, including relevant information necessary for consideration of the proposed modification or revocation.</p>	<p>TL: recommends</p> <p>APM: concurs</p> <p>CL: clears</p> <p>LEG-PrA: advises</p> <p>CPO: advises</p> <p>CD: decides</p>			

II. Procurement Implementation Support and Monitoring

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>Prior, Post Reviews and IPRs</u></p> <p>Prior and post reviews and IPR are carried out in accordance with <u>Annexes II, III and IV Annex IV</u> of this Procedure..</p>				
<p><u>Third party assurance</u></p> <p>When in accordance of paragraph 3.12 of Section III of the Regulations, third party assurance is proposed, the TL with support from APS/PAS, prepares a memorandum (e-link) to the APM.</p>	<p>TL: recommends</p> <p>APM: decides</p>			
<p><u>Non-compliance</u></p> <p>When the Borrower does not comply with the procurement requirements set out in the legal agreement, the TL, with support from APS/PAS, prepares a memorandum to the CD recommending Bank action.</p>	<p>TL: recommends</p> <p>APM/CPO: clears (depending of the level of accreditation)</p> <p>CL: clears</p> <p>LOA: clears</p> <p>CD: decides</p>			<p>Procurement Guidance on how to process cases of non-compliance will be developed.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>Procurement related complaints and contract-related communications</u></p> <p>See Annex V of this Procedure for instructions on how to handle procurement related complaints and contract-related communications.</p>				
<p><u>Procurement-related implementation support and monitoring - hands-on expanded implementation support²</u></p>				
<p><u>Fraud and Corruption</u></p> <p>See Bank Procedure “Working Arrangements among the Global Practices, the Regions, INT and OPCS Concerning Fraud and Corruption” (e-link)</p>				

² This section will discuss the proposal for hands-on support (limited, as per the Policy and Directive, to cases under par. 12 of OP 10.00). The proposal will need to be approved by the [CPO/GGP], and will include justifications, description of specific activities proposed to be carried out by the Bank procurement staff, proposed risk mitigation measures and controls, and funding and staff resources required. The proposal would need to have inputs from LEG, OPCS, and other concerned parties within the Bank.

III. Interpretation and Amendment of the Procurement Framework

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>Formal interpretation of the procurement framework</u></p> <p>Formal interpretation refers to written requests for substantive clarifications or explanations (in general or case-specific circumstances) of provisions in the Procurement Policy, Directive, this Procedure, Procurement Regulations for Borrowers and Guidance.</p>	<p>CPO : decides</p> <p>PIO Director/ APM: decides. See additional requirement column.</p>			<p>As necessary the CPO, PIO Director/APM consult with LEG-PrA and other relevant parties.</p> <p>Interpretation of the Procurement Regulations for Borrowers related to Section VI (except sub-sections P, R T, U and related annexes) and Section VII (except sub-sections A.2, B.10, B.11,B.12, C.1, C.2, C.3 and related annexes) is delegated by the CPO to the GGP.</p> <p>Records of such interpretations are available at ____</p>
<p><u>Amendment of the Procurement Policy</u></p> <p>If a proposal for the amendment of the Procurement Policy is initiated by the CPO, the CPO prepares and circulates draft memorandum from the OPCSVP to MD&COO for the Board approval.</p>	<p>CPO: recommends</p> <p>PIO Director : advises</p> <p>LEG-PrA: advises</p>			<p>This ADM supplements and shall be read in conjunction with the ADM for amending Bank policies, which applies.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<u>Amendment of the Procurement Directive</u> CPO prepares and circulates draft memorandum for VP OPCS approval.	CPO: recommends PIO Director: advises LEG-PrA: advises OPCSVP: decides			
<u>Amendment of this Procedure, and Procurement Regulations for Borrowers</u> CPO prepares and circulates draft memorandum for the advice from LEG-PrA and PIO Director.	LEG-PrA: clears PIO Director: advises CPO: decides			

IV. Operational Procurement Matters

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>Procurement accreditation</u></p> <p>The CPO, with the advice from the PASP, develops accreditations standards and procedures.</p> <p>The CPO decides requests for procurement accreditation.-Interim- procedures involving procurement accreditation of staff and consultants are described in <u>Annex VI</u> and <u>Annex VII</u> of this Procedure.</p>				
<p><u>Operational Procurement Review Committee (OPRC) level decision on specific IPF procurement matters</u></p> <p>The framework for processing and deciding OPRC cases are described in <u>Annex VIII.</u></p>	<p>TL: recommends</p> <p>APM: concurs</p> <p>LEG-PrA: advises</p> <p>CPO: decides</p>			
<p><u>Inter-institutional operational conflict of interest</u></p> <p>The TL prepares a memorandum asking the ICOIO, through the ICOIO Adviser for the review and resolution of inter-institutional operational conflict of interest and proposed resolution under Section III.F of the Procurement Directive are described in the memorandum.</p>	<p>TL: recommends</p> <p>ICOIO Adviser: advises</p> <p>_____: decides</p>			

SECTION IV – WAIVER

The provisions of this Procedure may be waived in accordance with the Procurement Directive, _____, 2015, Catalogue No. _____.

SECTION V – EFFECTIVE DATE

This Procedure is effective _____.

SECTION VI – ISSUER

The Issuer of this Procedure is the Vice President, OPCS.

SECTION VII – SPONSOR

The Sponsor of this Procedure is the Chief Procurement Officer, Operations Risk Management, OPCS.

SECTION VIII – RELATED DOCUMENTS

Bank Directive, “Policy and Procedure Framework”, January 8, 2014, Catalogue No. LEG4.01DIR.01.

BP 10.00, “Investment Project Financing”, April 2013, revised in July 2014.

Bank Policy, “Operational Policy Waivers”, April 7, 2014, Catalogue No. OPCS5.06-POL.01.

Bank Policy, “Procurement in IPF”, _____, 201_, Catalogue No. _____.

Bank Procedure, “Policy and Procedure Framework”, January 8, 2014, Catalogue No. LEG4.01PROC.01

Bank Procedure, “Procurement in IPF and Other Operational Procurement Matters”, _____, 201_, Catalogue No. _____.

Bank Procedure, “Working Arrangements among the Global Practices, the Regions, INT and OPCS Concerning Fraud and Corruption”, March 30, 2015, Catalogue No. OPCS5.03-PROC.02

Board Paper, “Procurement in World Bank Investment Project Financing”, dated _____, No _____.

“Guidelines on Preventing and Combating Fraud and Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants”, dated October 15, 2006 and Revised in January, 2011.

“Instructions: Additional Financing for Investment Project Financing” e-link.

“Instructions: Investment Project Implementation Support to Project Completion” e-link.

Bank Procedure, “Procurement in IPF and Other Operational Procurement Matters” | Catalogue Number

“Instructions: Preparation of Investment Project Financing (Track 1)” e-link.

“Instructions: Preparation of Investment Project Financing (Track 2)” e-link.

“Instructions: Preparation of Investment Project Financing - Situations of Urgent Need of Assistance or Capacity Constraints” e-link.

“Instructions for Suspension, Cancellation and Placement of Bank Loans in Nonperforming Status” e-link.

OP 10.00, Operational Policy “Investment Project Financing”, April 2013, revised in July 2014.

World Bank Procurement Regulations for IPF Borrowers”, dated _____.

World Bank Sanctions Procedures, April 15, 2012.

Questions regarding this Procedure should be addressed to the Chief Procurement Officer, OPSOR

Procurement Procedure

Annex I

General Responsibilities and Accountabilities for Procurement

1. PURPOSE

- 1.1 This annex describes Bank staff's general responsibilities and accountabilities for procurement activities under IPF operations. This annex will be finalized after the CODE/AC discussion, and included in the Board package. It will reflect the identified roles and responsibilities in the CODE/AC paper and the Procurement Directive.

2. APPLICATION

Team Leaders (TLs)	<p>TLs are the main interlocutors in communicating the Bank's position to the Borrower after consultation with and procurement clearance from the appropriate levels. TLs have the primary overall responsibility to ensure that procurement is carried out according to the Bank's Procurement Framework and other Bank policies and procedures. They are, among other things, responsible for:</p> <ul style="list-style-type: none"> (a) ensuring that a designated Accredited Practice Staff (APS) or Procurement Accredited Staff (PAS) is included in the task team from the early project preparation stages (critical activity, given the need to identify the optimum procurement approach in the PAD); (b) assisting the Borrower in preparing a proportional and effective procurement strategy for the project (Project Procurement Strategy for Development); (c) obtaining procurement clearances and advice and being accountable for their compliance; (d) keeping line managers informed of progress or issues adversely affecting procurement in the projects under their responsibility; (e) ensuring that there are adequate resources earmarked for tasks such as hands-on expanded procurement implementation support to Borrowers, capacity building/training, prior reviews, any negotiations, procurement post reviews, contract management and field supervision missions; (f) reviewing or arranging for a technical expert to review the technical aspects of the project and its related contracts, including but not limited to TORs, technical specifications and design, bills of quantities, etc.; (g) monitoring the execution and regular (at least annual) updating of the procurement strategy, plans, and ensuring proper publication, including updates;
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	<ul style="list-style-type: none"> (h) ensuring the timely publication of the General Procurement Notices (GPNs) and Specific Procurement Notices (SPNs); (i) signing no objection letters in response to Borrowers' procurement recommendations on behalf of the Bank after obtaining the appropriate internal clearances; (j) following up with the Borrower on complaints ensuring business standards are met,, findings of procurement supervision missions, PPRs, IPRs, or any other audits and reviews; (k) monitoring contract management issues, ensuring Key Performance Indicators are met (with support from Bank Procurement staff as agreed) and conducting physical inspections; and (l) maintaining and arranging for filing in the Bank's internal records systems, all project procurement-related documents, in particular communications with the Borrower such as no objections, etc., and making sure that information is entered in a timely and appropriate manner in all procurement systems (e.g. Forms 384, complaints database, etc.).
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Accredited Practices Managers (APMs)	<p>They advise management on the application of Procurement Framework and how to address systemic and related operational issues across sectors/sub-sectors in their regions. APM supervises procurement staff and oversees the organization and delivery of procurement services. They ensure that appropriate fiduciary and quality controls are in place, and monitor consistency in the application of the procurement framework when making procurement decisions. The APM procurement responsibilities and authorities depend on the accreditation and delegation from the CPO, but will generally include the following:</p> <ul style="list-style-type: none"> (a) ensuring that each project is assigned a APS or, in consultation with the Practice Manager (PM), a PAS with skills compatible with the nature and complexity of the procurement work involved; (b) reviewing draft procurement sections in project documents (procurement arrangements, Procurement Plan, and project supervision plan) and legal agreements drafted by APS/PAS, as required; (c) setting up adequate arrangements to provide quality assurance and monitor procurement and report to the CPO any issues affecting regional performance and to propose adequate solutions for addressing problems with procurement work in the regions; (d) reviewing and deciding on the clearance of all contracts subject to the APM thresholds set up in Annex II of the Procurement Procedure; (e) concurring on the procurement clearance of those operational requests subject to OPRC decision, set up in Annex VIII of the Procurement Procedure;
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	<ul style="list-style-type: none"> (f) ensuring timely response and resolution of procurement complaints, provided that INT is responsible for handling complaints involving allegations of fraud and corruption; (g) following up on INT reports' findings and recommendations; (h) acting as a focal point/ spokesperson on general procurement issues with Borrowers and external constituencies; chairing de-briefing meetings with the complaining bidders and consultants; (i) providing quality assurance on procurement diagnostic and at the country level, and following up on country reform and capacity development actions; (j) reporting to the concerned PM the TLs' compliance with procurement clearances and advised provided by accredited procurement staff; (k) hiring and selecting procurement staff, guiding/mentoring procurement staff and procurement-accredited staff, and assisting procurement staff in their career development, including on-the-job training; (l) contributing to the design of professional and operational training and development activities in procurement and overseeing delivery of training of the Borrowers' staff and outreach to the private sector in the region; (m) recommending procurement accreditation of GGP staff and or GGP consultants; and clearing requests for procurement accreditations recommended by non-accredited managers; (n) leading procurement initiatives at the regional or practice level to establish a framework and approach to knowledge dissemination and/or development of knowledge products, including tools and methodologies; (o) determining need for hand-on expanded procurement implementation support; (p) establishing thresholds for international competitive processes per country as per established in annex III of this Procedure; and (q) managing partnership initiatives with regional development banks and other international financial organizations, and bi-lateral donors.
APS and PAS	<ul style="list-style-type: none"> (a) APSs and PASs are the task team members accountable for procurement activities related to the preparation and supervision of the project as per their delegations and accreditations. The APS and PAS procurement responsibilities and authorities depend on the accreditation from the CPO and the delegation from the APM, but will generally include the following: (b) assessing risks that could affect the development results associated with the operation; (c) assisting the Borrower in preparing the PPSD and the procurement plan;

	<ul style="list-style-type: none"> (d) providing quality professional input to the procurement activities mandated by the preparation and supervision of Bank-financed projects; (e) drafting procurement-related sections of the project documents, loan agreements, minutes of the negotiations, Aide Memoires, supervision reports, follow-up letters to the Borrowers, ICRs, etc.; (f) advising the TL and task teams on procurement operational and capacity building work; (g) participating in project preparation, loan negotiations and supervision missions; (h) carrying out a wide range of the Bank's fiduciary responsibilities, including prior and post reviews, related to procurement; (i) seeking advice and obtaining clearance needed from APMs and other procurement authorities within the Bank; (j) liaising with concerned parties, especially with INT in regard to red flags or investigations, Loan Department (LOA) and financial management staff with regard to general quality and coordination of operational work and ESW; (k) keeping the TLs and the APMs informed of any issues related to procurement that may arise in the operations assigned to them; (l) acting as main interlocutors of the Borrower with regard to project procurement-related matters, and providing support and conducting training of Borrowers' staff as needed; (m) providing hands-on expanded procurement implementation support and advice to the Borrower, as appropriate, while ensuring that the Borrower remains responsible and accountable; (n) participating in contract supervision; and (o) conducting outreach activities for the community of bidders and consultants. (p) contributing to the evaluation of the Borrower's national procurement systems, including risk assessments and proposals for improvements to strengthen the legal and institutional frameworks and the capacity of the Borrower.
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Procurement Procedure

Annex II

Mandatory Procurement Prior Review Thresholds

1. PURPOSE

- 1.1 This annex establishes the mandatory procurement prior review³ thresholds for different types of procurement under IPF operations. It also establishes the thresholds for accredited practice specialists (APSs)/procurement-accredited specialists (PASs), accredited practice managers (APMs), and the Operational Procurement Review Committee (OPRC) when processing requests for Bank procurement prior review in accordance with the applicable thresholds.

2. APPLICATION

- 2.1 The following requirements apply to prior review of procurements financed by the Bank under IPF operations:
- a) All contracts above the mandatory prior review value thresholds set out in Table 1, and relevant contracts in an FCS country are subject to the Bank's prior review.

Table 1. Procurement Prior Review Thresholds
(US\$ millions)

<i>Type of procurement</i>	<i>High risk</i>	<i>Substantial risk</i>	<i>Moderate risk</i>	<i>Low risk</i>
Works ^a	5.0	10.0	15.0	20.0
Goods, ITs and non-consulting services	1.5	2.0	4.0	6.0
Consultants (firms)	0.5	1.0	2.0	4.0
Individual consultants	0.2	0.3	0.4	0.5

^a Including Turnkey, Supply & Installation of Plant and Equipment, and PPP.

³ Procurement Prior Review is an ex-ante review by the Bank of planned procurement actions carried out by the Borrower.

- b) By exception, the APM may set a prior review threshold at values less than those mandated in table 1. Such exceptions must be justified and notified to OPCS (with the reasons for the exception) so that prior review levels can be monitored and reported by management.
- c) All procurement contracts above the mandatory prior review thresholds are subject to international advertising (See Annex III of this Procedure for Thresholds for International Competitive Procurement by Country) and the use of the Bank's standard procurement documents (or other documents agreed with the Bank), unless an APA has been agreed.
- d) Thresholds for international competitive procurement processes are determined on the basis of (i) the size, depth, and conditions of specific markets, and the capacity of the local industry; (ii) the assessed level of interest of foreign providers to participate in domestic markets; and (iii) the nature, complexity, and level of risk of the procurement activity.
- e) If the assessed procurement risk is low or moderate, the APM may determine that procurement above the set prior review thresholds, which should have been subject to prior review, shall be subject to post review and thus included in the Procurement Plan.
- f) For low- to moderate-risk procurements in a project, the CPO may increase the mandatory prior review value thresholds for that activity or project as requested by the concerned Practice and concurred by the APM.
- g) The determination of whether a contract meets the prior review threshold is based on the total value of the contract, including all taxes and duties payable under the contract.
- h) In a slice-and-package arrangement, the prior review threshold is determined on the basis of the aggregate value of individual contracts to be awarded under the arrangement.
- i) Operating expenditures are subject neither to the Procurement Framework nor to prior or post reviews. Operating expenditures are normally verified by task leaders (TLs) and financial management specialists.
- j) All requests for negotiations and Best and Final Offer (BAFO) are subject to the Bank's procurement prior review.
- k) Contract management performance, assessing the achievement of agreed KPIs, is subject to prior review for identified procurements, and for all procurements above OPRC thresholds.
- l) Any review of terms of reference (TORs) and technical specifications that the TL wishes to undertake for contracts subject to post review are not subject to procurement review unless it has been specifically agreed with the procurement specialist.

3. Mandatory Prior Review Thresholds for APS/PAS, APM and OPRC.

- 3.1 Table 2 on the next page details the mandatory thresholds for prior review by the APS/PAS, APM, and the OPRC. Table 3 details the prior review by type of activity.
- 3.2 The APS/PAS reviews and clears no objections to contracts whose values are within the thresholds and according to his/her level of accreditation. Otherwise, the APS/PAS requests other procurement staff with higher thresholds to clear the request.
- 3.3 The APS/PAS may request the APM to review and clear no objections to contracts whose values are within the APS/PAS thresholds (provided that they remain below the APM thresholds), and the APM may request the CPO, as the Chair of the OPRC, to review and clear no objections to contracts whose values are below the applicable OPRC threshold, when warranted by special circumstances, such as complexity, need for interpretation, or waiver of the Procurement Framework. This will be monitored and reported by OPCS.

Table 2. Mandatory Procurement Prior Review Thresholds for APS/PAS, APM and the OPRC, by Type of Procurement/contract

	APS/PAS thresholds	APM thresholds as a function of procurement risk				OPRC thresholds as a function of procurement risk			
Type of procurement / contract	Estimated contract cost (US\$ millions)	Estimated contract cost (US\$ millions)				Estimated contract cost (US\$ millions)			
		Low	Moderate	Substantial	High	Low	Moderate	Substantial	High
Works ^a	<25	≥ 25 & < 200	≥ 25 & < 115	≥ 25 & < 75	≥ 25 & < 50	≥ 200	≥ 115	≥ 75	≥ 50
Goods IT and non-consulting services ^b	< 10	≥ 10 & < 125	≥ 10 & < 75	≥ 10 & < 50	≥ 10 & < 30	≥ 125	≥ 75	≥ 50	≥ 30
Consultant services	< 6	≥ 6 & < 40	≥ 6 & < 30	≥ 6 & < 20	≥ 6 & < 15	≥ 40	≥ 30	≥ 20	≥ 15
Direct selection or firms ^c	< 1.0	≥ 1.0 and upper threshold as per the above corresponding category thresholds				As per the above corresponding category thresholds			
Identified direct selection of individual consultants ^c	< 0.5	≥ 0.5 and upper threshold as per the above consultant threshold				As per the above consultant threshold above			

^a Including Turnkey, Supply & Installation of Plant and Equipment, and PPP.

^b Procurement from United Nations Agencies, procurement by inspection agents or procurement agents and construction managers, commercial practices, PPP, and similar arrangements.

^c On the basis of risks and the scope of the project and as set forth in the Procurement Plan, the APM can determine if these contracts are not subject to the Bank's prior review.

Table 3. Mandatory Prior Reviews by APS/PAS, APMs and OPRC by Type of Procurement Activity

Type of Activity	OPRC		
Requests to incorporate into the decision meeting packages: (i) APA arrangements for the use Borrower's agencies; and, (ii) proposals for the implementation and monitoring OPRC contracts identified during appraisal. OPRC also reviews Activity Procurement Strategies for contracts at or above OPRC review thresholds identified either at project preparation or implementation	Subject to clearance of the CPO to ensure the proposed procurement approaches will achieve the right development outcomes and are appropriately justified and resourced for the most significant procurements in the IPF portfolio.		
Contract management performance, KPI review.	At least an annual contract management report-back (or timing as agreed) for activities that are cleared at OPRC, to ensure that ongoing performance is achieving the right development outcomes and that KPIs are meeting agreed contract commitments for the most significant procurements in the IPF portfolio.		
	APS/PAS thresholds	APM thresholds	OPRC thresholds
Negotiations, Competitive Dialogue, sustainable procurement and BAFO.	All requests for negotiations, competitive dialogue, sustainable procurement and BAFO are submitted to the Bank for prior review. The APS/PAS, APM, or OPRC clears the request in accordance with the applicable thresholds.		
Modifications of contracts as per Annex II of the Procurement Regulations for Borrowers, including variation orders.	Any material modifications of contracts for which the revised contract amount falls within the applicable APS/PAS threshold.	Any material modifications of contracts originally reviewed by the APM will continue being reviewed and cleared by the concerned APM, even if the revised contract amount falls within the OPRC threshold at subsequent review stages. For a contract originally reviewed by OPRC based on the estimated or contract amount but at subsequent review stages the contract amount is less than the applicable OPRC thresholds, any material modifications of such contracts are reviewed by the APM.	Any material modifications of contracts originally reviewed by OPRC, if the revised contract amount is still within the OPRC threshold at subsequent review stages.

WORKING DRAFT

Procurement Procedure

Annex III

Thresholds for International Competitive Procurement Processes by Country

1. PURPOSE

- 1.1 This annex establishes the thresholds for international competitive procurement processes by country.

2. REVIEW PROCESS OVERVIEW

- 2.1 Open international competitive procurement is the preferred approach for complex, high-risk and/or high-value activities and the Bank has set specific thresholds where this must be applied. See Annex II of this Procedure.
- 2.2 Approaching the international market is appropriate for situations where the participation of foreign firms will increase competition and may enhance the achievement of best value for money and fit for purpose results.
- 2.3 This annex lists current thresholds for international competitive procurement processes by country established by APMs. These thresholds are determined on the basis of (i) the size, depth, and conditions of specific markets, and the capacity of the local industry; (ii) assessed level of interest of non-domestic firms and individuals to participate in domestic markets; and (iii) the nature, complexity, and level of risk of some industries.
- 2.4 These thresholds are established and reviewed by the APMs, and communicated to OPSOR for publication. If the proposed threshold for national competition is above the mandatory prior review threshold for low procurement risk set up in the Annex II of the Procurement Procedure a clearance from the CPO is needed.

Procurement Methods Thresholds
(Thresholds are in US\$ thousands)
As of May 21, 2015

		Works			Goods, IT and non-consulting services			Shortlist of national consultants	
Country	Region	Open international ≥	Open national <	RfQ ⁴ ≤	Open international ≥	Open national <	RfQ ≤	Consulting services <	Engineering & construction supervision ≤ ⁵
Afghanistan	SAR ⁶	5,000	5,000	100	200	200	50	100	
Albania	ECA ⁷	5,000	5,000	200	1,000	1,000	100	300	
Angola	AFR ⁸	10,000	10,000	200	1,000	1,000	100	100	300
Argentina	LAC ⁹	25,000	25,000	350	500	500	100	1,000	
Armenia	ECA	5,000	5,000	200	1,000	1,000	100	300	
Azerbaijan	ECA	10,000	10,000	200	1,000	1,000	100	300	
Bahamas	LAC	7,500	7,500	200	500	500	100	500	
Bangladesh	SAR	10,000	10,000	100	2,000	2,000	50	500	
Barbados	LAC	5,000	5,000	200	500	500	100	500	
Belarus	ECA	5,000	5,000	200	1,000	1,000	100	300	
Belize	LAC	3,000	3,000	200	500	500	100	300	
Benin	AFR	10,000	10,000	200	1,000	1,000	100	100	300
Bhutan	SAR	1,500	1,500	50	200	200	50	200	
Bolivia	LAC	5,000	5,000	250	500	500	50	200	
Bosnia	ECA	5,000	5,000	200	1,000	1,000	100	300	
Botswana	AFR	5,000	5,000	200	1,000	1,000	100	200	300
Brazil	LAC	25,000	25,000	200	5,000	5,000	100	1,500	
Bulgaria	ECA	20,000	20,000	200	2,000	2,000	100	500	
Burkina Faso	AFR	5,000	5,000	200	1,000	1,000	100	200	400
Burundi	AFR	7,000	7,000	200	3,000	3,000	100	200	300
Cambodia	EAP ¹⁰	2,000	2,000	200	600	600	100	200	
Cameroon	AFR	10,000	10,000	200	1,000	1,000	100	100	300
Cape Verde	AFR	5,000	5,000	200	500	500	100	300	300
Central African Rep.	AFR	5,000	5,000	200	500	500	100	100	200
Chad	AFR	10,000	10,000	200	1,000	1,000	100	100	300
Chile	LAC	15,000	15,000	350	3,000	3,000	100	500	
China	EAP	40,000	40,000	500	10,000	10,000	500	500	
Colombia	LAC	20,000	20,000	350	2,000	2,000	50	400	
Comoros	AFR	3,000	3,000	200	500	500	100	100	300
Congo	AFR	10,000	10,000	200	1,000	1,000	100	100	200
Costa Rica	LAC	7,500	7,500	70	750	750	50	300	
Côte d'Ivoire	AFR	10,000	10,000	200	1,000	1,000	100	300	500

⁴ Request for Quotation

⁵ Africa Region has set higher thresholds for engineering and construction supervision assignments because in many countries there is a higher level of capability to undertake such assignments than other types of consultancy assignments such as policy reform studies, which clearly require international expertise.

⁶ South Asian Region.

⁷ Europe and Central Asia Region.

⁸ Africa Region.

⁹ Latin America and the Caribbean Region.

¹⁰ East Asian and the Pacific Region.

Procurement Methods Thresholds
(Thresholds are in US\$ thousands)
As of May 21, 2015

		Works			Goods, IT and non-consulting services			Shortlist of national consultants	
Country	Region	Open international ≥	Open national <	RfQ ⁴ ≤	Open international ≥	Open national <	RfQ ≤	Consulting services <	Engineering & construction supervision ≤ ⁵
Croatia	ECA	20,000	20,000	200	2,000	2,000	100	500	
Czech Rep	ECA	20,000	20,000	200	2,000	2,000	100	500	
Djibouti	MENA ¹¹	2,000	2,000	200	300	300	50	300	
Dominican Republic	LAC	7,500	7,500	350	1,000	1,000	100	500	
DRC	AFR	10,000	10,000	200	1,000	1,000	100	100	200
Ecuador	LAC	8,000	8,000	250	500	500	50	200	
Egypt	MENA	10,000	10,000	200	1,000	1,000	100	300	
El Salvador	LAC	7,500	7,500	70	750	750	50	300	
Eritrea	AFR	5,000	5,000	200	500	500	100	100	200
Ethiopia	AFR	7,000	7,000	200	1,000	1,000	100	200	300
Gabon	AFR	5,000	5,000	200	1,000	1,000	100	100	300
Gambia	AFR	3,000	3,000	200	300	300	100	200	200
Georgia	ECA	10,000	10,000	200	1,000	1,000	100	300	
Ghana	AFR	15,000	15,000	200	3,000	3,000	100	300	500
Guatemala	LAC	5,000	5,000	50	500	500	30	300	
Guinea Bissau	AFR	3,000	3,000	200	300	300	100	200	200
Guinea	AFR	5,000	5,000	200	500	500	100	100	200
Guyana	LAC	3,000	3,000	200	500	500	100	300	
Haiti	LAC	3,000	3,000	1,000	500	500	500	200	
Honduras	LAC	5,000	5,000	50	500	500	30	50	
Hungary	ECA	20,000	20,000	200	2,000	2,000	100	500	
India	SAR	40,000	40,000	100	3,000	3,000	100	800	
Federated States of Micronesia	EAP	5,000	5,000	1,000	1,000	1,000	500		
Fiji	EAP	5,000	5,000	1,000	1,000	1,000	500		
Indonesia	EAP	25,000	25,000	200	2,000	2,000	100	400	
Iran	MENA	10,000	10,000	200	1,000	1,000	100	300	
Iraq	MENA	10,000	10,000	200	1,000	1,000	100	300	
Jamaica	LAC	7,500	7,500	200	1,000	1,000	100	500	
Jordan	MENA	10,000	10,000	200	1,000	1,000	100	300	
Kazakhstan	ECA	20,000	20,000	200	2,000	2,000	100	500	
Kenya	AFR	15,000	15,000	200	3,000	3,000	100	300	300
Kiribati	EAP	5,000	5,000	1,000	1,000	1,000	500		
Kosovo	ECA	5,000	5,000	200	1,000	1,000	100	300	
Kyrgyz Republic	ECA	5,000	5,000	200	1,000	1,000	100	300	

¹¹ Middle East and North Africa Region

Procurement Methods Thresholds
(Thresholds are in US\$ thousands)
As of May 21, 2015

		Works			Goods, IT and non-consulting services			Shortlist of national consultants	
Country	Region	Open international ≥	Open national <	RfQ ⁴ ≤	Open international ≥	Open national <	RfQ ≤	Consulting services <	Engineering & construction supervision ≤ ⁵
Lao	EAP	2,000	2,000	200	600	600	100	200	
Latvia	ECA	20,000	20,000	200	2,000	2,000	100	500	
Lebanon	MENA	10,000	10,000	200	1,000	1,000	100	300	
Lesotho	AFR	7,000	7,000	200	1,000	1,000	100	100	300
Liberia	AFR	5,000	5,000	200	500	500	100	100	200
Macedonia FYR	ECA	5,000	5,000	200	1,000	1,000	100	300	
Madagascar	AFR	5,000	5,000	200	500	500	100	100	300
Malawi	AFR	7,000	7,000	200	1,000	1,000	100	200	300
Maldives	SAR	1,000	1,000	50	100	100	50	300	
Mali	AFR	15,000	15,000	200	3,000	3,000	100	200	400
Mauritania	AFR	10,000	10,000	200	1,000	1,000	100	100	300
Mauritius	AFR	3,000	3,000	200	1,000	1,000	100	200	300
Mexico	LAC	25,000	25,000	500	6,000	6,000	100	1,000	
Moldova	ECA	5,000	5,000	200	1,000	1,000	100	300	
Marshall Islands	EAP	5,000	5,000	1,000	1,000	1,000	500		
Mongolia	EAP	3,000	3,000	200	300	300	100	100	
Montenegro	ECA	5,000	5,000	200	1,000	1,000	100	300	
Morocco	MENA	15,000	15,000	300	3,000	3,000	200	300	
Mozambique	AFR	15,000	15,000	200	3,000	3,000	100	300	300
Namibia	AFR	10,000	10,000	200	1,000	1,000	100	200	300
Nepal	SAR	5,000	5,000		1,000	1,000	50	300	
Nicaragua	LAC	5,000	5,000	50	500	500	30	300	
Niger	AFR	5,000	5,000	200	500	500	100	100	200
Nigeria	AFR	20,000	20,000	200	5,000	5,000	100	300	500
Organization of Eastern Caribbean States	LAC	3,000	3,000	200	1,000	1,000	100	300	
Pakistan	SAR	6,000	6,000	100	2,000	2,000	100	500	
Panama	LAC	7,500	7,500	70	750	750	50	300	
Palau	EAP	5,000	5,000	1,000	1,000	1,000	500		
Papua New Guinea	EAP	5,000	5,000	1,000	1,000	1,000	500	100	
Paraguay	LAC	5,000	5,000	250	1,000	1,000	50	200	
Peru	LAC	10,000	10,000	250	500	500	50	350	
Philippines	EAP	15,000	15,000	200	3,000	3,000	100	200	
Poland	ECA	20,000	20,000	200	2,000	2,000	100	500	
Romania	ECA	20,000	20,000	200	2,000	2,000	100	500	
Russian	ECA	20,000	20,000	200	2,000	2,000	100	500	
Rwanda	AFR	10,000	10,000	200	1,000	1,000	100	200	300
Samoa	EAP	5,000	5,000	1,000	1,000	1,000	500	100	

Procurement Methods Thresholds
(Thresholds are in US\$ thousands)
As of May 21, 2015

		Works			Goods, IT and non-consulting services			Shortlist of national consultants	
Country	Region	Open international ≥	Open national <	RfQ ⁴ ≤	Open international ≥	Open national <	RfQ ≤	Consulting services <	Engineering & construction supervision ≤ ⁵
São Tome & PRI	AFR	3,000	3,000	200	500	500	100	100	300
Senegal	AFR	15,000	15,000	200	1,000	1,000	100	300	500
Serbia	ECA	5,000	5,000	200	1,000	1,000	100	300	
Seychelles	AFR	3,000	3,000	200	500	500	100	100	300
Sierra Leone	AFR	5,000	5,000	200	500	500	100	100	200
Slovak Republic	ECA	20,000	20,000	200	2,000	2,000	100	500	
Solomon Is.	EAP	5,000	5,000	1,000	1,000	1,000	500		
Somalia	AFR	5,000	5,000	200	500	500	100	100	200
South Africa	AFR	20,000	20,000	200	5,000	5,000	100	300	300
South Sudan	AFR	3,000	3,000	200	500	500	100	100	200
Sri Lanka	SAR	10,000	10,000	50	1,000	1,000	50	500	
Sudan	AFR	5,000	5,000	200	500	500	100	100	200
Suriname	LAC	3,000	3,000	200	200	500	100	300	
Swaziland	AFR	5,000	5,000	200	3,000	3,000	100	300	300
Syria	MENA	5,000	5,000	200	500	500	100	300	
Tajikistan	ECA	5,000	5,000	200	1,000	1,000	100	300	
Tanzania	AFR	15,000	15,000	200	5,000	5,000	100	300	300
Thailand	EAP	5,000	5,000	50	500	500	100	500	
Timor-Leste	EAP	5,000	5,000	1,000	1,000	1,000	500	100	
Togo	AFR	5,000	5,000	200	500	500	100	100	200
Tonga	EAP	5,000	5,000	1,000	1,000	1,000	500		
Trinidad & Tobago	LAC	7,500	7,500	200	1,000	1,000	100	500	
Tunisia	MENA	10,000	10,000	300	3,000	3,000	200	300	
Turkey	ECA	30,000	30,000	200	2,000	2,000	100	500	
Uganda	AFR	10,000	10,000	200	1,000	1,000	100	200	300
Ukraine	ECA	5,000	5,000	200	1,000	1,000	100	300	
Uruguay	LAC	5,000	5,000	250	1,000	1,000	50	200	
Uzbekistan	ECA	5,000	5,000	200	1,000	1,000	100	300	
Tuvalu	EAP	5,000	5,000	1,000	1,000	1,000	500		
Vanuatu	EAP	5,000	5,000	1,000	1,000	1,000	500		
Vietnam	EAP	20,000	20,000	200	3,000	3,000	100	500	
West Bank Gaza	MENA	5,000	5,000	200	500	500	100	300	
Yemen	MENA	5,000	5,000	200	500	500	100	300	
Zambia	AFR	10,000	10,000	200	2,000	2,000	100	200	300
Zimbabwe	AFR	5,000	5,000	200	500	500	100	100	300

WORKING DRAFT

Procurement Procedure

Annex IV

To Conduct Procurement Post Reviews and Independent Procurement Reviews

1. PURPOSE

- 1.1 This annex sets up interim measures on how to conduct the post review of procurement processes and contract administration and other measures required for monitoring compliance with fiduciary requirements as part of procurement supervision of Bank-financed projects. *(Current “Guidance Note to Bank Staff to Conduct Procurement Post Reviews and Independent Procurement Reviews: Processes and Procedures, August 2008, revised June 2010 and May 2013” has been replicated in this annex for easy reference. However, this annex will be reviewed in FY16 following inputs from the Internal Audit Department and will be amended by Management before the new Procurement Framework is live.)*

2. REVIEW PROCESS OVERVIEW

- 2.1 Procurement supervision employs a set of complementary activities (prior, post, and independent reviews) to fulfill the Bank’s fiduciary mandate in a cost-effective manner. Procurement supervision is guided by the principle that there is a direct relationship between the capacity of the Borrower’s implementing institution and risks in the system and the intensity and scope of Bank supervision of procurement. Thus, the Bank has developed the following key rules to guide procurement reviews:
- a. The legal agreement establishes monetary thresholds for various procurement categories above which all contracts are subject to prior review by the Bank; all other contracts are subject to post review
 - b. The thresholds are higher for an executing agency presenting a lower procurement risk.
 - c. In addition to regular post reviews, the Bank may use independent procurement reviews.
- 2.2 For procurement subject to prior review, Bank staff are responsible for reviewing relevant procurement documents and key Borrower’s recommendations, and issuing a “no objection” prior to the Borrower implementing the next major step in the process. The prior review process reassures the Bank and the Borrower that the procurement process is consistent with the Bank’s Procurement Guidelines at key stages in the process and provides advice to the Borrower for enhancing the quality of the documents and/or the procedures.

A. Procurement Post Reviews

- 2.3 The Project Appraisal Document (PAD) rates the “overall procurement risk assessment” as low, moderate, substantial, or high and indicates the frequency of procurement supervision proposed and the percentage of contracts subject to post review. The Office Memorandum Assessment of Agency Capacity to Implement Procurement: Setting of Prior-Review Thresholds and Procurement Supervision Plan specifies the post review procurement supervision parameters for implementing agencies with different risk ratings and requires that normally not less than one in five contracts should be reviewed for high-risk agencies, one in ten for substantial-risk agencies, one in fifteen for moderate-risk agencies, and one in twenty for low-risk agencies (in projects with a large number of contracts, this could be varied appropriately). The ratio may be adjusted during project implementation, depending on the performance of the agency and the result of the reviews. The procurement supervision plan, as distinguished from the procurement plan to be submitted by the Borrower, may also recommend special procurement supervision at critical points of project implementation.
- 2.4 The main objectives of post reviews are to:
- a. verify the procurement procedures followed for the project, and identify noncompliance with the agreed provisions of the legal agreement and applicable Guidelines;
 - b. check that the procurement arrangements agreed with the Borrower are still in place;
 - c. report contract management issues as may have been identified by the executing agency(ies);
 - d. check that technical compliance and physical completion reviews for the contracts in the selected sample have been carried out;
 - e. note fraud and corruption red flags and report any evidence of fraud and corruption;
 - f. identify mitigating measures or remedies to correct procurement deficiencies and recommend them to the Borrower and its executing agency(ies)

B. Independent Procurement Reviews

- 2.5 An independent procurement review (IPR) — also referred to as a procurement audit — is an optional activity used by the Bank to complement prior and post review procedures and to inform management about the quality of fiduciary work on procurement. An IPR covers a broader range of issues than a PPR, including the overall performance of both the Bank’s task team and the borrower’s implementing agencies in regard to procurement management. IPRs are coordinated with project implementation and supervision activities and other types of audits such as financial and project audits, and can be tailored to specific issues. IPRs typically cover several projects in a country and address sector- or portfolio issues in high-risk and problematic procurement environments, e.g. where PPRs have identified lack of compliance or poor performance. They also include a review of both post-review and prior-review activities, as well as the Bank’s performance in executing its fiduciary responsibilities, and function as an additional tool to capture and analyze

procurement risks at the project, and/or sector, and/or country level. The number of contracts to be reviewed is specified in the Terms of Reference (which may also require assessment of the Bank's procurement supervision of the projects and associated risks). Reviewers are expected to select the sample of the contracts to be reviewed.

3. IMPLEMENTING POST AND INDEPENDENT PROCUREMENT REVIEWS

- 3.1 Post reviews and independent procurement reviews are the responsibility of the Regions, which must provide adequate staff and budget resources as part of their annual business plans. Regional Procurement Managers (RPMs) are required to monitor compliance with the post review requirements for their Region.

A. Procurement Post Reviews

- 3.2 Primary responsibility for project supervision rests with the task leader (TL), under the oversight of the sector manager (SM). The APM assigns, upon their request, a staff or consultant with due accreditation as reviewer for carrying out post reviews. The reviews should preferably take place during a supervision (SPN) mission led by the TL in conjunction with a Financial Management Specialist (FMS). If the post review is not carried out jointly, the reviewer should liaise with the FMS to share the findings and information regarding reviewed contracts. The TL is responsible for following up with the Borrower and its executing agency(ies) to ensure that recommendations and mitigation measures are implemented.
- 3.3 Before conducting a post review, the TL obtains the list of all signed contracts and provides it to the procurement staff or consultant. The periodic procurement reports submitted by the implementing agency, as part of the Project Monitoring Report, usually have such lists.
- 3.4 The reviewer checks the list of contracts against the Bank lists of suspended and debarred firms and individuals, the AML/CFT Database, and the Company Risk Profile Database (CRPD). For contracts with a positive result in the Bank listing of ineligible firms and/or in the AML/CFT database, the TL in coordination with the PS/PAS will take steps in accordance with the relevant guidance. Contracts with a positive result in the CRPD will be added to the sample of contracts to be reviewed and handled as described in the relevant guidance note.
- 3.5 The sample of contracts to be reviewed should include distribution among different procurement methods and categories. For projects with a very large number of contracts, this may be adjusted to include specified types of procurement.
- 3.6 After the reviewer has completed the post review, which may include site visits or inventory checks to be carried out by a technical specialist, the reviewer (1) reports the procurement post review ratings for the project as input to the ISR to the TL, (2) sends a copy of the post review report to the APM, and (3) files the post review report, along with a risk rating and recommendations, in the Post Review system accessible through the Procurement tab in the Operations Portal.

- 3.7 Under projects involving a large number of small-value contracts, such as Community Driven Development that are often geographically dispersed, carrying out standard procurement post reviews may not be the most appropriate way to provide fiduciary oversight. The Bank's supervision of these projects may consist of reviewing procurement reports including technical and financial reviews carried out by the Borrower's executing agency(ies) and/or consultants selected and hired under the Bank project. The reviewer summarizes the findings in a separate report to be filed in the Post Review system and shared with the TL and APM.
- 3.8 In projects where 100 percent of contracts are subject to prior review, the TL – whether he/she discharges the procurement function for the project as the PAS or after notification by the designated PS for the project - notifies the APM in writing that no contract in that project were subject to post review during the relevant review period.
- 3.9 The APM monitors the implementation of post reviews including the planning, recording, and follow-up on the post reviews.
- 3.10 Follow-up actions within the Bank, in particular to apply remedies as may be needed, are to be taken by the TL, assisted by the PS/PAS and in consultation with the APM, SM, Country Director (CD), OPSOR, and LEGOP, as necessary.

B. Independent Procurement Reviews

- 3.11 When Regions opt to conduct an IPR, they are responsible for its budgeting and planning. In consultation with CDs, the APM prepares a plan for IPRs to be conducted in each fiscal year as part of the discussions on the Work Program Agreements. The type, extent of, and rationale for the procurement review needed is decided and documented after consideration of, among other issues, (a) the status of the projects, (b) country/regional issues, (c) other scheduled reviews, (d) the number and type of contracts of each project, and (e) available budget. The selection of the independent reviewer is the responsibility of the APM. IPR implementation is managed by the APM office, in coordination with the CD/SMs and TLs. Each planned IPR is also recorded as part of the risk mitigation action plan in PRAMS.
- 3.12 Each IPR results in a report covering the findings and recommendations. The results of the review are normally discussed with the project implementation agencies and the SMs/CD to determine whether corrective action is required. The list of projects reviewed and the size of samples of contracts used are determined by the APM.
- 3.13 Findings and recommendations from the IPR are recorded in PRAMS as part of the procurement risk assessment of the associated project(s). It includes the identification of specific risks identified in the IPR report, risk mitigation actions, planned completion dates, responsible entity, status, and any additional descriptions or comments. A summary of the risks and mitigation measures identified through the IPR shall also be included in the Risk/Risk Rating Summary and Mitigation Measures Summary textboxes in PRAMS, as needed.²⁰ Monitoring the IPR action plan to ensure its successful completion, including

any follow-up actions required by the Bank, is the responsibility of the TL, who is assisted as necessary by the PS/PAS and in consultation with the APM, SM, CD, OPSOR, and LEGOP.

C. Monitoring by OPSOR

- 3.14 OPSOR monitors Bank-wide post review and independent review activities and reports annually to the Procurement Sector Board on Bank-wide compliance and salient findings.

D. Templates

- 3.15 The Annex to this guidance note provides several sample forms and worksheets as supporting material for the conduction and monitoring of post reviews and IPRs. Depending on the scope and nature of the review, these sample forms may be modified accordingly.

ANNEX: TEMPLATES

- A: Sample Format for a Post Review Report**
- B: Profile of Procurement Items**
(To be prepared by the Borrower in advance)
- C1: Worksheet for Post Review of Procurement Processes and Contract Administration for Goods/Works/Service Contracts awarded under the Shopping Procedure**
(To be prepared only for contracts with major compliance issues)
- C2: Worksheet for Post Review of Procurement Processes and Contract Administration for Goods/Works/Service Contracts NOT Awarded under the Shopping Procedure**
(To be prepared only for contracts with major compliance issues)
- C3: Worksheet for Post Review of Procurement Processes and Contract Administration for Consultant Contracts**
(To be prepared only for contracts with major compliance issues)
- C4: Worksheet for Physical Inspection**
(To be carried out by a technical specialist)
- D: Regional Report on Procurement Post Review Monitoring**
- E: Summary of Post Review Monitoring by Region**
- F: Regional Report on Independent Procurement Review Monitoring**
- G: Summary of Independent Procurement Review Monitoring by Region**
- H: Summary of Risks and Risk mitigation Measures Identified in the IPR**
- I: Sample TOR for Independent Procurement Review**

Procurement Procedure

Annex V

Procurement-Related Complaints and Contract-Related Communications

1. PURPOSE

- 1.1 This Procedure establishes the requirements for Bank staff on handling procurement related complaints and contract-related communications. The foregoing notwithstanding, INT is responsible for handling complaints involving allegations of fraud and corruption, and communications alleging Fraud and Corruption shall be processed observing the Bank Procedure “Working Arrangements among the Global Practices, the Regions, INT and OPCS Concerning Fraud and Corruption” (e-link).
- 1.2 To promote an open, fair, and transparent Procurement Process, complaints and contract-related communications shall seek to resolve objectively and in a timely manner and in the terms established in Annex III of the Procurement Regulations for Borrowers.

2. REQUIREMENTS

- 2.1 Complaints may be brought to the Bank at any time and about any aspect of the Procurement process. Contract-related communications that arise from the execution of the contract are governed by the contract entered into between the provider and the Borrower, to which the Bank is not a legal party. Such complaints may be brought to the attention of the Bank, who will seek to expedite resolution.
- 2.2 To better support complaints handling a central team has been established in Operations Risk Management Department at OPCS– Procurement Complaints Team. The Procurement Complaints Team will be a central point of information on:
 - a. The Procurement Framework, in particular those related to complaints and contract-related communications.
 - b. Advising and supporting the Bank’s teams to process complains and contract-related communications;
 - c. Managing a centralize tracking system, receiving, logging, tracking, expediting and monitoring complaints and contract-related communications;
 - d. Reporting on adherence to business standards;
 - e. Establishing guidance and improve access to dispute review / avoidance mechanisms
 - f. Reviewing bidding documents at OPRC to ensure appropriate dispute review provisions are included;

- g. Developing training materials and quick guides to improve understanding of the process, including targeting private sector and Borrowers to understand their roles and responsibilities to submit and process complaints and contract-related communications
 - h. Advising management on non-compliance measures resulting from a complaint or contract-related communication that has not been addressed appropriately and or in a timely manner.
- 2.3 All procurement related complaints, except those involving allegations of Fraud and Corruption, received by anyone in the Bank must immediately be sent to the Procurement Complaints Team in OPCS. Insert e-mail address.
- 2.4 Any complaints or contract-related communication received directly by the Procurement Complaints Team in OPCS will immediately be forwarded to the TL and APM (Governance Global Practice).
- 2.5 All complaints and related documentation are captured in the Bank's web-based complaints database in accordance with the Complaints User Manual. The APM's clearance is required before closing complaints in this complaints database.
- 2.6 Unless the communication is determined to warrant confidential treatment, the complaint correspondence is forwarded by the TL immediately to the Borrower with a letter requesting the Borrower to follow up with the complainant. This applies to procurement subject to prior and post review.
- 2.7 If a complaint or a contract-related communication warrants confidential treatment the TL consults with the concerned APM on the most appropriate course of action.
- 2.8 The CPO as the chair of the OPRC shall review and clear Bank's responses to complaints and contract-related communication on the procurement process for all contracts above OPRC thresholds.
- 2.9 The Bank, in addition to the contractual remedies set out in the relevant legal agreement, may take other appropriate actions, including misprocurement, consistent with the terms and conditions of the legal agreement. If it concludes that a complaint or a contract-related communications has not been addressed appropriately and/ or in a timely manner in the terms established in the Annex III of the Procurement Regulations for Borrowers, including unjustifiable failure by the Borrower to promptly inform the Bank about the existence of a complaint.

Procurement Procedure

Annex VI

Professional Accreditation & Standards Panel

1. PURPOSE

- 1.1 This annex describes the process how the Professional Accreditation and Standards Panel (PASP or Panel) sets up standards and core competences for procurement staff in support of the delivery of effective, and efficient assurance and due diligence functions in line with the Bank's policies for Bank operations.

2. ROLES AND RESPONSIBILITIES

- 2.1 The Panel has the following roles and responsibilities:
- Standards & Core Competencies:
 - Advise the CPO on developing and setting professional standards/ core competencies for staff accreditation.
 - Clear shortlists for staff to be recruited for positions with due diligence functions.
 - Accreditation:
 - Review and concur nominations for procurement accreditation
 - Accreditation Registers:
 - Maintain registers of accredited staff.
 - Publish registers.
 - Advising:
 - Provide advice and guidance on training for developing and maintaining core competencies and specializations
 - Monitoring:
 - Monitor adequacy of resources and capabilities to discharge due diligence and clearance functions.

3. MEMBERSHIP AND SECRETARIAT

- 3.1 **Chair:** The CPO chairs and the PIO Director will act as a Deputy chair of the Panel. In the absence of the CPO, the designated alternate will chair.
- 3.2 **Members:** The CPO, relevant tagged Directors and Managers of the GGP or outside of the GP who have responsibility for staff of the professional field. Other directors or managers can be invited to be members of the Panel or to participate in meetings in an advisory role, as needed. Membership and attendance is for Principals only.

- 3.3 **Secretariat:** OPSOR will provide secretariat services support for the Panel. This will include scheduling Panel meetings, agendas and minutes.

4. PROCEDURES

MEETINGS

- 4.1 The Panel will hold:

- **Quarterly Meetings:** The Panel will hold quarterly meetings. The purpose of the meetings is to discuss and advise on accreditation standards, staff accreditation and related issues. The meetings are expected to be a maximum of 2 hours. The meeting is called through a notice that sets forth the date, place, time and agenda of the meeting.
- **Special Meetings:** Special meetings of the Panel may be convened as needed.
- **Virtual Meetings:** Virtual meetings may be held for decision making and clearances as needed.

ATTENDANCE

- 4.2 Membership and attendance is for Principals only. Delegation can only be to another Panel member.

DISCLOSURE

- 4.3 Meetings are not open, unless the Panel agrees to an open session. Similarly the agenda and minutes will not be disclosed unless specifically approved by the Panel. Decisions on the clearance for accreditation and core competencies and staff accreditation will be disclosed.

ADM

- 4.4 The ADM will be finalized if the Board approves the new Procurement Framework. The ADM will reflect the identified roles and responsibilities in the Board Paper (CODE/AC paper) and the annexed Procurement Directive.

Procurement Procedure

Annex VII

Accreditation of Staff and Consultants to Carry out Procurement Fiduciary Functions and Delegation of Procurement Work

1. PURPOSE

- 1.1 This annex describes the interim process for the accreditation of staff and consultants to carry out fiduciary functions and delegation of procurement work. (Current “Bank Instructions for Accreditation of Staff and Consultants to Carry out Procurement Fiduciary Functions and Delegation of Procurement Work, March 1, 2012, Revised July & September 2014” has been replicated in this annex for easy reference. However, this annex will be reviewed and amended by Management before the new Procurement Framework is live.)

2. OBJECTIVES

- 2.1 In the interest of achieving greater efficiency and client responsiveness, the Bank delegates to Task Teams specific responsibilities relating to key procurement fiduciary actions, including reviews and clearances. Delegation of these responsibilities facilitates faster responses and better client relations but it requires an appropriate level of support to Task Teams by staff with adequate procurement knowledge to manage the fiduciary risks related to procurement. The objective of this policy is to define: (1) the conditions for the eligibility of staff to be authorized to discharge defined procurement functions in support of Task Teams (hereinafter called accreditation); and (2) the conditions for the delegation of certain procurement functions to designated staff (hereinafter called delegation).

3. RESPONSIBILITIES

- 3.1 The Governance Global Practice (GGP) is responsible for ensuring that all procurement-related fiduciary obligations are carried out professionally and thoroughly and that the procurement function is adequately staffed. The accredited practice manager (APM) is responsible for maintaining the high quality of procurement work and leads practices/ regional efforts in selecting accredited practice specialists (APSs) and identifying staff that may meet the requirements for accreditation as procurement-accredited staff (PAS). The APM also coordinates with the GGP Management Team the delegation of procurement work to accredited GGP staff and staff from other practices.
- 3.2 The Procurement Sector Board (PSB), or equivalent, is the network entity responsible for reviewing, updating, and approving the strategic, procedural, policy and technical, and financial aspects of the procurement function in the Bank. The Human Resources (HR) Committee of the PSB is responsible for staffing and managerial decisions, including, among other things, clearing the accreditation of staff, which are then decided by the CPO.

4. PROCUREMENT FUNCTIONS

- 4.1 When considering the delegation of procurement functions to task teams and to country offices, it is useful to consider that the Bank's procurement work falls into two categories:
- a. The **service function** consists, among other things, of providing advisory, trouble-shooting, and training services to Bank staff, Borrowers (including clients under fee-for-services arrangements), and the bidding community about procurement-related matters from the planning stage through contract completion. This advisory function is critical for the Bank to discharge efficiently and effectively its procurement fiduciary responsibility under the fiduciary function.
 - b. The **fiduciary function** consists, among other things, of (i) approving procurement plans and procurement arrangements for new operations, and (ii) conducting prior and post reviews of procurement documentation and decisions at key steps in the procurement and contract implementation process to ensure that the actions undertaken are in compliance with the Bank's Procurement Guidelines as stipulated in the project's Loan, Credit, or Grant Agreements.
- 4.2 Accredited Practice specialists (APSs) sign the response to proposed Borrower actions in accordance with the standing regional procedures under AMS 1.30, after an APS or PAS has reviewed the proposal and confirmed in writing that it conforms to the Bank's applicable procurement rules, policies, and procedures (as set forth in the legal agreement, the Procurement Plan, and the Guidelines). The APS or PAS also confirms that all the necessary internal reviews and appropriate consultations have taken place, including mandatory review by the APM or the Operations Procurement Review Committee (OPRC) as stipulated in Annex II of the Procurement Procedure.

5. OPERATIONAL POLICY ON DELEGATION OF PROCUREMENT FUNCTIONS

- 5.1 Timely and high-quality guidance to Borrowers when procurement arrangements for a Bank-financed project are being developed, and later when procurement situations arise during the procurement process itself, are essential to effective project implementation. Therefore, the Bank's policy is that the procurement service function should be delegated as much as possible to staff closest to the Borrower, and in particular to country offices provided that suitably qualified and experienced procurement staff are available there to give such advice.
- 5.2 Delegation of the procurement fiduciary function is much more critical because of the increased corporate fiduciary risk for the Bank. In the case of delegation to country offices, there is the additional risk of perceived or actual local pressure on Bank staff that could negatively impact the quality and integrity of procurement decisions. Therefore, it is critical to the credibility of the delegation process that the procurement capacity/proficiency of procurement staff be subjected to a strict accreditation process to minimize any potential risks. Moreover, the level of delegation should take into account the need to minimize the risks associated with the actual procurement capacity/proficiency of the Bank staff involved,

and, in the case of decentralization to country offices, with the level of risk associated with the country public procurement system and/or the procurement competence of the Borrower.

- 5.3 To mitigate these risks, the Bank policy is that (a) fiduciary functions of the OPRC can only be delegated by the CPO to APMs; (b) fiduciary functions of APMs cannot be delegated to staff in country offices; and (c) any or all fiduciary functions that are not subject to APM or OPRC review may be delegated to staff in country offices only if the APM is satisfied that prior conditions with regard to the level of accreditation of staff in country offices to whom responsibility is to be delegated have been met. The APM makes such determination on the basis of several factors, including the location of the work, the necessary level of fiduciary responsibility during project supervision, country risks, and the general procurement environment.

6. ACCREDITATION FOR BANK PROCUREMENT WORK

- 6.1 Accreditation indicates that a member of staff or a consultant has been assessed as having the qualifications necessary to provide procurement advice, carry out procurement actions, and discharge certain procurement responsibilities in accordance with the Bank's procurement rules, procedures, and guidelines. It refers in particular to fiduciary functions related to performing prior and post reviews and providing no objections to Borrowers' actions. The level of accreditation (partial or full) depends on the qualifications and experience of each staff. Fully accredited staff may, in addition, be subject to a partial delegation of procurement authority when located in a particular country office.
- 6.2 The level of accreditation granted to staff is subject to the following restrictions: (i) no staff can clear fiduciary aspects of procurement above their approved level of accreditation; (ii) no staff can clear fiduciary aspects of procurement that require APM or OPRC clearance; and (iii) no staff located in a country office can carry out fiduciary functions above the level of delegation of fiduciary functions to him/her for that particular country office. The latter may mean for internationally recruited staff who were already accredited and are relocated in a different country office that the level of delegation entrusted on them may differ from the level in their previous location, and may in certain cases be lower than their level of accreditation.

7. PROCUREMENT ACTIONS REQUIRING ACCREDITATION

- 7.1 As a general rule, procurement accreditation is required for: (i) all procurement actions requiring Bank clearance of documents referring to procurement actions between the Borrower and the Bank with respect to the Loan or Credit or Trust Fund/Grant Agreement; and (ii) no objections to procurement actions recommended by the Borrower with respect to contracts between the Borrower and suppliers, contractors, service providers or consultants. Procurement actions under Bank-executed trust funds on behalf of the Grant beneficiaries or for the Bank's own administrative or operational purposes follow the

Corporate Procurement Guidelines of the General Services Department (GSD) and are their responsibility to clear.

- 7.2 The most common examples of actions requiring accreditation are: (i) conducting the procurement capacity assessment of implementing agencies; (ii) clearing the Procurement Plans submitted by the Borrower; (iii) drafting the Procurement section and Annex of the Project Appraisal Document (PAD); (iv) providing no objections to prequalification and bidding documents, requests for proposals, bid and proposal evaluation reports, award recommendations and contracts; (v) leading/monitoring Independent Procurement Reviews (IPRs) and procurement post-review (PPR) missions, and clearing reports to inter alia make the determination of whether or not the procurement was carried out in accordance with the agreed procedures; and generally (vi) all actions indicated in paragraphs two and three of Appendix 1 of the Procurement Guidelines and Consultant Guidelines, respectively.
- 7.3 Procurement work of a general nature—such as County Procurement Assessment Reports (CPARs), assessments for the Use of Country Systems, training of borrowers and capacity-building activities, and project launch seminars—is normally carried out by an APS, PAS or an accredited consultant. Such procurement actions do not, however, usually require accreditation; consequently, non-accredited staff, short-term consultants, or individuals offered by consulting firms who have the requisite qualifications may consequently carry out such procurement work of a general nature.
- 7.4 No procurement fiduciary work of any sort may be carried out by consultants whose qualifications and terms of reference for the tasks being assigned to them have not been cleared by the APM. The CPO in Operations Risk Management (OPSOR) in the Operations and Policy Vice-Presidency, which serves as Procurement Network anchor unit, decides on the procurement accreditation of consultants and keeps a roster of the names of these consultants. APM's clearance to carry out procurement work of a general nature is given for a particular assignment and does not entitle the non-accredited consultant to use such clearances for subsequent assignments. Non-accredited procurement consultants and/or individuals hired through consulting firms, although they may be qualified for carrying out procurement work of a general nature, cannot issue a no objection on behalf of the Bank.

8. ACCREDITATION PROCESS

- 8.1 The CPO is entirely responsible for reviewing and deciding on all recommendations for accreditation and his/her decisions are final. The level of accreditation is recommended or cleared by an APM; the Legal Procurement Adviser (LEG-PrA) for all staff in his/her unit; and the CPO, for procurement staff at OPSOR. The Practice Manager recommends the accreditation for staff not mapped to a specific practice. (See Annex C for the ADM framework to process and decide on procurement accreditations)
- 8.2 Accreditation of procurement staff mapped to the Governance Global Practice and staff reporting directly to the Legal Procurement Adviser (LEG-PrA). Newly recruited

procurement staff could be granted by the CPO a temporarily accreditation. Then, they could be fully accredited by the CPO after their confirmation as Bank procurement staff. Full accreditation up to the APM review thresholds indicated in Annex II of the Procurement Procedure is usually granted to GG-level staff or those who have sufficient experience within the Bank. The level of accreditation of APSs who are promoted from GF-level to GG-level is reviewed by their manager who requests the CPO to increase their level of accreditation and of the new applicable level of accreditation (including full accreditation). Procurement Practice Staff below F level may be partially accredited upon the recommendation of the manager to whom they report and the final decision by the CPO. However, if they are already fully accredited, may continue to exercise their existing level of accreditation upon a confirmation by the CPO.

8.3 Accreditation of staff and consultants from other practices and units. The level of accreditation is granted in accordance with the procedures set out in detail in Annex A. The concerned manager recommends the request for procurement accreditation. This accreditation is decided by the CPO for a period up to two- year, renewable.

8.4 Other specific requirements for accrediting staff are as follows:

- a. Staff proposed for accreditation must meet or exceed the procurement knowledge, experience, and professional competencies listed in Annex B. The CPO may consult as needed, with the concerned Practice Managers or Country Directors, when assessing qualifications of staff requesting to be considered for accreditation. When the CPO does not agree to grant a request by the staff or managers for accreditation, he/she discusses the matter with the staff and confirms in writing to the staff or manager the reasons for the determination. At the same time, he/she indicates the additional qualifications that the staff needs to acquire to meet the requirements for accreditation. The decision on procurement accreditation rest solely on the CPO, and is final.
- b. The CPO may grant specialized accreditation of staff with knowledge, experience, and professional competencies equivalent to those in Annex B or higher in a specific type of procurement. For example, a person highly qualified in employment and selection of consultants, infrastructure construction, or Information Technology or goods may be given specialized accreditation to review and clear Borrower procurement actions falling under those methods only.
- c. The CPO may grant a partial accreditation to staff, including PAS, with qualifications, experience, and professional competencies below those shown in Annex B, to carry out procurement reviews leading to “no objection” letters within the limits of the accreditation granted to them. Partial accreditation for staff in this category is normally defined in terms of the value of contracts that the person is authorized to review and clear. Staff may also be given specialized/partial accreditation (i.e. consultants' contracts not exceeding \$500,000 equivalent in cost). The CPO must ensure that the scope of the partial accreditation does not exceed the assessed qualifications of the staff member.

- d. As a prerequisite for full, specialized or partial accreditation, the staff must have taken the Procurement courses offered by the Bank that the CPO has deemed necessary for them to attend. Before recommending a staff for accreditation, the CPO may ask the staff to (i) take specific additional training, based on the background and experience of the candidate, and/or (ii) undergo a mentoring program by a APS identified by the CPO, and (iii) submit, for the APM's review, a sample of preliminary procurement reviews which the staff has conducted, in preparation for APS / PAS accreditation. Annex A provides the mentoring procedures for non–procurement staff.
 - e. At the time of transmitting a first–time accreditation request, the CPO indicates whether the accreditation requested is subject to a probationary period of one year before confirmation. The CPO may also decide to approve an accreditation request subject to subsequent confirmation within one year. Such probationary period is intended to enable an evaluation of performance of the staff during the first year after accreditation. During the probation period, the accredited staff is expected to perform as PAS up to his/her accredited limits. If the accreditation is confirmed after one year, it will be valid for two years before being submitted for renewal.
 - f. Upon receipt of the request for accreditation, eventually accompanied by a recommendation, the CPO reviews the qualifications and experience of the candidate (including requesting references as needed).
- 8.5 When the CPO denies an accreditation request or decides not to confirm accreditation he/she provides an explanation of the reasons for the denial to the staff, and to the concerned manager if requested. In addition, as requested, the CPO provides appropriate advice to the staff and recommends further steps to be undertaken by the staff in order to remedy any deficiencies impeding the accreditation.
- 8.6 Except as provided in paragraph 8.4 (c), once a procurement staff member directly reporting to the GGP or being a staff of the anchor unit, is accredited, the accreditation is valid for any region, practice or unit in the Bank without further review. Procurement accredited staff who are no longer doing procurement work and/or are no longer permanent staff of the Bank, non-procurement staff and all consultants, may only be accredited for a maximum period of two years, after which a request for renewal needs to be processed in accordance with paragraph 8.2.
- 8.7 In the case of a procurement-accredited Task Leader (TL), he/she should decide, for each project which he is responsible for, whether he/she will exercise his/her procurement accreditation for that project or whether he /she will rely on an APS assigned by the APM to provide fiduciary clearances for that project. In the case of a project where the TL decides to act as APS, he/she shall be responsible for conducting all procurement reviews under the project, reporting to the APM, and consulting as needed, in particular for cases that are complex, non-standard or requiring policy interpretation. In the case of a project where the TL relies on an APS/PAS, the APS/PAS shall conduct all procurement reviews for the project and the TTL shall not use his accreditation to overrule a decision by the APS/PAS.

9. ACCREDITATION OF CONSULTANTS

- 9.1 An individual consultant to the Bank who does not have connections or interest of any nature with any firm and who is not working for any Bank Borrower or any other institution may seek accreditation for a maximum period of two years, with possibility of renewal pending satisfactory performance. The accreditation process for consultants follows the same steps as used for Bank staff as indicated above. In approving or renewing the accreditation, the CPO ensures that: (a) there is a clear business need for the accreditation with due justification by the Unit engaging the Consultant; (b) recruitment of a regular APS is not justified; (c) the consultant has kept current his/her procurement knowledge; (d) the Consultant is not in a conflict of interest situation (as defined in the Consultant Guidelines) to carry out fiduciary work; and (e) the Consultant signs a certification when submitting his/her request that during the entire period of his/her accreditation with the Bank (regardless of how many days the Consultant actually works as a PAS during that period), the Consultant shall not seek any other employment outside the Bank. No accredited Consultant can work for another employer, except for other donors or international institutions, after approval by the relevant Committee member, at the same time as the Consultant works for the Bank. However, Consultants may seek employment outside the Bank, provided that (i) they notify the APM of the Region of the unit which signed their contract or the relevant Committee member that they relinquish their accreditation, and (ii) neither an actual or perceived conflict of interest situation is likely to arise due to such employment, nor the Bank's reputation/credibility as an independent organization would be at risk.

10. ACCREDITATION FOR SIMPLE METHODS OF PROCUREMENT

- 10.1 Partial accreditation limited to simplified procurement methods, in particular to discharge procurement work under small grants and trust funds, may be granted to TTLs. As a prerequisite, the proposed candidate must have successfully completed the Trust Funds management certification program, taken the Simple Procurement Methods Accreditation Course, and have sufficient procurement experience and qualifications to enable him/her to exercise sound judgment. The request for accreditation shall be made to the concerned APM for staff in the Practices/ Regions or the hiring manager for staff not mapped to regions or practices, and be accompanied with the following: a) the Terms of Reference (TOR) for the work that shall be performed by the proposed candidate; b) at least two references from APSs/PASs who have worked with the candidate; and c) the curriculum vitae of the candidate. The concerned APM or the hiring manager shall either recommend that the candidate should be accredited or, following procedures in Annex C paragraph 2, arrange for the candidate to be mentored before being considered further for accreditation.

11. TERMINATION OF ACCREDITATION

- 11.1 If there is evidence of deficient performance, conflict of interest, negligence in meeting their obligations, or violation of the staff code of professional conduct the CPO can terminate the accreditation.

12. DELEGATION OF PROCUREMENT FIDUCIARY FUNCTIONS

- 12.1 Subject to paragraphs 5.2 and 5.3 above, delegation of fiduciary functions is the sole responsibility of the GGP through the APM, who may consult with the concerned practice managers and directors and country office managers. The APM determines the adequate number, level, and specialty of accredited persons to be assigned to fiduciary and service functions, and ensures that they have the necessary experience and professional qualifications. The APM is responsible for monitoring the performance of procurement staff in country offices and for adjusting the level of delegation of the fiduciary and service functions to ensure that performance continues to meet acceptable standards.
- 12.2 The APM may in particular designate staff to carry out the responsibility for overseeing the fiduciary review process in a country office. Normally, this is an internationally recruited APS at level GF or higher. Locally recruited staff may be responsible for performing some fiduciary review functions when their qualifications and the local conditions warrant. The level of delegation should be consistent with the capacity of the country office and should not pose unacceptable risks, given the country's legal and institutional framework for procurement, the country's recent procurement performance on Bank-financed projects, and the overall level of procurement risk in the country.

ANNEX A

Mentoring and Quality Control Procedures for Non-Procurement Staff and Consultants

1. MENTORING PROCEDURES

- 1.1 **Regional/Practice Staff.** The following are the procedures for mentoring non-procurement staff for the purpose of preparing them for procurement accreditation:
- a. Based on sector needs and staff interest and appreciation of procurement, the Practice Manager (PM) shall identify candidates for accreditation and propose them to the APM. Consultants may also be proposed, either by PMs or by APMs themselves.
 - b. The APM shall assign candidates with a suitable mentor who must be an APS identified by the APM and who is familiar with the portfolio of projects that the staff will work on. The duration of the mentorship shall range from 6 to 12 months depending on the actual procurement knowledge and experience of the staff.
 - c. The staff and his/her mentor should agree on working and review arrangements, and preferably a focused and brief work program that should contain information on the following: staff time required for the mentorship, the account to which procurement communications shall be filed, the training courses that the staff must take, and the nature and frequency of reviews by the APM --or any senior or lead staff (he) delegates to-- of the progress of the staff.
 - d. In addition to the above, the staff shall also keep a logbook of all procurement reviews undertaken by her/him. The logbook shall capture the relevant procurement categories on which the staff has worked upon.
 - e. At the end of the mentoring period, he/she shall submit an application for accreditation to the Non-procurement staff. The APM shall discuss the application with the PM and the mentor taking into accounts the contents of the logbook and other supporting documents provided by the applicant. If necessary, the APM may seek the views of the procurement staff that have worked with the applicant and organize an interview of the applicant with staff from his/her unit.
 - f. Once the APM is satisfied that the candidate has attained sufficient procurement experience and knowledge of the Bank's procurement policies to undertake procurement work as well being capable of applying sound judgment, the APM shall follow the procedures establish in Annex C of this Instruction.
- 1.2 **Staff from Central or non-Regional VPUs/Practices.** In the event that a candidate proposed for accreditation is mapped to central or non-regional VPU/Practices, the APM responsibilities in the above-captioned procedures shall be assumed by the CPO and the responsibilities of the PM shall be assumed by the manager of the concerned central or non-regional VPU/Practice.

2. QUALITY CONTROL PAS

- 2.1 The APM or the designated Lead APS representing the CPO shall be responsible for monitoring the quality of the procurement work of the concerned PAS or consultant and for intervening when necessary to maintain quality as long as the PAS or consultant remains in the same Region/Practice. If a PAS or consultant undertakes procurement work across regions/practices, the APM shall obtain feedback from APMs of the respective regions on the quality of the procurement work of the accredited non-procurement staff or consultant. The APM shall undertake the following quality control measures among others:
- a. maintain a record of all PASs and all staff that are being mentored, their assigned mentor and period of mentorship;
 - b. together with the PM or manager of the PAS or consultant, review his/her performance with respect to procurement during the Bank's annual performance review and submits comments for his/her OPE; and
 - c. implement any other measure(s) that he/she may deem necessary for the purpose of enhancing the quality control measures outlined above.
 - d. PAS should include "procurement performance" as a Results Agreement (RA) or part thereof in their Overall Performance Evaluation (OPE) and obtain feedback from the relevant APM or procurement staff.
 - e. If a PAS is not exercising his/her procurement responsibility, or does not perform up to the standards, as may be evidenced in his/her OPE, he/she shall lose his/her accreditation in the subsequent Fiscal Year. The concerned APM, and/or the designated Lead APS representing the CPO shall prepare and present to the CPO a report to that effect at the end of the PAS's two-year accreditation period.

ANNEX B

Qualifications for Full Accreditation

1. An advanced degree with a major in a relevant discipline (e.g., business administration, engineering, commerce, law) is required for full accreditation.
2. Within the last two years, staff must have taken the standard courses and additional training courses relevant to procurement—e.g., contract management, e-Procurement, capacity building, and commercial practices—designated by the relevant PSB HR Committee member.
3. The following are the standard requirements:
 - Minimum of 5 years of directly relevant experience in successfully carrying out technical or managerial duties in procurement inside or outside the Bank.
 - In-depth knowledge and understanding of institutional, technical, and commercial aspects of procurement at all phases of Bank lending operations.
 - Good understanding of critical linkages and relationships among clients' business drivers, business operations and objectives, and procurement processes.
 - Proven integrity and strong conceptual, analytical, and evaluative skills in handling procurement issues.
 - Ability to conduct independent research and analysis, identifying issues, formulating options, reaching conclusions, submitting recommendations, and persuading superiors and colleagues on outcomes.

ANNEX C

Accountability and decision-making Framework (ADM) to process and Decide Requests for Accreditation

1. STAFF AND CONSULTANTS MAPPED TO GOVERNANCE GLOBAL PRACTICE, AND THOSE REPORTING DIRECTLY TO LEG-PrA

- 1.1 An accredited practice manager (or the hiring manager in the case of LEG-PrA) recommends the accreditation;
- 1.2 Procurement Sector Board HR, or equivalent, concurs with the proposal;
- 1.3 The Chief Procurement Officer decides on the accreditation.

2. STAFF AND CONSULTANTS MAPPED TO OTHER PRACTICES OR ANCHOR UNITS

- 2.1 The concerned manager recommends the accreditation;
- 2.2 An accredited practice manager clears the recommendation for accreditation;
- 2.3 Procurement Sector Board HR, or equivalent, concurs with the proposal;
- 2.4 The Chief Procurement Officer decides on the request for accreditation.

3. PROCUREMENT STAFF AND CONSULTANTS DIRECTLY REPORTING TO THE CPO

- 3.1 Hiring manager recommends;
- 3.2 Procurement Sector Board HR, or equivalent, concurs with the proposal;
- 3.3 The Chief Procurement Officer decides on the accreditation.

Escalation Process: When disagreements between the hiring manager and an APM or Procurement HR Sector Board with regard to a decision on the clearance (APM) or concurrence (PSB HR), when warranted the request for accreditation can be brought to the CPO for a final decision.

Procurement Procedure

Annex VIII

Operational Procurement Review Committee (OPRC)

Process and Requirements

1. PURPOSE

- 1.1 This annex establishes the framework for the review and decision of contracts at the OPRC.

2. PROCESS AND REQUIREMENTS

- 2.1 The review and decision of the procurement clearance of activities within OPRC specified thresholds¹² and functions, are established in Tables 2 and 3, respectively, of Annex II of the Procurement Procedure, including:
- a. Requests to incorporate into the decision meeting packages: (i) APA arrangements for the use Borrower's agencies; and, (ii) the implementation and monitoring OPRC contracts identified during appraisal. OPRC also reviews Activity Procurement Strategies for contracts over OPRC review thresholds identified either at project preparation or implementation.
 - b. Standard and nonstandard selection documents: prequalification documents, request for proposal documents, etc.
 - c. Prequalification evaluation reports.
 - d. All the request for bid, or proposal, and bidding documents, bid/technical and/or financial evaluation reports at each applicable stage for the procurement of goods, works, and non-consulting services.
 - e. Technical evaluation reports for consultant services.
 - f. The justification of the award of a contract to a selected firm and the reasonableness of the proposed cost, for goods, works, and non-consulting services contracts proposed to be awarded on the basis of Direct Selection.
 - g. The justification of the selection of a consulting firm, the qualifications of the consultant, and the reasonableness of the proposed cost, for consulting services contracts proposed to be awarded on the basis of Direct Selection.
 - h. The Bank's responses to complaints and contract-related communications on the procurement process for all contracts above OPRC thresholds, provided that INT is responsible for handling complaints involving allegations of fraud and corruption.

¹² These thresholds represent the total value/cost estimate of the package when the selection document contains more than one lot/slice, and they include all applicable taxes and duties

If complainants have requested a Bank debriefing, the OPRC conducts all debriefings after notification of award of contract, including those with the Executive Directors' offices, unless the Chair delegates this function to the Accredited Practice manager (APM).

- i. Periodic progress reports on contract key performance indicators and /or contract management update progress.
 - j. The cancellation of any bidding or selection process and/or re-inviting bids for all contracts above OPRC thresholds.
- 2.2 If the OPRC initially reviewed a contract on the basis of the estimated or actual contract amount, but at subsequent review stages the actual contract amount is less than the OPRC threshold, the relevant APM reviews any procurement clearances. If a contract was initially reviewed by the APM, but the actual contract amount exceeds the applicable OPRC threshold at subsequent review stages, the APM continues to review and clear the contract and shall notify the CPO. However, the APM or the CPO may request the OPRC to review such contracts when warranted by special circumstances, such as complexity, need for policy interpretation, or deviations from standard procedures.
- 2.3 At the request of the Legal Procurement Adviser from Legal Operations (LEGOP) or an APM (acting on his/her own initiative or at the request of the TL), the OPRC reviews and provides clearance on issues relating to the procurement of contracts that are nonstandard or particularly complex, require policy interpretation, or are of a controversial or innovative nature, regardless of the value or risk of the contract.

3. COMPOSITION OF OPRC

- 3.1 The three members of the OPRC (Principals) are the (a) Chief Procurement Officer (CPO), who chairs the OPRC and decides on the procurement clearance; (b) the Legal Procurement Adviser from LEGOP, who acts as an adviser to the CPO; and (c) the APM with jurisdiction over the case, who concurs on the case before it is sent to OPRC. OPRC membership is restricted to Principals and to persons officially delegated to act for a Principal who is absent on the date of the OPRC meeting (including a staff member delegated by the CPO to chair OPRC meetings in his/her absence). A Principal cannot delegate more than one person to represent him/her as the OPRC member on a particular day.
- 3.2 Given the nature, complexity, and high value of contracts referred to and reviewed by the OPRC, and the need to maintain the highest standards of quality, it is mandatory that the Principals be present at the OPRC meeting unless they are on leave or for unforeseen reasons cannot make themselves available and have notified the Chair in advance. For the same reason, it is also necessary that the task leaders (TLs) or their managers present the case to the OPRC unless there are exceptional circumstances that require them to delegate this responsibility to a team member.

- 3.3 The TL, a senior member of the team designated by the TL, or a practice manager or Global Practice director presents the case to the OPRC, but does not participate in making the final decision. If necessary, the Principal or designee invites other relevant staff to clarify matters, for example, when the case is presented in a language other than English. Technical experts on the team may participate in the meeting whenever complex technical matters are essential to the review.
- 3.4 Attendance of staff other than Principals and staff as indicated in paragraphs 3.1-3.3 is subject to the approval of the Chair. The Chair may agree with the APM or the Legal Procurement Adviser from LEGOP that procurement or legal staff not assigned to the project may attend specific meetings as observers only. Such staff may address the meeting only when invited to do so by the Chair.
- 3.5 **Secretariat.** The OPRC Secretariat, located in the OPCS Operational Risk Management Department (OPSOR), comprises an assistant to manage the OPRC logistics and a staff to assist in the review of the cases and prepare the records of the OPRC decision—as applicable, Section 5 on Summary of OPRC Findings and Decisions, Section 6 on Processing of Case, and Section 7 on Lessons Learned, of the OPRC Case Recommendation and Review Report (CRRR).

4. ADM FRAMEWORK/DECISION-MAKING PROCESS

- 4.1 The review of OPRC procurement packages is processed as follows:
- a. **Recommendation role.** With the support of an accredited practice specialist (APS) or a procurement-accredited staff (PAS), the TL prepares and submits the procurement package to the APM for his/her unconditional concurrence.
 - b. **Concurrence role.** The APM reviews the entire proposal and decides whether the package is ready for his/her unconditional concurrence. The APM is responsible for the entire proposal before it is submitted to OPRC and ensures that substantive outstanding issues on which the OPRC is requested to provide policy interpretation, waivers, or guidance are flagged. To that end, the APM should engage the TL to test all the aspects of the proposal and to understand its risks and trade-offs. OPRC does not review a request for clearance without the APM's concurrence, except when resolving disputes between the TL and the APM on the concurrence of a case. The APM shall ensure that the CRRR has been updated to reflect any changes or clarifications leading to his/her concurrence.
 - c. **Advisory role.** LEGOP provides legal advice to the CPO on legal issues related to a case.
 - d. **Decision role.** OPRC reviews the case following the procedures established in this annex. The CPO asks the concerned APM for the reasons supporting his/her concurrence, and LEGOP for her/his advice on legal issues. The CPO communicates to the TL the decision on the procurement clearance and rationale

for it. The CPO is accountable for the entire decision on the procurement clearance.

- 4.2 If the TL wishes the CPO to reconsider the decision on the basis of additional documentation or new facts, the TL should request another OPRC meeting. The APM reviews the new information or documents and concurs with the request before the package is resubmitted to the OPRC, unless the CPO decides otherwise.

5. FREQUENCY AND CONDUCT OF MEETINGS

- 5.1 The OPRC generally meets weekly on Wednesday mornings,¹³ normally starting at 8:00 a.m. to accommodate cases from the South Asia and East Asia and Pacific Regions. Extraordinary meetings may be scheduled, either when all submitted cases cannot be discussed in one meeting, or, as an exception, in cases of particular and justified urgency and only at the request of an APM. The Chair may postpone the review of a case if the TL does not participate in the meeting and has not designated a qualified and informed representative.
- 5.2 Staff should plan their presentation to the OPRC well in advance. When all the members of the OPRC agree, at the request of the concerned APM, cases (in particular those that are pending, following an earlier review at an OPRC meeting) may be cleared virtually without a meeting. Before agreeing to proceed in this manner, however, members are given the opportunity to review the case. The decision on whether to hold a virtual meeting, and on the timing of the meeting, rests with the OPRC Chair.
- 5.3 The Chair may agree to audio- and/or videoconferencing when circumstances require and when it can be managed in a way that does not impede the efficiency and effectiveness of the OPRC meeting. The TL is responsible for setting up audio and video connections and for making sure that all parties are connected in time for the prompt start of the meeting.

6. DOCUMENTATION REQUIRED FOR OPRC REVIEWS

- 6.1 The following documents are mandatory for cases submitted for OPRC procurement clearance:
- a. PAD summarizing for (i) alternative procurement arrangements, and (iii) procurement over OPRC prior review thresholds, before project implementation arrangements are finalized as specified in the Procurement Procedure.
 - b. The OPRC CRRR, using the standard form¹⁴ filled in as described below and in accordance with the numbering procedure laid out in Attachment A of this annex.

¹³ The CPO can decide if the OPRC meeting will take place another day/time.

¹⁴ The [CRRR form](#) can be downloaded from the OPSOR [website](#).

- c. Prequalification documents, request for proposal documents, and bidding documents.
 - d. The Bank's Standard Bid/Proposal Evaluation Form and the full Evaluation Reports (prequalification, bid, technical, and/or financial) for all selection of goods, works, non-consulting services, and consultant services.
 - e. Copies of relevant correspondence between the Bank and the Borrower (in particular, comments sent by the Bank at the time of no objection to the prequalification/selection documents and any changes or modifications to the conditions of the bid/proposal).
 - f. Copies of any complaints received by the Bank or sent to the Bank by the Borrower, Borrower responses, and correspondence between the Bank and both the Borrower and the complainant.
 - g. Copies of the selection documents and addenda as issued to bidders/consultants, or excerpts from the selection document, as may be needed for the specific case (to be available with the APM and furnished on request to other OPRC members).
 - h. Contract management report summarizing progress, changes and LPI results.
 - i. Any written comments made by Bank technical experts on aspects such as specifications, selection documents, and evaluation reports.
- 6.2 The TL may add to the package other documents he/she deems necessary for the review of the case (e.g., specific sections of bids or proposals, copies of bid securities).
- 6.3 Documents to be furnished to OPRC for the review and approval of alternative procurement arrangements and key performance indicators are described in Annex II of the Procurement Procedure.
- 6.4 The TL checks with the accredited APS or PAS that the documentation is complete. Once the APM has concurred with the documentation package, the TL sends it by e-mail to OPRC Principals and the OPRC Secretariat. The TL provides three printed copies of the package to the CPO, one copy to LEGOP, and one copy to the APM.

7. SUBMISSION DEADLINE AND TURNAROUND TIME

- 7.1 The OPRC reviews each case within 10 business days after its submission. The clearance process for simple cases may take less than 10 business days, but a minimum of 5 business days is required to ensure that all process steps have been completed. The TL is responsible for ensuring that the staff designated above receive all the documentation no later (than Wednesday's COB DC's time) one full week before the meeting to allow adequate time to review the documents. However, the Chair may agree to a reduced review period, in particular for a special meeting on a day other than the regular meeting. TLs located in country offices must arrange with staff of their units in Washington to deliver the documentation by the specified deadline.

8. PRE-OPRC MEETING

- 8.1 OPSOR Procurement staff, (advised by LEGOP) meet ahead of the OPRC meeting to identify questions/clarifications on the case(s) to be discussed the following Wednesday. They send their questions and requests for clarifications to the TL with sufficient time for his/her preparation for the OPRC meeting.

9. OPRC CASE RECOMENEDATION AND REVIEW REPORT FORM

- 9.1 The TL, in coordination with the APS or PAS assigned to the project, completes Sections 1-4 of the CRRR before submitting the case to the APM for concurrence. CRRR is updated as needed to reflect any clarifications leading to concurrence and to confirm APM unconditional concurrence. After each OPRC meeting, the OPRC Secretariat completes Sections 5 and 6, incorporating the decision of the OPRC and available information, and, as relevant, completes Section 7, incorporating lessons learned. The OPRC Secretariat submits the draft CRRR form to the CPO for clearance, normally within 1 business day. The OPRC Secretariat then sends the cleared form to the TL, with copies to the APS or PAS assigned to the team and to the APM. Within two business days, the TL completes Section 6 with additional information as needed and Section 7 as may be relevant; ensures that the form provides the names of all the participants (with the exception of observers), the date of no objection letter, and other relevant information; and sends the completed CRRR form for record to the OPRC Secretariat, with a copy to the APS or PAS.
- 9.2 If a recommendation for prequalification or award has been cleared, the no objection communication is not issued to the Borrower before the CPO clears the final CRRR. In simple/noncomplex or urgent cases, and if there is no pending issue that requires further review or clarification by the OPRC, the Chair may explicitly agree that the no objection letter can be sent to the Borrower before the final CRRR has been cleared.
- 9.3 Some cases cannot be cleared because information is missing or insufficient—for example, the bid evaluation report submitted by the Borrower is incomplete, contains significant errors in the evaluation, is inconsistent with the Bank's procurement policy, or includes a recommendation that is unclear—or there is a disagreement with the recommendation of the Borrower or with the task team's own recommendation. Such cases are resubmitted to the OPRC until a determination can be made and the case cleared, following the procedure set out in paragraph 4.2 of this annex.
- 9.4 In special circumstances the CPO may issue procurement clearances subject to specific actions to be carried out by the Borrower or completed by the TL. In these cases, unless the CPO decides otherwise, the APM monitors the completion of these actions under the terms and in the time agreed with CPO, before the TL issues a no objection on behalf of the Bank.

- 9.5 All internal correspondence among OPRC Principals as it relates to decision-making on an OPRC case is restricted for circulation among OPRC Principals, with a copy to the APS and the OPRC Secretariat.

10. OPRC CASE FILLING AND REPORTING

- 10.1 OPRC files are kept for four years and then sent to the Archives for retention for another five years, and then they are destroyed. The Region files all related key documents on the case, including in particular correspondence with the Borrower, bid evaluation reports, prequalification or bidding documents, contracts, complaints, and bulky documentation.

11. ROLE OF THE OPRC SECRETARIAT

- 11.1 The OPRC Secretariat carries out the following tasks:
- a. coordinating, scheduling, and setting the agenda for OPRC meetings;
 - b. confirm the unconditional concurrence of the APM;
 - c. preparing the record of OPRC decisions;
 - d. monitoring compliance with clearance deadlines;
 - e. compiling and publishing a monthly report that includes all cases reviewed by OPRC and the cleared CRRRs, including “cleared cases” and “pending cases” and the reasons they are pending;
 - f. maintaining the database of OPRC cases, along with copies of the completed and cleared CRRRs;
 - g. compiling an annual report and providing data for the procurement annual report;
 - h. analyzing specific procurement issues arising from the OPRC’s reviews and assisting in the preparation of case studies for staff training; and
 - i. maintaining a database of best practice cases.

NUMERICAL IDENTIFICATION OF OPRC CASE

- 12.1 When each case is submitted to the OPRC for the first time, the OPRC Secretariat assigns it a unique number (e.g., 1000) that is not changed at any stage of the OPRC review process.
- 12.2 The OPRC Secretariat adds a suffix to this unique number to identify the type of clearance requested from the OPRC, as follows:

Prequalification	PQ
Bid Evaluation Report	BER , for goods, works, and non-consulting services
Technical Evaluation Report 1st stage	TER 1 , for S&I, consultant services
Financial Evaluation Report 2nd stage	FER 2 , for S&I
Consultants Evaluation Report	CER , for consulting services
Direct Selection(Procurement)	DS , for goods, works, and non-consulting services
Direct Selection of Legal Entities (Consultants)	DSLE , for any consultant contract
Amendment to Contract	AL
Cancellation or Rebidding	CAN or REB
Complaint	COMP
Miscellaneous/Others	M/O
Complaint	COMP for All
Project Procurement Strategy for Development	PPSD
Activity Procurement Strategy	APS
Alternative Procurement Arrangements	APA
Key Performance Indicators	KPIs

e.g.: 1000/PQ; 1000/BER; 1001/PQ; 1001/TER 1; 1001/FER

The TL, with the assistance of the APM's office, identifies in the CRRR at the time of submission the proper suffix to be added.

- 12.3 If there are several lots in a package, the unique number identifies the number of lots, as follows: 1000 (4)/PQ for prequalification involving 4 lots, or 1000 (4)/BER for bid evaluation of a package with 4 lots. In some situations the OPRC may clear only some lots while others remain to be cleared. In such cases, after the OPRC has cleared all lots, the TL submits the final CRRR, indicating the contract amount for each lot and the total amount for all lots. This information will account for the total value of the case as cleared by the OPRC at different stages of submission. If the OPRC does not clear specific lots and, as a result, new bids are to be invited, such lots are excluded from the indicated amount of the case and accounted for in any new OPRC submissions.

WORKING DRAFT

Procurement Procedure
Annex IX¹⁵
Letter of Acceptance
World Bank's Anticorruption Guidelines

Date: _____

Invitation of Bids/Proposals No. _____

To: _____

We, along with any subcontractors, sub-consultants, service providers, suppliers and agents (whether declared or not) for any part of the contract, and our respective personnel, acknowledge and agree to abide by the World Bank's policy regarding Fraud and Corruption (corrupt, fraudulent, collusive, coercive and obstructive practices) as set out and defined in the World Bank's Anticorruption Guidelines¹⁶.

We declare and warrant that we, along with any subcontractors, sub-consultants, service providers, suppliers and agents (whether declared or not), and our respective personnel, are not subject to, -and are not controlled by any entity or individual that is subject to- a temporary suspension, early temporary suspension or debarment imposed by a member of the World Bank Group, including, inter alia, a cross-debarment imposed by the World Bank Group as agreed with other international financial institutions (including multilateral development banks), or through the application of a World Bank Group finding of non-responsibility on the basis of fraud and corruption in connection with World Bank Group corporate procurement. Further, we are not ineligible under the laws or official regulations of *[Insert name of Employer as per bidding documents]* or pursuant to a decision of the United Nations Security Council;

We declare and warrant that we, along with any subcontractors, consultants, sub-consultants, service providers, suppliers and agents (whether declared or not), and our respective personnel, will observe the highest standard of ethics in connection with the procurement and execution of the contract (in the case of award), including any amendments thereto, as applicable.

We confirm our understanding of the consequences of not complying with the World Bank's Anticorruption Guidelines which may include the following:

- a) Rejection of our proposal/bid for award of contract;
- b) In the case of award, termination of the contract, without prejudice to any other remedy for breach of contract;

¹⁵ To be finalized—in substantially this same form—after the CODE/AC discussion, and included in the Board package.

¹⁶ Guidelines on Preventing and Combating Fraud and Corruption in Projects Financed by International Bank for Reconstruction and Development Loans and the International Development Agency credits and Grants", dated October 15, 2006, and revised in January 2011, as they may be revised from time to time.

- c) Sanctions in accordance with prevailing World Bank Group sanctions procedures¹⁷, including a public declaration of ineligibility, either indefinitely or for a stated period of time, to: (i) participate in a Procurement Process¹⁸, including, without limitation, competing for or being awarded a Bank-financed contract; and being a sub-contractor, sub-consultant, service provider, or supplier of an otherwise eligible firm or individual that has been selected for award or is executing a Bank-financed contract; and (ii) to otherwise benefit from a Bank-financed contract.

We understand that we may be declared ineligible as set out above upon (i) completion of World Bank Group sanctions proceedings as per its prevailing sanctions procedures; (ii) cross-debarment as agreed with other international financial institutions (including multilateral development banks); (iii) through the application of a World Bank Group finding of non-responsibility on the basis of fraud and corruption in connection with World Bank Group corporate procurement; or (iv) as a result of temporary suspension or early temporary suspension in connection with an ongoing World Bank Group sanctions proceeding. For avoidance of doubt, the foregoing effects of ineligibility do not extend to a sanctioned firm's or individual's performance of its ongoing Bank-financed contracts (or its ongoing sub-agreements under such contracts) that are not the subject of a material modification, as determined by the Bank.

We shall permit, and shall cause any subcontractors, sub-consultants, service providers, suppliers and agents (whether declared or not), as well as our respective personnel, to permit the Bank to inspect all accounts, records and other documents relating to the Procurement Process and to have them audited by auditors appointed by the Bank. Inspections in this context usually are investigative (i.e., forensic) in nature. They involve fact finding activities undertaken by the Bank or persons appointed by the Bank to address specific matters related to investigations/audits, such as evaluating the veracity of an allegation of possible Fraud and Corruption, through the appropriate mechanisms. Such activity includes but is not limited to: accessing and examining a firm's or individual's financial records and information, and making copies thereof as relevant; accessing and examining any other documents, data and information (whether in hard copy or electronic format) deemed relevant for the investigation/audit, and making copies thereof as relevant; interviewing staff and other relevant individuals; performing physical inspections and site visits; and obtaining third party verification of information.

We agree to preserve all accounts, records and other documents (whether in hard copy or electronic format) related to the procurement and execution of the contract.

Name of the Bidder/Consultant

Name of the person duly authorized to sign the Bid/Proposal on behalf of the Bidder/Consultant

Title of the person signing the Letter _____

¹⁷ The World Bank Group's sanctions procedures are publicly disclosed on the World Bank's external website. Drafting note: this reference will be updated once the WB Sanctions Framework is approved.

¹⁸ The Procurement Process starts with the identification of a need and continues through planning and market research, functional or specification requirements writing, budget considerations, selection, contract award, and contract management. It ends on the last day of the last warranty.