FUNCTIONS AND RULES OF THE PROCUREMENT COMMITTEE

A. Introduction

1. ADB project divisions\(^1\) are primarily responsible for monitoring and verifying executing agency procurement actions and ensuring that approved procurement procedures have been applied properly. The delegation of authority for procurement to ADB regional and resident missions is established in their respective operating guidelines. The procurement committee is established to ensure consistent and correct application of procurement practices, generally for contracts valued at $40 million or more.

B. Composition of the Procurement Committee

2. The procurement committee members are the following:

   Director General,
   Operations Services and Financial Management Department (OSFMD)   Chair
   Assistant General Counsel concerned   Member
   Director, project division concerned   Member\(^2\)

3. During the absence of the Director General of OSFMD, the Director of OSP1 or OSP2 will chair the procurement committee. If all three are absent, the assistant general counsel concerned will chair the committee, in which case OSFMD will be represented by a senior staff member.

4. The Director General of OSFMD will appoint a lead or principal procurement specialist to serve as the permanent secretary of the procurement committee. In the absence of the permanent secretary, the Director General may designate an acting secretary.

C. Matters for Procurement Committee Consideration

5. The following matters are submitted to the procurement committee for decisions on whether or not to concur with executing/implementing agency recommendations:

   - a proposal or decision to prequalify applicants for contracts estimated at $40 million or more;
   - approval of an executing agency evaluation report on technical proposals in two-stage or two-envelope bidding procedures if the estimated contract value is $40 million or more;
   - a proposal or decision to award or rebid a contract valued at $40 million\(^3\) or more;
   - a proposal or decision to cancel\(^4\) bidding for a contract valued at $40 million or more;
   - a case where the proposed action of a borrower or executing agency conflicts with normal ADB requirements as specified in the financing agreement, procurement plan, or the ADB Procurement Guidelines except changes in the method of procurement for which the procedures indicated in PAI 3.02, Part H are to be followed;

---
\(^1\) Includes sector divisions, resident missions, and regional offices that are implementing projects
\(^2\) For projects administered by resident missions, the member will be the country director or designated representative of the mission concerned.
\(^3\) When bids are quoted in currencies other than dollars, the most recent exchange rate as indicated in the bidding documents for the purpose of bid evaluation is used.
\(^4\) Includes declaring misprocurement
For the above cases where prior review is prescribed, proposals are to be submitted for approval prior to taking the decision (for example, a proposal to award a contract must be approved by the procurement committee before the contract is actually awarded). Where post review is applied, contracts are to be submitted to the procurement committee prior to processing for disbursement or for retroactive review even if the executing agency has already approved awards and signed contracts.

D. Submissions

6. The procurement committee makes a decision on whether or not to concur with executing agency recommendations on the basis of a procurement approval form which is in Appendix 1 of this PAI. The project division or resident mission concerned will prepare a detailed and self-contained submission to enable the committee to make a fully informed decision. The executing agency’s bid evaluation report (BER) is attached to the form. RD staff shall encourage the EA to complete Parts B, C and D of the procurement approval form when they submit their evaluation reports to facilitate the approval process. Reviewing staff are responsible for ensuring that all facts, issues, representations, and recommendations regarding the particular procurement are accurately and completely reflected and discussed. The members of the procurement committee are entitled to rely on the completeness and accuracy of the submission in providing their recommendations and/or decisions.

1. Submissions on a No-Objection Basis

7. All matters to be considered by the procurement committee are normally acted upon on a no-objection basis if the recommendations of the project division, procurement specialist, and project counsel are in agreement. The recommendation of the borrower or executing agency must be appended together with the written comments on the proposals of the borrower or executing agency from the project division, procurement specialist, and project counsel.Copies of representations received are also to be attached and addressed in the submission. The originating project division will circulate the final no-objection procurement approval form to all members in the following order:

Director, project division concerned,
Assistant General Counsel concerned, and
Director General, OSFMD

After receiving the submission, any committee member may request that the case be formally discussed at a meeting.

2. Submissions Requiring a Meeting of the Procurement Committee

8. Normally, a meeting would be held to consider (i) a proposal that seeks to vary the essential terms and conditions that formed the basis of a decision taken previously (on either a no-objection basis or in a formal meeting) in the same case; (ii) any procurement matter that is overly complicated or has

---

5. May include declaring misprocurement

6. Changes in the contract price brought about by applying the price adjustment mechanism specified in the contract are not considered contract modifications.
issues requiring broader discussion as might be requested by the project division, the project counsel, or the procurement specialist; or (iii) any procurement matter referred to the procurement committee by Management.

9. The completed procurement approval form should be sent by the project division to the chair of the procurement committee with copies to all committee members, the Director of OSP1 or OSP2, the project counsel concerned, the secretary, and the procurement specialist concerned. The borrower or executing agency recommendation and the comments of the consultant, if any, are to be attached together with written comments on the borrower or executing agency proposals by the project division, procurement specialist, and the project counsel concerned. Copies of any representations received must also be attached and addressed in the submission.

3. Submissions Involving Contract Modifications⁷

10. Procurement committee approval shall be required for any proposal to modify a works, goods, or design-supply-install contract such that when combined with prior contract modifications would increase the original contract amount by more than 15% and by at least $40 million in the aggregate. Approval may be sought either on a no-objection basis or through a formal meeting following the relevant procedures outlined in this PAI using the contract modification approval form attached as Appendix 2 to this PAI.

11. Staff should ensure that sufficient funds are available to finance the contract modification and consult with the Controller’s Department (CTL) as needed. Consultations with the Office of Anticorruption and Integrity (OAI) prior to seeking approval is required if the contractor or supplier appears on the sanction list. After the procurement committee approves a contract modification in accordance with para. 10, a subsequent modification affecting the contract amount will require ADB project division approval but shall revert to the procurement committee when a proposed new modification involves an aggregate additional 15% of the contract amount and increases the value to $40 million or more in the aggregate over the previously approved amount. After approval of the contract modification, the project division will update the executing agency contract record (or the procurement contract update sheet) by entering the revised data into the Loan and Grant Financial Information System (LFIS). The reason for the contract modification and data such as the original contract amount and completion date should also be indicated in the updated executing agency contract record for future reference. Any extension of time should also be reflected in the executing agency contract record.

E. Meetings

12. The secretary of the procurement committee will recommend to the chair that a meeting be convened, after receipt from the Project Division of (i) a draft procurement approval form, and (ii) a request for a meeting of the procurement committee. Normally, at least 2 working days are required for the members to study the submission before a meeting.

13. All members are to be present at meetings. If a member is unable to attend, the officer-in-charge (OIC) shall be the representative. If the OIC is also unavailable, a representative is to be designated in writing by the member or by the head of the department or office concerned to whom all responsibility and authority of the absent member is to be delegated.

14. The chair may permit other ADB staff or an external highly qualified technical consultant to be present at a meeting if the staff/consultant can provide expert advice on the case to be considered. External experts shall brief the committee but may not be present during the case deliberations.

⁷ See PAI 3.11 Section B on contract modifications.
F. Procurement Committee Decisions

15. The procurement committee renders decisions unanimously. Without unanimity, the chair will refer the matter to the head of the originating department or office to resolve the differences and reach a unanimous decision. If a unanimous decision is still not reached, the head of the originating department or office will refer the case to the vice-president concerned for a decision. The decision thus taken is final. The provisions in paras. 17 and 18 are not applicable in this case. Deliberations of the procurement committee remain confidential even after award of contract.

16. The project division director or concerned resident mission country director will be responsible for implementing the decision taken.

G. Special Review Procedure

17. A special review of a procurement committee decision on a contract award proposed by the executing agency will be conducted as an exceptional case when all of the following are met:

- the decision of the committee conflicts with the proposal or decision of the borrower or executing agency in determining the lowest evaluated, substantially responsive bid entitled to award of contract;
- the matter remains unresolved for more than 4 months after the committee decision;
- the estimated value of the contract exceeds $40 million and the contract involves a major project component; and
- a special review has been requested by the borrower through the operations vice-president concerned.

18. Upon the request by the operations vice-president concerned for a special review, the Vice-President, Administration and Corporate Management (VPAC) shall create and chair a special review committee with four members, namely:

- Director General, OSFMD
- General Counsel
- Director General of the regional department concerned
- Senior staff member appointed by VPAC

The review committee chaired by VPAC determines its own procedures in each case. The committee’s decision is final.

H. Correspondence with Board Members and Bidders

19. When the approval of contract award (prior or post review) lies with the project division

- correspondence from Board members or bidders is replied to by the director general, project division director, or country director;
- the reply is sent after consulting OSFMD and OGC, if necessary;
- representations from the Board should be coursed through Office of the Secretary to the project division; and
- the response, also through the Office of the Secretary, briefly explains the status of issues raised.

20. When the approval of contract award (prior or post review) is taken by the procurement committee

- the project division responds to issues that have not reached the procurement committee after clearance by OSFMD and OGC;
the procurement committee chair responds to issues that have reached the committee if necessary after consulting the project division and OGC.

I. **Procurement Committee Review Process**

21. Prequalification and bid evaluation reports for contracts for $40 million or more and all other matters to be considered by the procurement committee in accordance with para. 5 are to be submitted by the project division through the secretary of the committee for the committee’s consideration. The process is described in Table 1 below.

<table>
<thead>
<tr>
<th>Action/Decision</th>
<th>Prior Review (Prior to award)</th>
<th>Post Review (After award)</th>
</tr>
</thead>
</table>
| $40 million and above | • EA submits bid/PQ evaluation report to ADB (SD/RM)  
• SD/RM sends copy of evaluation report within 1 working day to OSP1/OSP2 and OGC for parallel review  
• SD/RM, OSP1/OSP2 and OGC will prepare written comments within 5 working days.  
• SD/RM consolidates comments and prepares the draft procurement approval form or if appropriate a draft response to the executing agency requesting clarification/(s) within 1 working day.  
• If clarifications are required, SD/RM sends clarification/(s) to executing agency within 1 working day and awaits response for input into the draft procurement approval form, or  
• SD/RM submits to the secretary of the procurement committee the completed draft procurement approval form  
• Secretary of the procurement committee reviews and takes appropriate action, ensuring that approval of the procurement within a total of 10 working days from receipt of bid/PQ evaluation report, assuming no clarification is sought from EA. | Post review is not normally adopted for contracts $40 million and above. |

Immediately upon receipt of all comments the secretary of the procurement committee will take one of the following actions:
- finalize and agree on circulation of the procurement approval form  
- schedules a procurement committee meeting  
- schedules a meeting of the reviewers to address any issues identified  
- takes other appropriate action in case an unresolved or new issue is identified
22. Under prior review, all the above activities take place before approving a contract award. Under post review they are done ideally as soon as possible after the contract award.

J. Decision authority for contracts up to $40 million

23. Prequalification and bid evaluation reports for contracts up to $40 million shall be reviewed and approved as per the process presented in Table 2 below:

Table 2: Reviewing and decision authority for contracts up to $40 million

<table>
<thead>
<tr>
<th>Action/Decision</th>
<th>Prior Review (Prior to award)</th>
<th>Post Review (After award)</th>
</tr>
</thead>
</table>
| $20 million to $40 million | • EA submits bid/PQ evaluation report to ADB (SD/RM)  
• SD/RM sends copy of evaluation report within 1 working day to OSP1/OSP2 for parallel review  
• SD/RM and OSFMD will prepare written comments within 5 working days  
• SD/RM consolidates comments and prepares the draft procurement approval form or if appropriate a draft response to the executing agency requesting clarification(s) within 1 working day  
• If clarifications are required, SD/RM sends clarification(s) to executing agency within 1 working day and awaits response for input into the draft procurement approval form, or  
• SD/RM sends completed procurement approval form to OSP1/OSP2  
• SCD gives no-objection to EA action, with countersignature or endorsement from PASS accredited staff | Same procedure as for prior review but the review includes the bidding documents issued. |

(3) Below $20 million  
(UCB or NCB) | • SD/RM reviews and SCD gives no-objection to EA action, with endorsement from PASS accredited staff.  
• SD/RM shall ensure ADB action within a total of 8 working days  
• SD/RM may consult OSFMD/OGC on specific issues | Same procedure as for prior review but the review includes the bidding documents issued. |
| (4) Contracts under post review sampling | NA | • EA awards contract  
• ADB/SCD requests for documents of contracts in sample for review after award |

Notes: SD/RM=sector division or resident mission; OSP1/OSP2=OSFMD divisions; SCD=sector or resident mission country director; EA=executing agency; OGC=Office of the General Counsel

24. Directors of project divisions should see to it that information similar to what is presented to the procurement committee is also made available to them as a basis for their own actions and that such information is secured to facilitate reviews and audits.
### Appendix 1  
**PAI 3.10**

**Procurement Approval Form**  
(Refer to OpsPedia for forms appropriate to requested action)

**Request for No-Objection on Bid Evaluation Report**  
(Give a brief statement of the matter requiring procurement committee action)

---

**PART A. MATTER for CONSIDERATION**

No-Objection on:
- [ ] Prequalification Evaluation Report (POER)
- [ ] Technical BER for 1S2E
- [ ] Bid Evaluation Report (BER) for 1S1E
- [ ] Financial BER for 1S2E
- [ ] 1st Stage BER for 2S (or 2S2E)
- [ ] 2nd Stage BER for 2S (or 2S2E)

[Give a brief statement of the matter requiring procurement committee action.]

---

**PART B. BID EVALUATION INFORMATION SUMMARY SHEET**

1. **PROJECT and PACKAGE DATA**

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Name</th>
<th>Project Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval Number</td>
<td>Country</td>
<td>State</td>
</tr>
<tr>
<td>Division</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   Executing Agency
   Implementing Agency
   Procurement Agent / Consultant
   Contact Info

   Review Requirement:
   Prior Review
   Post Review
   Post Review (Sample)

   Package Number
   Package Name
   With Prequalification: [ ] Yes [ ] No
   More than One Lot: [ ] Yes [ ] No
   Co-financed

   Estimate Contract Value:
   Original Currency
   Exchange Rate ___________ as of ___________
   US$ Equivalent
   Contract Duration (in month) ___________

   Lot No.
   Lot Description
   Lot Estimated Value
   Lot Duration

2. **PROCUREMENT MODALITY**

   Bidding Document:
   [ ] Large Works [ ] Small Works [ ] Goods [ ] Plant [ ] Design-Build [ ] Other (specify)

   Procurement Method:
   [ ] CB [ ] NCB [ ] Direct Contracting [ ] Shopping

   Bidding Procedure:
   [ ] Single Stage – One Envelope (1S1E) [ ] Single Stage – Two Envelope (1S2E) [ ] Two Stage (2S) [ ] Two Stage – Two Envelope (2S2E)(1S1E)

   Application of Domestic Preference: [ ] Yes [ ] No
   Allow Bidders from Non-member Countries: [ ] Yes [ ] No
   With Waiver to Procure from Non-member Countries: [ ] Yes [ ] No

3. **MILESTONE DATES**

   Loan/Grant Approval
   Loan/Grant Signing
   Loan/Grant Closing
   Receipt of First Draft Bidding Documents
   ADB Approval of Bidding Documents
   Invitation for Bids (IFB):
   ADB website
   Newspaper of General Circulation [Indicate name__________________________]
   EA website [Indicate address__________________________]
   International/freely accessible website [Indicate address__________________________]
   Date of Availability of Bidding Documents
   Deadline for Submission of Bids
### 4. BID MANAGEMENT

<table>
<thead>
<tr>
<th>Earlier ADB No Objection:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Invitation for Prequalification</td>
<td>Yes Date _______________ N/A</td>
</tr>
<tr>
<td>Invitation for Bid</td>
<td>Yes Date _______________ N/A</td>
</tr>
<tr>
<td>Bidding Document</td>
<td>Yes Date _______________ N/A</td>
</tr>
<tr>
<td>PQ Document</td>
<td>Yes Date _______________ N/A</td>
</tr>
<tr>
<td>PQ Evaluation Report</td>
<td>Yes Date _______________ N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bid Validity Expiration</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Original</td>
<td>Number of days [_____] Date _______________ N/A</td>
</tr>
<tr>
<td>(b) Extension</td>
<td>Number of days [_____] Date _______________ N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bid Securing Declaration / Security Requirement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bid Security Declaration</td>
<td>Amount __________</td>
</tr>
<tr>
<td>Bid Security Validity Expiration</td>
<td>Remarks ___________________________________________________</td>
</tr>
<tr>
<td>(a) Original</td>
<td>Date _______________ N/A</td>
</tr>
<tr>
<td>(b) Extension</td>
<td>Date _______________ N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Exchange Rate used for Bid Comparison</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>[Insert Currency__________] Source _______________ Date _______________</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signed Record of Bid Opening Attached</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

### PART C. EA’s BID EVALUATION REPORT

#### 1. Record of Bid Opening

<table>
<thead>
<tr>
<th>No</th>
<th>Name of Bidder</th>
<th>Composition of Bidder</th>
<th>Country</th>
<th>Bid Security Amount</th>
<th>Bid Security Validity</th>
<th>Bid Price at Opening</th>
<th>Discounts Offered</th>
<th>Ranking at Bid Opening</th>
<th>Comments / Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>etc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note:
1. In case of Joint Venture, list all joint venture partners.
2. For composition of Bidder, please indicate whether Joint Venture or Single Entity.

#### 2. Evaluation of Qualification

<table>
<thead>
<tr>
<th>No</th>
<th>Name of Bidder</th>
<th>Preliminary Examination</th>
<th>Eligibility</th>
<th>Pending Litigation</th>
<th>Financial Requirements</th>
<th>Experience</th>
<th>Qualification Evaluation Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>etc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note:
1. Indicate “Pass or Fail or Not Applicable” only for columns Preliminary Examination, Eligibility, Pending Litigation, Financial Requirements & Experience.
2. Indicate “Responsive or Non-responsive” only for column Qualification Evaluation Results.
### 3. Determination of Substantial Responsiveness of Bids

<table>
<thead>
<tr>
<th>No</th>
<th>Name of Bidder</th>
<th>Evaluation of Technical Requirements</th>
<th>Evaluation of Commercial Terms and Conditions</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>etc</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note:
1. Only bidders marked as “Responsive” in section 2 (Evaluation of Qualification) should appear in this section.
2. Indicate “Responsive or Non-responsive” only for the evaluation results.

### 4. Determination of Lowest Evaluated Substantially Responsive Bid

<table>
<thead>
<tr>
<th>No</th>
<th>Name of Bidder</th>
<th>Bid Price at Opening</th>
<th>Provisional Sum and Contingency</th>
<th>Bid Price without Provisional Sum and Contingency (3-4)</th>
<th>VAT</th>
<th>Bid Price without VAT (5-6)</th>
<th>Arithmetic Correction (+/-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>etc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note:
1. In case the VAT cannot be separated from the Bid Price, indicate “-” in column 6 and column 7 should be renamed as “Bid Price with VAT” and the value is equal to column 5.

### Continuation...4. Determination of Lowest Evaluated Substantially Responsive Bid

<table>
<thead>
<tr>
<th>No</th>
<th>Name of Bidder</th>
<th>Adjustment for Missing Items / Technical Compliance (+/-)</th>
<th>Corrected Bid Price (7-8-9)</th>
<th>Discount</th>
<th>Bid after Discount (10-11)</th>
<th>Corrected Bid Price with Provisional Sum, Contingency and VAT (10+4+6)</th>
<th>Total Corrected Bid Price in (in currency of bid evaluation)</th>
<th>Total Corrected Bid Price in US$ Equivalent</th>
<th>Variation from Engineer’s Estimate</th>
<th>Ranking after Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>etc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Engineer’s Estimate:

Provisional Sum and Contingency:

VAT amount:

Note:
1. Engineer’s estimate should include provisional sum, contingency and VAT.
2. Include any other evaluative adjustments in column 9
3. For column 13, in case VAT is excluded, column 13 should be renamed as “Corrected Bid Price with Provisional Sum and Contingency” and the formula is (10+4).
4. For column 14, use the same source as indicated in PART B table 4.

### 5. Recommended Bidder for Contract Award

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Composition of Bidder</th>
<th>Country</th>
<th>Type of Bidder</th>
<th>Recommended Contract Price</th>
<th>Recommended Contract Price in US$ Equivalent</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowest priced at bid opening Yes</td>
<td>Lowest Evaluated Bidder Yes</td>
<td></td>
<td></td>
<td></td>
<td>Awarded due to Domestic Preference No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Provisional Sum Amount</th>
<th>Contingency Amount</th>
</tr>
</thead>
</table>
**PART D: NARRATIVE SUMMARY OF BID EVALUATION REPORT**

1. **Preliminary Examination for Completeness of Bids**
   
   [Describe deliberative process of the Bid Evaluation Committee, how many bidders were deemed eligible to bid, how many bidders provided complete information. Detail here any bids rejected for reasons of ineligibility and material omissions.]

2. **Determination of Substantial Responsiveness of Bids**
   
   [Briefly describe bid validity and bid security, bidders qualifications and the evaluation of the responsiveness to technical requirements. Detailing here any bid rejected for failure to meet the qualification requirements or with material deviations or reservations to the requirements of the bidding document.]

3. **Detailed Evaluation of Bids**
   
   [Briefly describe the detailed evaluation of bids pertaining to analysis of BOQ and unit rates, arithmetic correction, adjustment and unbalanced bids, multiple contract analysis (if applicable), conditions to be met prior to award of contract, etc.]

4. **PROCUREMENT GOVERNANCE and INTEGRITY**

   + **Representations received**
     - Yes
     - Details: ____________________
     - Date received: ____________________
     - No

   Bidders (including associated firms or joint venture partners) on ADB sanction list
   - Yes
   - No
### PART E: ISSUES AND STAFF VIEWS

All issues during the procurement process, if any, should be explained and fully addressed, including procurement complaints referred by the procurement complaints mechanism (See PAI 3.13). Identify the issues that require procurement committee consideration; and state the views of the originating unit staff, project counsel, procurement specialist, and other staff involved. Refer to the relevant ITB Clause when providing staff views. Describe actions taken by staff, if appropriate. Attach copies of the written comments of the project specialist, project counsel, procurement specialist, financial control specialist and other staff. Confirm that the bidders are not in ADB’s sanctions list. Representations received must also be explained and addressed fully. All relevant information must be included such that the procurement committee is in a position to make a fully informed decision. If the concerned ADB units had initially differing views but eventually resolved their differences, the circumstances should be adequately explained.

### Compliance with Loan Agreement.

Confirm that loan/grant/financing agreement and all safeguards requirements as per ADB SPS 2009 have been or are being complied with, or not applicable in case of advance contracting when the financing agreement is not yet effective.

### PART F: RECOMMENDATION for NO-OBJECTION

Indicate the approval action recommended with reference to PAI. List separately qualified and disqualified bidders. If applicable, the following statement should be inserted in this paragraph: subsequent to approval of the recommendation by the Procurement Committee, the Project Unit when conveying the PC’s decision to the EA will remind it that ADB’s approval of advance contracting will not commit ADB to subsequently approve the project or to finance the procurement costs.

Approved:

1. ____________________________
   Name of Director
2. ____________________________
   Name of Assistant General Counsel, OGC
3. ____________________________
   Name of Director-General, OSFMD

---

8 The above signing format is for contracts $40 million and above. For contracts $20 to below $40 million, (1) remains unchanged, (2) is replaced with the Director OSP1/2 (3) is deleted. For contracts below $20 million (1) is the Sector Division or Resident Mission PASS accredited Staff (2) the Sector/Country Director and (3) is deleted.
Annex A: Qualification Details, Procurement Approval Form

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Bidder 1</th>
<th>Bidder 2</th>
<th>Bidder 3</th>
<th>Bidder etc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Examination</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Eligibility</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nationality</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conflict of Interest</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADB Eligibility</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[link OAI sanction list]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Government-Owned Entity</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UN Eligibility</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Pending Litigation and Arbitration</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pending Litigation and Arbitration</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Financial Requirements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Historical Financial Performance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average Annual Turnover</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial Resources Requirement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Experience</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contracts of Similar Size and Nature (for one contract)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contracts of Similar Size and Nature (for two contracts)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Experience in Key Activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Qualification Evaluation Results</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Appendix 2, PAI 3.10 – Contract Modification Approval Form[^9]

Request for No-Objection on the Contract Modification (Give a brief statement of the matter requiring procurement committee action)

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Name</th>
<th>Project Status</th>
<th>Approval Number</th>
<th>Country</th>
<th>State</th>
<th>Sector</th>
<th>Department</th>
<th>Processing Division</th>
<th>Executing Agency</th>
<th>Implementing Agency</th>
<th>Procurement Agent / Consultant</th>
<th>Contact Info</th>
<th>Review Requirement:</th>
<th>Prior Review</th>
<th>Post Review</th>
<th>Post Review (Sample)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Package Number
Package Name
No-Objection to contract award on:

ADB Sanction? Y/N
If yes consultation and clearance with OAI is mandatory. OAI’s clearance of the proposed modification should be attached.

Funding: Describe here how the costs of the modification will be met, e.g. through uncommitted financing, a change in cost sharing arrangements etc.

Scope Change Required? Provide confirmation that either no change in scope is required or if it is confirm that the change in scope has been approved and on which date.

<table>
<thead>
<tr>
<th>Contract Value At Award</th>
<th>Currency(ies)</th>
<th>Exchange Rate</th>
<th>USD Equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Previous Modification(s)/</td>
<td>Currency(ies)</td>
<td>Exchange Rate</td>
<td>USD Equivalent</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Insert date and modification number
Date approved by ADB (state not applicable if within the EA’s authority to approve)

<table>
<thead>
<tr>
<th>Current Contract Value</th>
<th>Proposed Modification</th>
<th>Currency(ies)</th>
<th>Exchange Rate</th>
<th>USD Equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Contract Value Including Proposed Modification
Original Time for Completion
Modified Time for Completion (or state not applicable)
Percentage Time Elapsed
Percentage Disbursements Over Current Contract Value

Rationale for Proposed Modification
Describe here the reasons for modifying the contract including why a fresh competitive procurement exercise for the goods or additional works is not being proposed. Include the following information:

- rationale, and analysis of the cost effectiveness of, the proposed modification;
- physical and financial status of the contract;
- an assessment of contractor/supplier’s performance to date;
- the likelihood that the contract will be completed on time;
- original contract amount;
- brief description and amounts of prior contract modifications (if any);

Approved[^11]
(2) ______________________________ (2) ______________________________
Name of Director Name of Assistant General Counsel, OGC

(4) ____________________________ of Director-General, OSFMD

[^9]: Attach a copy of the Procurement Approval Form and any previously approved contract modifications
[^10]: Add lines as necessary.
[^11]: For contracts $20 to below $ 40 million, (1) remains unchanged, (2) is replaced with the Director OSP1/2 (3) is deleted. For contracts below $20 million (1) is the Sector Division or Resident Mission PASS accredited Staff (2) the Sector/Country Director and (3) is deleted.