

## PROCUREMENT PLAN

**Project information: NEPAL/Food and Nutrition Project [P164319]**

**Project Implementation agency: Ministry of Agriculture and Livestock Development**

**Date of the Procurement Plan: February 12, 2019**

### Preamble

In accordance with paragraph 5.9 of the “World Bank Procurement Regulations for IPF Borrowers” (July 2016) (“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.

***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.

**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 Act 2007 (1st Amendment), such arrangements shall be subject to paragraph 5.4 of the Procurement Regulations and the following conditions.

**National Procurement Procedures:** These procedures are applicable for the procurement of goods, works and non-consulting services only. In accordance with paragraph 5.3 of the Procurement Regulations, when approaching the national market, as agreed 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 Nepal’s Public Procurement Act, 2007, as amended by Amendment 2073 (2016) - (1st Amendment) and the Public Procurement Regulation, 2007, as amended by Amendment 2073 (2017) - (5th Amendment) made thereunder, such arrangements shall be subject to paragraph 5.4 of the Bank’s Procurement Regulations and the following conditions:

- 1) Model bidding documents, including contract conditions agreed with the Bank (as amended from time to time), shall be used. Bidding documents shall be made available, by mail or in person, or through e-GP portal to all who are willing to pay the required fee.

- 2) The eligibility of bidders shall be as defined under Section III of the Procurement Regulations. Accordingly, no bidder or potential bidder shall be declared ineligible for contracts financed by the Bank for reasons other than those provided in Section III of the Procurement Regulations;
- 3) The request for bids/request for proposals document shall require that Bidders/Proposers submitting Bids/Proposals present a signed acceptance (in the form attached) 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.
- 4) Qualification criteria (in case pre-qualifications were not carried out) shall be stated in the bidding documents for all contracts, irrespective of the value, and if a registration process is required, a foreign firm declared as the lowest evaluated bidder shall be given a reasonable opportunity to register, without let or hindrance.
- 5) Procurement Documents include provisions, as agreed with the Bank, intended to adequately mitigate against environmental, social (including sexual exploitation and abuse and gender-based violence), health and safety ("ESHS") risks and impacts.
- 6) Performance security should be an amount of five (5) to ten (10) percent of the contract price and shall not be increased merely based on comparison of the bid price of awarded bidders with the pre-bid cost estimate.
- 7) If a contract is terminated because of fundamental breach of contract by the contractor, the amount to be recovered from the contractor representing the employer's additional costs for completing the contract shall be provisioned as agreed with the Bank in model bidding documents.

When other national procurement arrangements other than national open competitive procurement arrangements are applied by the Borrower, such arrangements shall be subject to paragraph 5.5 of the Procurement Regulations.

**Leased Assets** as specified under paragraph 5.10 of the Procurement Regulations: Not Applicable.

**Procurement of Second Hand Goods** as specified under paragraph 5.11 of the Procurement Regulations: Not Applicable.

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

**Goods:** is applicable for those contracts identified in the Procurement Plan tables;

**Works:** is applicable for those contracts identified in the Procurement Plan tables.

**Other Relevant Procurement Information:** As mentioned in the procurement section of the Project Operation/ Implementation Manual.





