

PROCUREMENT PLAN

Basic Data

Project Name: Amu Bukhara Irrigation System Rehabilitation Project		
Project Number: 44458-013		Approval Number: 3025/3026
Country: Uzbekistan		Executing Agency: Ministry of Water Resources
Project Procurement Risk: Level 2		Implementing Agency: Center for Implementation of Foreign Investment Projects in Water Sector
Project Financing Amount: US\$ 380,000,000 ADB Financing: US\$ 220,000,000 Cofinancing (ADB Administered): Non-ADB Financing: US\$ 160,000,000		Project Closing Date: 31 December 2024
Date of First Procurement Plan: 6 August 2015		Date of this Procurement Plan: 30 January 2024, Version 9
Advance Contracting: Yes	Related to COVID-19 response efforts: No	Use of e-procurement (e-GP): No

A. Methods, Thresholds, Review and 18-Month Procurement Plan

1. Procurement and Consulting Methods and Thresholds

Except as the Asian Development Bank (ADB) may otherwise agree, the following process thresholds shall apply to procurement of goods and works.

Procurement of Goods and Works		
Method	Threshold	Comments
International Competitive Bidding for Goods	US\$ 2,000,000 and Above	Prior
National Competitive Bidding for Goods	Between US\$ 100,000 and US\$ 1,999,999	The first two NCB contracts is subject to prior review. If the first 2 contracts are procured satisfactorily it will be determined by ADB if post-review may be used.
Shopping for Goods	Up to US\$ 99,999	Post review
International Competitive Bidding for Works	US\$ 5,000,000 and Above	Prior
National Competitive Bidding for Works	Between US\$ 100,000 and US\$ 4,999,999	The first two NCB contracts is subject to prior review. If the first 2 contracts are procured satisfactorily it will be determined by ADB if post-review may be used.
Shopping for Works	Up to US\$ 99,999	Post review

Consulting Services	
Method	Comments
Quality- and Cost-Based Selection for Consulting Firm	Quality and cost based on 80:20 quality-cost weighing. Applied in accordance with Guidelines on the Use of Consultants (2013 as amended from time to time)
Least-Cost Selection for Consulting Firm	Selection of audit firms for the project

2. Goods and Works Contracts Estimated to Cost \$1 Million or More

The following table lists goods and works contracts for which the procurement activity is either ongoing or expected to commence within the next 18 months.

Package Number	General Description	Estimated Value	Procurement Method	Review (Prior/Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
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None							
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3. Consulting Services Contracts Estimated to Cost \$100,000 or More

The following table lists consulting services contracts for which the recruitment activity is either ongoing or expected to commence within the next 18 months.

Package Number	General Description	Estimated Value	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
None							

4. Goods and Works Contracts Estimated to Cost Less than \$1 Million and Consulting Services Contracts Less than \$100,000 (Smaller Value Contracts)

The following table lists smaller-value goods, works and consulting services contracts for which the activity is either ongoing or expected to commence within the next 18 months.

Goods and Works								
Package Number	General Description	Estimated Value	Number of Contracts	Procurement Method	Review (Prior/Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
None								

Consulting Services								
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
ABISR/AU DIT/4	Audit Services 2023-2024	45,000.00	1	LCS	Prior	Q1 / 2024	BTP	Assignment: National Complexity Level: Level 4 Covid-19 Response? No Comments: The selection method has been changed to RFQ, but there is no possibility to specify this method in the system
ABISR/SE S/2	Final Socio-Economic Assessment of the Project	80,000.00	1	LCS	Prior	Q1 / 2024	BTP	Assignment: National Complexity Level: Level 4 Covid-19 Response?

								No Comments: The selection method has been changed to RFQ, but there is no possibility to specify this method in the system
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B. Indicative List of Packages Required Under the Project

The following table provides an indicative list of goods, works and consulting services contracts over the life of the project, other than those mentioned in previous sections (i.e., those expected beyond the current period).

Goods and Works							
Package Number	General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Procurement Method	Review (Prior/Post)	Bidding Procedure	Comments
None							

Consulting Services							
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior/Post)	Type of Proposal	Comments
None							

C. List of Awarded and On-going, and Completed Contracts

The following tables list the awarded and on-going contracts, and completed contracts.

1. Awarded and Ongoing Contracts

Goods and Works							
Package Number	General Description	Estimated Value	Awarded Contract Value	Procurement Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments
ABISRP/IC B/01	[Re-bid 02] Plant-Design Supply, Install Contract for Construction of Khamza New Pump Station	92,000,000.00	82,960,748.24	ICB	Q3 / 2018	04-JUL-19	Contractor: China National Technical Import and Export Corp., PCSS L3025: 0005
ABISR/ICB/07/A	Additional works for M&R of Kizil-Tepa Pump Station	6,000,000.00	6,602,104.02	ICB	Q3 / 2021	17-MAY-22	Contractor: China National Technical Import and Export Corp., PCSS L3025:

ABISRP/IC B/02	M&R of ABMC regulation structures	7,700,000.00	6,677,192.02	ICB	Q4 / 2015	16-MAR-16	Contractor: Consortium LLC "KogonSuvKurilish" and JSC "Amubukhorokanalk urilish" Contract No.: ABISRP 02 Signing Date: 16 March 2016 PCSS L3025: 0002 PCSS L3026: 0007
ABISRP/IC B/03	Plant-Design, Supply, Install Contract for M&R of Kizil Tapa and Kuyu Mazar Pump stations	79,000,000.00	84,147,652.42	ICB	Q1 / 2016		Contractor: Hebei Construction Group Co, LTD & Hebei Water Conservancy Eng. Burea Contract No.: ABISRP 03 (Lot 1) Signing Date: 21 December 2016 PCSS: L3026: 0009, Contract No.: ABISRP 03 (Lot 2) Signing Date: December 2016 PCSS L3025: 0004
	Lot 1: M&R of Kuyu Mazar Pump Station	26,000,000.00					
	Lot 2: M&R of Kizil Tapa main pump stations	53,000,000.00					

Consulting Services

Package Number	General Description	Estimated Value	Awarded Contract Value	Recruitment Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments
ABISR/Audit/2	Audit of Project Accounts for 2017-2019	30,000.00	22,781.09	LCS	Q2 / 2017	03-APR-18	Grant Thornton LLC Contract No.: ABISR/AUDIT/2, Signing Date: 5 April 2018 PCSS L3026: 0016

ABISR/AU DIT/3	Audit services 2020-2022	45,000.00	30,175.00	LCS	Q4 / 2020	03-MAY-21	Kreston Tashkent LLC; L3026; PCSS 0018
ABISR/Audi t/1	Auditor	45,000.00	8,990.00	LCS	Q2 / 2015	07-APR-16	PKF MAK ALYANS LLC; L3026; PCSS 0006
ABISR/SES /1	Midterm Socio-Economic Survey	60,000.00	19,306.35	LCS	Q2 / 2019	03-MAR-20	InfoCapital Group LLC Contract No.: ABISR/SES/1 Signing Date: 11 March 2020 PCSS L3026: 0017
ABISRP/Q CBS/01	Project Management, Procurement, Construction Supervision and Capacity Building	6,500,000.00	5,540,253.00	QCBS	Q1 / 2014	10-DEC-14	JV «Temelsu International Engineering Services Inc.» & «Sheladia Associates Inc., Signing Date: 25 December 2014, PCSS L3026: 0001

D. National Competitive Bidding

1. General

The procedures to be followed for national competitive bidding shall be those set forth in the applicable resolutions of the cabinet of ministers (COM) of Republic of Uzbekistan with the clarifications and modifications described in the following paragraphs required for compliance with the provisions of the ADB *Procurement*.

2. Eligibility

The eligibility of bidders shall be as defined under section I of the *Procurement Guidelines*; accordingly, no bidder or potential bidder should be declared ineligible for reasons other than those stated in section I of the *Procurement Guidelines*. Bidders must be nationals of member countries of ADB, and offered goods, services, and works must be produced in and supplied from member countries of ADB.

3. Prequalification

Normally, post-qualification shall be used unless explicitly provided for in the loan agreement/procurement plan. Irrespective of whether post qualification or prequalification is used, eligible bidders (both national and foreign) shall be allowed to participate.

4. Registration and Licensing

- (i) Bidding shall not be restricted to pre-registered/licensed firms.
- (ii) Where registration or licensing is required, bidders (i) shall be allowed a reasonable time to complete the registration or licensing process; and (ii) shall not be denied registration/licensing for reasons unrelated to their capability and resources to successfully perform the contract, which shall be verified through post-qualification.
- (iii) Foreign bidders shall not be precluded from bidding. If a registration or licensing process is required, a foreign bidder declared the lowest evaluated bidder shall be given a reasonable opportunity to register or to obtain a license.

5. Bidding Period

The minimum bidding period is 28 days prior to the deadline for the submission of bids.

6. Bidding Documents

Procuring entities should use standard bidding documents for the procurement of goods, works and services acceptable to ADB.

7. Preferences

No domestic preference shall be given for domestic bidders and for domestically manufactured goods.

8. Advertising

Invitations to bid shall be advertised in at least one widely circulated national daily newspaper or freely accessible, nationally known website allowing a minimum of 28 days for the preparation and submission of bids.

Bidding of NCB contracts estimated at \$500,000 equivalent or more for goods and related services of \$1,000,000 equivalent or more for civil works shall be advertised on ADB's website via the posting of the procurement plan.

9. Bid Security

Where required, bid security shall be in the form of a bank guarantee from a reputable bank.

10. Bid Opening and Bid Evaluation

- (i) Immediately after the date and time set for the deadline for bid submission, bids shall be opened in public. A record of bid opening shall be prepared by the executing agency, or implementing agency, or the contracting authority, and such record shall be distributed to all bidders.

{Note: The revision of the above provision is recommended on the basis of the points discussed in the World Bank's Country Procurement Assessment Report for the Republic of Uzbekistan ("WBAR"), which are as follows: (i) major defects in the current procedures in Uzbekistan include that of the failure to require that the bid opening coincide with the deadline for submission of bids, resulting in the virtual non-application of best

practice; a time lag of as long as one week between the deadline for submission of bids and bid opening, and failure to disclose the minutes of the bid opening (see Item C.2.15 of the WBAR), and (ii) Resolution No. 305 of the Cabinet of Ministers specifically stipulates that the minutes of the bid opening are not to be published.}

- (ii) Evaluation of bids shall be made in strict adherence to the criteria declared in the bidding documents and contracts shall be awarded to the lowest evaluated bidder.
- (iii) Bidders shall not be eliminated from detailed evaluation on the basis of minor, non-substantial deviations.
- (iv) No bidder shall be rejected on the basis of a comparison with the contract cost estimate(s) and budget ceiling(s) set by the borrower/executing agency without ADB's prior concurrence.
- (v) A contract shall be awarded to the technically responsive bidder that offers the lowest evaluated price, and meets the qualifying requirements. Negotiations shall not be permitted.
- (vi) Price verification shall not be applied.

11. Rejection of All Bids and Rebidding

Bids shall not be rejected and new bids solicited without ADB's prior concurrence.

12. Participation by Government-Owned Enterprises

Government-owned enterprises in Uzbekistan shall be eligible to participate as bidders only if they can establish that they are legally and financially autonomous, operate under commercial law and are not a dependent agency of the contracting authority/executing agency/implementing agency. Furthermore, they will be subject to the same bid and performance security requirements as other bidders.

13. Right to Inspect/Audit

A provision shall be included in all NCB works and goods contracts financed by ADB requiring suppliers and contractors to permit ADB to inspect their accounts and records and other documents relating to the bid submission and the performance of the contract, and to have them audited by auditors appointed by ADB.

14. Fraud and Corruption

- (i) The Borrower shall reject a proposal for award if it determines that the bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the contract in question.
- (ii) The Asian Development Bank (ADB) will declare a firm or individual ineligible, either indefinitely or for a stated period, to be awarded a contract financed by ADB, if it at any time determines that the firm or individual has, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, ADB-financed contract.

15. Pre-shipment Inspections

Pre-shipment inspections, if necessary, shall be carried out by an independent reputable testing authority/surveyor in the supplier's country for reasons of sound engineering practice and economy and efficiency in project implementation.

{Note: Inclusion of the above provision is recommended because (i) as indicated in Item C.2.19 of the WBAR,

provision is included in COM Resolution No. 66 that pre-shipment inspection is to be carried out by firms accredited by Uzdavstandart (as of the date of publication of the WBAR, four companies are accredited); and (ii) COSO's memorandum to Project Departments dated 12 February 1999 states, in part as follows: "the concerned Project Divisions should examine whether the above inspection and tests are necessary and if so, inspections and tests shall be carried out by an independent reputable testing authority/surveyor in the supplier's country".}

16. Disclosure of Decision on Contract Awards

At the same time that notification on award of contract is given to the successful bidder, the results of bid evaluation shall be published in a local newspaper or a well-known freely accessible website identifying the bid and lot numbers and providing information on (i) name of each bidder who submitted a bid, (ii) bid prices as read out at bid opening; (iii) name of bidders whose bids were rejected and the reasons for their rejection, and (iv) name of the winning bidder, and the price it offered, as well as duration and summary scope of the contract awarded. The executing agency/implementing agency/contracting authority shall respond in writing to unsuccessful bidders who seek explanations on the grounds on which their bids are not selected.

{Note: The inclusion of the above provision is recommended for the following reasons: (a) to comply with the requirement stated in paragraph 3.4 of the *Procurement Guidelines*, and (b) to complement the provisions stated in the COM Resolutions (as discussed in Item C.2.23 of the WBAR, COM Resolution No. 305, bid protest procedure is available only before entry into force of the procurement contract, and under other COM resolutions, only judicial recourse is available for bid protests).}

