

18 MONTHS PROCUREMENT PLAN -MALAWI EDUCATION REFORM PROJECT (MERP)

I. General

1. Project information

Country: Malawi
Project Name: Malawi Education Reform Project (MERP)
Project ID: P174329

2. Project Implementation Agency: Ministry of Education (MoE)

3. Date of the Procurement Plan: July 27, 2021

4. Period covered by this Procurement Plan: January 2022 to June 2023

II. Preamble

In accordance with paragraph 5.9 of the “World Bank Procurement Regulations for IPF Borrowers” (November 2020) (“Procurement Regulations”) the Bank’s Systematic Tracking and Exchanges in Procurement (STEP) system will be used to prepare, clear and update Procurement Plans and conduct all procurement transactions for the Project.

This textual part along with the Procurement Plan tables in STEP constitute the Procurement Plan for the Project. The following conditions apply to all procurement activities in the Procurement Plan. The other elements of the Procurement Plan as required under paragraph 4.4 of the Procurement Regulations are set forth in STEP.

III. *The Bank’s Standard Procurement Documents:* shall be used for all contracts subject to international competitive procurement and those contracts as specified in the Procurement Plan tables in STEP.

IV. National Procurement Arrangements: In accordance with paragraph 5.3 of the Procurement Regulations, when approaching the national market (as specified in the Procurement Plan tables in STEP), the country’s own procurement procedures may be used.

When the Borrower uses its own national open competitive procurement arrangements as set forth in the **Public Procurement and Disposal of Public Assets Act, 2017 of the Republic of Malawi**, such arrangements shall be subject to paragraph 5.4 of the Procurement Regulations.

In accordance with paragraph 5.3 of the Procurement Regulations, the request for bids/request for proposals document shall require that Bidders/Proposers submitting Bids/Proposals present a signed acceptance at the time of bidding, to be incorporated in any resulting contracts, confirming application of, and compliance with,

the Bank’s Anti-Corruption Guidelines, including without limitation the Bank’s right to sanction and the Bank’s inspection and audit rights. The form of the Letter of Acceptance is attached in Appendix 1.

Leased Assets as specified under paragraph 5.10 of the Procurement Regulations: Leasing may be used for those contracts identified in the Procurement Plan tables. **Not Applicable**

Procurement of Second-Hand Goods as specified under paragraph 5.11 of the Procurement Regulations – is allowed for those contracts identified in the Procurement Plan tables. **Not Applicable.**

Domestic preference as specified under paragraph 5.51 of the Procurement Regulations (**Goods and Works**).

Goods: **Not Applicable for those contracts identified in the Procurement Plan tables.**

Works: **Not Applicable for those contracts identified in the Procurement Plan tables.**

Hands-on Expanded Implementation Support (HEIS) as specified under paragraphs 3.10 and 3.11 of the Procurement Regulations: **Not Applicable.**

Other Relevant Procurement Information: -

(a) Procurement Approach and Prior Review Thresholds:

The Procurement Arrangements as indicated in the below table will be used. The thresholds for the Bank’s prior review requirements are also provided in the table:

Prior-review Thresholds		Thresholds for Procurement Methods							
Procurement Type	Substantial Risk (\$'000)	Works			Goods, IT & Non-Consulting Services			Shortlist of National Consultants	
		Open International or ICB (\$'000)	Open National or NCB (\$'000)	Request for Quotation or National Shopping (\$'000)	Open international or ICB (\$'000)	Open National or NCB (\$'000)	Request for Quotation or National Shopping (\$'000)	Consulting Services (\$'000)	Engineering & Construction Supervision (\$'000)
Works	10,000								
Goods, IT & Non-Consulting Services	2,000	≥	<	≥	≥	<	≥	<	≥
Consultants (Firms)	1,000	7,000	7,000	200	1,000	1,000	100	200	300

Individual Consultants	300								
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*These prior review thresholds are for the purposes of the initial procurement plan for the first 18 months. The thresholds will be revised periodically based on re-assessment of risks. All contracts not subject to prior review will be post-reviewed.

Prequalification. Not expected for the works/goods packages in the procurement plan.

Proposed Procedures for CDD Components: CDD will be applicable for works for construction of low-cost classrooms under MERP School Improvement Grants (SIG) under component 2. CDD implementation arrangements will be elaborated in the PIM.

Reference to (if any) Project Operational/Procurement Manual: The MoE will prepare a Procurement manual. The Procurement Plan will also form part of the Project Implementation Manual.

Any Other Special Procurement Arrangements: None

Procurement Packages/Plan with Procurement Arrangements and Time Schedule: as per the table below:

b) PROCUREMENT PLAN

A. Works

There are no envisaged works at central level, other than construction of low-cost classrooms to be supported under MERP School Improvement Grant (SIG) and will be implemented through Community-driven Development approach.

1	2	3	4	5	6	7	8	9	10
Ref. No.	Contract Description	Estimated Cost US\$	Market Approach	Selection Method	Prequalification (yes/no)	Domestic Preference (yes/no)	Review by Bank (Prior / Post)	Expected bid opening date	Expected Contract Signature Date
1.	N/A								

B. Goods and Non-Consulting Services

1	2	3	4	5	6	7	8	9	10
Ref. No.	Contract Description	Estimated Cost US\$	Market Approach	Selection Method	Prequalification (yes/no)	Domestic Preference (yes/no)	Review by Bank (Prior / Post)	Expected bid opening date	Expected Contract Signature Date
1.	Supply and delivery of vehicles six (6 No.) 4x4 double cabin and eighty (80 No.) motorcycles for desk officers and	995,000.00	Open National	RFB	No	No	Post	30-Apr-22	30-May-22

	Clerks of works								
2.	Supply of forty-one (41 No.) laptops and three (3No.) printers for basic education, budget, EMIS and district desk officers	164,000.00	Open National	RFB	No	No	Post	30-Apr-22	30-May-22
3.	Supply and delivery of one (1No.) heavy-duty photocopier/scanner	4,550.00	Limited	RFQ	No	No	Post	30-Apr-22	30-Jun-22
4.	Printing of school leadership training materials	110,000.00	Open National	RFB	No	No	Post	1-Apr-22	15-Jun-22

C. Consultancy Services

1	2	3	4	5	6	7	8	9	10
Ref. No.	Contract Description	Estimated Cost US\$	Market Approach	Selection Method	Evaluation Option	Shortlisting (yes/no)	Review by Bank (Prior / Post)	Expected proposal opening date	Expected Contract Signature Date
1.	Hiring of Project Coordinator	321,000.00	Direct	DIR	Direct	No	Post	30-Sep-22	30-Nov-21
2.	Hiring of Procurement Specialist	292,000.00	Direct	DIR	Direct	No	Post	30-Sep-22	30-Nov-21
3.	Hiring of Financial Management Specialist/ Accountant	292,000.00	Direct	DIR	Direct	No	Post	30-Sep-22	30-Nov-21
4.	Hiring of Financial Management Assistant	150,000.00	Direct	DIR	Direct	No	Post	30-Sep-22	30-Nov-21
5.	Hiring of Monitoring and Evaluation Expert	150,000.00	Direct	DIR	Direct	No	Post	30-Sep-22	30-Nov-21
6.	Hiring of Environmental Expert	150,000.00	Open	INDV	Most Qualified and Experienced INDV	Yes	Post	30-Sep-22	30-Nov-21
7.	Hiring of Social Safeguards Expert	150,000.00	Open	INDV	Most Qualified and Experienced INDV	Yes	Post	30-Sep-22	30-Nov-21
8.	Hiring of Gender Specialist	150,000.00	Open	INDV	Most Qualified and Experienced INDV	Yes	Post	30-Sep-22	30-Nov-21
9.	Hiring of thirty-four (34No.) District Clerks of Works to supervise construction of the low classroom blocks at school level	318,000.00	Open	INDV	Most Qualified and Experienced INDV	Yes	Post	31-Jan-22	01-Mar-22
10.	Individual Architectural Consultant	155,850.00	Open	INDV	Most Qualified and	Yes	Post	31-Jan-22	01-Mar-22

					Experienc ed INDV				
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RFQ - Request for Quotations; **RFB** - Request form Bids; **INDV** - Individual Consultant Selection **and DIR**-Direct Selection.

Note: Direct Selection has been recommended for hiring of Key MERP PIU staff because MESIP whose design and interventions are similar to MERP will be closing on July 30, 2021, and staff are readily available, and MoE wish to benefit from the experience the staff have gained over the years of implementing MESIP,

Appendix 1

Letter of Acceptance of the World Bank's Anti-Corruption Guidelines and Sanctions Framework

Date: _____

Invitation of Bids/Proposals No. _____

To:

We, along with our sub-contractors, sub-consultants, service providers, suppliers, agents (whether declared or not) consultants and 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 Anti-Corruption Guidelines¹ in connection with the procurement and execution of the contract (in case of award), including any amendments thereto.

We declare and warrant that we, along our sub-contractors, sub-consultants, service providers, suppliers, agents (whether declared or not), consultants and 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 document*] or pursuant to a decision of the United Nations Security Council.

We confirm our understanding of the consequences of not complying with the World Bank's Anti-Corruption 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; and
- c. sanctions, pursuant to the Bank's Anti-Corruption Guidelines and in accordance with its prevailing sanctions policies and procedures as set forth in the Bank's Sanctions Framework. This may include a public declaration of ineligibility, either indefinitely or for a stated period of time, (i) to be awarded or otherwise benefit from a Bank-financed contract, financially or

¹*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 and July 2016, as they may be revised from time to time.

in any other manner;² (ii) to be a nominated³ sub-contractor, consultant, manufacturer or supplier, or service provider of an otherwise eligible firm being awarded a Bank-financed contract; and (iii) to receive the proceeds of any loan made by the Bank or otherwise to participate further in the preparation or implementation of any Bank-financed project.

We understand that we may be declared ineligible as set out above upon:

- a. completion of World Bank Group sanctions proceedings according to its prevailing sanctions procedures;
- b. cross-debarment as agreed with other international financial institutions (including multilateral development banks);
- c. 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
- d. 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 execution 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 our sub-contractors, sub-consultants, agents (whether declared or not), personnel, consultants, service providers or suppliers, to permit the Bank to inspect⁴ all accounts, records, and other documents relating to the procurement process and/or contract execution (in the case of award), and to have them audited by auditors appointed by the Bank.

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: _____

² For the avoidance of doubt, a sanctioned party's ineligibility to be awarded a contract shall include, without limitation, (i) applying for pre-qualification, expressing interest in a consultancy, and bidding, either directly or as a nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider, in respect of such contract, and (ii) entering into an addendum or amendment introducing a material modification to any existing contract.

³ A nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider (different names are used depending on the particular bidding document) is one which has been: (i) included by the bidder in its pre-qualification application or bid because it brings specific and critical experience and know-how that allow the bidder to meet the qualification requirements for the particular bid; or (ii) appointed by the Borrower.

⁴ Inspections in this context are usually 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.

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

Title of the person signing the Letter: _____

