

**Terms of Reference (TOR)**  
**For**  
**Procurement Consultant for**  
**Resilient Infrastructure for Adaptation and Vulnerability Reduction (RIVER) Project**

**A. Introduction**

Bangladesh is extremely vulnerable to the effects of climate change. The Global Climate Risk Index ranks Bangladesh as the world's seventh most affected country over the period 1999-2018. Rising temperatures leading to more intense and unpredictable rainfalls during the monsoon season and a higher probability of catastrophic cyclones are expected to result in increased tidal inundation. Besides, Bangladesh is also a deltaic country consisting of floodplains created by over 300 rivers and channels, including three major rivers: the Ganges, the Brahmaputra, and the Meghna. 25 percent of the country is less than 1m above sea level and 50 percent is less than 6m above sea level. Bangladesh is located at the foot of the highest mountain range in the world, the Himalayas, which is also the world's highest precipitation zone. During monsoon seasons, the winds from the sea towards the land raise the water levels in the Bay of Bengal, inhibiting drainage from these rivers to the sea. As rainfall is also high during monsoon seasons, river flows, local rain, and raised levels for the Bay of Bengal result in flooding of vast areas in Bangladesh. Floods are especially destructive when peak flows in these rivers occur at the same time.

Flooding in Bangladesh is a near-constant phenomenon, recurring with varying magnitude and intensity, affecting a greater population than any other natural hazard. Floods and riverbank erosion affect about one million people annually in Bangladesh. Once every three to five years, up to two-thirds of Bangladesh is inundated by floods. Runoff and peak 5-day rainfall intensity (a surrogate for an extreme storm event) are projected to increase. Such disasters have both direct effects (such as loss of lives and property) and indirect effects (such as loss of employment and income, reduced access to products and services, and the opportunity cost of resources that need to be diverted to relief and rehabilitation) as well as disrupting effects on rural economies, accelerating rapid urbanization and migration. Recent studies estimate that by 2050 Bangladesh could have 13.3 million internal climate migrants. Additional rural-urban migration would have significant consequences for air and water pollution and unsustainable consumption of natural resources while putting additional pressure on urban labor markets. Addressing climate risks is increasingly becoming urgent to ensure sustainable economic development of the country.

In the above backdrop, Resilient Infrastructure for Adaptation and Vulnerability Reduction (RIVER) Project aided by the World Bank with the project development objective (PDO) to reduce the vulnerability of people in targeted communities to riverine and flash floods, improve the country's capacity in disaster preparedness and response. The objective has been planned to achieve through the implementation of the following activities:

**I. Resilient Flood Shelters and Community Infrastructure:** This component will finance land raising and construction of climate-resilient flood shelters in targeted flood-prone villages in non-coastal districts, installation of lightning protection systems, construction and/or rehabilitation of associated climate resilient shelter connecting and community roads, and resilient infrastructure as identified by the community including climate resilient culverts and bridges, repair, rehabilitation of rural markets, repair and rehabilitation of landing stages (river jetties), and installation of solar powered street lights. The construction, repair and rehabilitation of infrastructure conducted under this component will implement energy efficient practices and equipment to reduce GHG emissions associated with the project activities. Additionally, where possible, the activities will use locally sourced material to reduce GHG emissions associated with transportation for procurement. This component will also cover the social and environment management in the proposed project intervention areas.

**II. Strengthening Capacity for Disaster Preparedness and Response and Technical Assistance:** This component will finance goods and services to increase the capacity of LGED and communities to plan, manage, and recovery from floods, and strategic studies to increase long-term disaster and climate resilience. To enhance the capacity of LGED, these include setting up contingency planning for emergency preparedness and evacuations, updating the shelter database, improving the disaster loss and damage assessments and reporting system, and establishing Operation and Coordination Center (OCC) in Upazila, District and Regional level LGED offices as well as in HQ. Activities to enhance the capacity of communities include CBDRM activities with local organizations such as the Union Disaster Management Committees (UDMCs) on basic competencies to improve health and safety during floods, community risk mapping, training of School

Management Committees (SMCs) on shelter management and updating and training on community operation and maintenance guidelines of shelters.

**III. Project Management, Design, and Supervision, Monitoring, and Evaluation:** This component will support the Government in implementing the project, and in coordinating all project related activities, monitoring, technical assistance, and training. It will include: (i) establishment of a Project Implementation Unit (PIU) within the Local Government Engineering Department, and consultancy and technical assistance for construction detailed design, procurement support, and construction supervision, preparation and implementation of safeguard instruments; (ii) capacity development of the PIU and communities in participatory planning and investment; (iii) monitoring and evaluation; and (iv) technical assistance and training in such areas as disaster management and preparedness, climate change adaptation and mitigation, construction, contract management, financial management, preparation of environmental and social assessments, and preparation of safeguard instruments. It will also provide resources for strengthening the flood preparedness and management program. The management, design and M&E activities under this component will integrate climate adaptation and mitigation measures and parameters.

**IV. Contingency Emergency Response:** The objective of this subcomponent is to cater to unforeseen emergency needs. In case of a major natural disaster, the Government may request the Bank to re-allocate project funds to this component (which presently carries a zero allocation) to support response and reconstruction. Disbursements under CERC will be contingent upon the fulfillment of the following conditions: (i) the Government of Bangladesh has determined that an eligible crisis or emergency has occurred and the Bank has agreed and notified the Government; (ii) the Ministry of Finance has prepared and adopted the Contingent Emergency Response (CER) Implementation Plan that is agreed with the Bank; and (iii) LGED has prepared, adopted, and disclosed safeguards instruments required as per Bank guidelines for all activities from the CER Implementation Plan for eligible financing under the CERC.

Major activities includes 500 nos. Primary School cum Flood Shelters, 100 nos. Construction/Installation of Solar PV Nano-grid System, Raised land above Flood level 200 nos, Improvement of Flood Shelter Connecting Road- 275km, Construction of Bridges- 500 m, Construction of Culvert- 1330m, Improvement of community infrastructure Road- 110km, Solar Street Light- 6600 nos, Installation of Protection System- 1400nos.

The project is being implemented in 78 Upazilas of 14 Districts of Bangladesh. These 14 Districts are Kurigram, Lalmonirhat, Rangpur, Nilphamari, Gaibanda, Sirajganj, Pabna, Bogura, Gopalganj, Rajbari, Madaripur, Faridpur, Sunamganj, Hobiganj.

The LGED intends to hire a Procurement Consultant under Individual Consultant selection (National, Open) following World Bank Procurement Regulation July 2016 (Revised in November 2020) for services of procurement activities of the project having Package no. LGED/RIVER/21-22/IC-1. It will be financed by the World Bank.

## **B. Objectives of the assignment**

The main objective of the services of the Procurement Consultant (hereafter referred as 'the consultant') is to undertake all procurement activities under the project following the World Bank Procurement Regulations and the Public Procurement Act 2006 and Public Procurement Rules 2008 as applicable and assist Project Director in resolving contractual matters during implementation of the project.

## **C. Scope of Services**

Key Functions of the Consultant are but not limited to the following:

- Work under the guidance of the Project Director (PD) in implementing all aspects of procurement under the project;
- Prepare procurement plan through Systematic Tracking of Exchanges in Procurement (STEP) portal and updating time to time;
- Prepare tender documents for goods, works;
- Prepare Expression of Interest, Request for Proposal;
- Prepare the relevant procurement documents for consultancy services and non-consultancy services;
- Assist the Project Director in pre-proposal meeting if any;

- Evaluate Tenders and Request for Proposals;
- Prepare the initial screening and draft template for evaluation;
- Act as a member of the procurement (tender/bid/interest/proposal) evaluation committees;
- Assist the Project Director in procurement proceedings of tenders and proposals;
- Assist the Project Director in contractual matters during implementation of project;
- Prepare draft contract documents;
- All procurement activities are to be carried out following World Bank Procurement Regulations and PPR 2008, as applicable;
- Uploading all procurement related documents in STEP;
- Prepare all documents required for approval of the Chief Engineer of LGED and Ministry;
- Prepare complaint handling mechanism and address complaint as per the PPR and WB Procurement Regulations;
- Take necessary measures for Concurrence of concerned documents from World Bank;
- Assist PD in contractual conflicts/disputes and contractor's claim;
- Providing guidance to PD to develop better procurement management;
- Provide operational advice on concepts, policies and procedures for international and local procurement matters;
- Provide assistance on procurement matters of the projects to ensure consistent application of the Procurement Regulations of the World Bank and /or Public Procurement Act 2006 (PPA) as laid out in the legal documents between IDA and GOB;
- Closely monitor procurement activities in reference to the Procurement Plan timeline and the procurement approval process of the Government and bring any slippage of activities immediately to the attention of the PD;
- Conduct procurement activities under the project using CPTU's e-GP portal;
- Conduct training as required and requested by the PD;
- Guiding the Supervision Consultant for better contract administration;
- Prepare and update Project Procurement Strategy for Development (PPSD); and
- Any other relevant tasks assigned by PD.

#### **D. Duration:**

Duration of the consulting services would be period of 2 years from the date of commencement, depending on the need of the client and satisfactory performance of the consultant, the contract period may be extended through mutual agreement.

#### **E. Qualification and Experience**

Academic Qualifications and Professional Experience of the Consultant:

##### **a) Educational Qualification**

- BSc. in Engineering/Master's economics/statistics/finance/business administration/ management/law or other relevant subjects. The candidate having Master's in Procurement will be added advantage.

##### **b) Experience**

- 15 years of work experience of which 10 years should substantially be related to the relevant tasks of in carrying out public Procurement with primary responsibilities and substantial content of his/her position in practical application of internationally accepted procurement and contracting procedures and documents for works, goods and services i.e. preparation of tender documents (Works & Goods)/EoI, proposal documents/ procurement plan, evaluation of bids/proposals, negotiation, conflict resolutions and following concerned contract, PPR 2008 and Procurement documents & Guidelines of World Bank or similar Development Partners.
- Knowledge and working experience of e-Government Procurement (e-GP) is a must;
- Proven working experience on procurement following the World Bank or other Development Partners' Procurement Guidelines is a must. Knowledge and understanding of World Bank's STEP system is an added advantage;
- Knowledge/Familiarity of FIDIC can be a plus;

- Possess excellent communication skills in English, both written and spoken;
- Individuals who are currently working as procurement consultants on another World Bank-financed project may also compete in this selection process, but if they are selected they will be required before signing the proposed contract to provide documentary evidence of having satisfactorily complied with their existing contract's requirements with respect to early termination of the contract by the consultant, including advance notice period, to avoid disruption in implementation of that project.

#### **F. Reporting Requirement**

The consultant will submit the monthly report of assignment done & planning for next month. S/he will assist primarily the Project Director in preparation of all procurement related reports required to fulfill the requirements of World Bank and GoB.

#### **G. Institutional Arrangement:**

The consultants will work closely with the LGED's Project Implementation Unit (PIU) and coordinate their work with other relevant units of LGED, Ministry of Local Government, local administration and relevant ministries and agencies.

Project Director would be designated as Head of the PIU to coordinate all interfaces with the Consultants. Head of PIU with support from the Chief Engineer would also assist the Consultants in resolving various administrative issues which may arise during implementation of the Contract. The Consultants shall be responsible for all aspects of performance of services as set forth in the preceding sections of this ToR

#### **H. Responsibilities of the Client**

The Client will provide necessary office accommodation, computer, logistic services, consumables and other things or related services required for smooth execution of his services. The Client will provide necessary assistance to carry field trips if necessary.