

Project Administration Manual

Project Number: 40540
Loan Number:
September 2012

Bangladesh: SASEC Road Connectivity Project

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Project Administration Manual Purpose and Process

1. The project administration manual (PAM) describes the essential administrative and management requirements to implement the project on time, within budget, and in accordance with policies and procedures of the Government of Bangladesh (the Government) and Asian Development Bank (ADB). The PAM should include references to all available templates and instructions either through linkages to relevant URLs or directly incorporated in the PAM.
2. The Bangladesh Land Port Authority (BLPA) and the Roads and Highways Department (RHD) are wholly responsible for the implementation of the project, as agreed jointly between Government (as the borrower) and ADB, and in accordance with the Government's and ADB's policies and procedures. ADB staff is responsible to support implementation including compliance by BLPA and RHD of their obligations and responsibilities for project implementation in accordance with ADB's policies and procedures.
3. At Loan Negotiations the Government and ADB shall agree to the PAM and ensure consistency with the Loan and Project Agreements. Such agreement shall be reflected in the minutes of the Loan Negotiations. In the event of any discrepancy or contradiction between the PAM and the Loan and Project Agreements, the provisions of the Loan and Project Agreements shall prevail.
4. After ADB Board approval of the project's report and recommendations of the President (RRP) changes in implementation arrangements are subject to agreement and approval pursuant to relevant Government and ADB administrative procedures (including the Project Administration Instructions) and upon such approval they will be subsequently incorporated in the PAM.

Abbreviations

ADB	=	Asian Development Bank
ADF	=	Asian Development Fund
ADFD	=	Abu Dhabi Fund for Development
AFS	=	audited financial statements
DMF	=	design and monitoring framework
EIA	=	environmental impact assessment
EMP	=	environmental management plan
ESMS	=	environmental and social management system
GACAP	=	governance and anticorruption action plan
GDP	=	gross domestic product
ICB	=	international competitive bidding
IEE	=	initial environmental examination
NCB	=	national competitive bidding
NGOs	=	nongovernment organizations
OFID	=	OPEC Fund for International Development
PAI	=	project administration instructions
PAM	=	project administration manual
PIU	=	project implementation unit
QCBS	=	quality- and cost based selection
RRP	=	report and recommendation of the President to the Board
SOE	=	statement of expenditure
SPS	=	Safeguard Policy Statement
SPRSS	=	summary poverty reduction and social strategy
TA	=	technical assistance
TOR	=	terms of reference

I. PROJECT DESCRIPTION

A. Project's Rationale, Location and Beneficiaries

1. The proposed project will, together with parallel cofinancing, support the Government of Bangladesh (GOB) to upgrade about 70 kilometers (km) of Dhaka-Northwest corridor by 4-laning of the Joydeypur-Chandra-Tangail-Elenga Road (which is part of a major subregional artery). The project will also (i) improve 2 land ports at Benapole and Burimari, and (ii) strengthen the capacity of the road sector and the land port operations. By increasing road capacity of a major international trade corridor and enhancing land port capacity, the project will not only boost the national economy but also facilitate subregional cooperation and increase trades.¹ The project has been endorsed by the SASEC Trade Facilitation and Transport Working Group meeting held in Kolkata on 5 March 2012.

A. Impact and Outcome

2. The project will increase domestic and regional trade through Bangladesh. The project will expand the international and domestic road connectivity in a sustainable manner by enhancing the capacity of the Dhaka-Northwest international trade corridor, in conjunction with land port development. It will enable efficient and safe transport within the country and with India and, through India, with Bhutan and Nepal. The project's institutional development component will ensure the sustainability of the project and other RHD operations.

B. Outputs

3. **Road improvement.** GOB will upgrade about 70 km of the Joydeypur-Chandra-Tangail-Elenga Road, which is part of Asian Highway No. 2 and SHC Nos. 4 and 8, to a four-lane highway with safety features including separate lane for slow moving traffic and construction of flyovers at the busiest junctions. Civil works will be financed by ADB jointly with OFID for about 60km, and in parallel by the Abu Dhabi Fund for International Development (ADFD) for about 10km. The project implementation consultant (PIC) will be financed by ADB to support implementation of the entire 70 km road works.

4. **RHD Institutional development.** The project will modernize the RHD headquarters, and provide equipment and consulting services in line with the institutional development action plan. A TA for Institutional Development in RHD will be provided in parallel with the proposed loan to support implementation of the action plan. The TA consultants will identify the timing and details of equipment and services to be procured under the loan. Equipment to be procured includes weighbridges, laboratory equipment and so on.

5. **Land port improvement.** The project will improve 2 land ports at Benapole and Burimari. The Benapole Land Port has a larger masterplan comprising several modules to develop. The project's focus are those that will cater for the increasing trade volumes: (i) re-development of old sheds including road access and drainage; (ii) re-development of old truck terminal yard, and (iii) construction of shelter in the transshipment area. For the Burimari Land Port, the project will focus on more effective reconfiguration of traffic flows, and provision of

¹ The Asian Development Bank (ADB) provided project preparatory technical assistance. ADB. 2008. *Technical Assistance to the People's Republic of Bangladesh for Preparing the Priority Roads Project*. Manila; ADB. 2009. *Port and Logistics Efficiency Improvement*. Manila; and ADB. 2010. *Regional Transport Development in South Asia*. Manila.

covered shipment yards for perishable goods. The PIC will undertake detailed design, procurement assistance, construction supervision, and capacity development for operational efficiency.

I. IMPLEMENTATION PLANS

A. Project Readiness Activities

		Loan Processing	Project Implementation			
			Roads Design Consultant	Project Implementation Consultants	Procurement	
2012	Jul	Concept Paper clearance	Mobilized	Finalize TOR		
		Loan Fact-Finding Mission				
	Aug	Aide Memoire Confirmation		Advertisement for EOI		
		Management Review Meeting				
Sep	Loan negotiations			Finalize the standard bid doc		
Oct	ADB Board approval			-Shortlisting	-Standard bid doc approval	
				-Finalize RFP	-GPN	
Nov				- Issue RFP	- NGO mobilized	
Dec			Detailed design completed/safeguard doc updated		Call for Tender	
2013	Jan					
	Feb			Bid Submission	-Bid submission	
	Mar			-Tech eval		
	Apr				-Overall Ranking	-Evaluation of Technical Bids
						-ADB concur
	May	Loan signing Loan effectiveness			-Contract Neg -Mobilize the consultants	-Evaluation of Financial Bids
						-ADB concur
	Jun					- Land acquisition completed
-Contract Neg						
					-Commencement	

II. OVERALL PROJECT IMPLEMENTATION PLAN

Item	2012				2013				2014				2015				2016				2017							
	J	F	M	A	J	F	M	A	J	F	M	A	J	F	M	A	J	F	M	A	J	F	M	A	J	F	M	A
					Year 1				Year 2				Year 3				Year 4				Year 5							
A. Project Preparation																												
Loan Processing and Approval by ADB																												
Loan Signing and Effectiveness																												
B. Project Management and Capacity Development																												
1. Recruit Project Implementation Consultants																												
2. Project Implementation Services Execution																												
3. Capacity Development Services Execution																												
C. Works (Roads)																												
1. Detailed Design and Safeguard Doc Update																												
2. Procurement																												
3. Construction																												
D. RHD Institutional Development																												
1. Technical Assistance Consultants Recruitment																												
2. Technical Assistance Implementation																												
3. Procurement																												
4. Works and Equipment																												
E. Works (Land Port)																												
1. Detailed design																												
2. Procurement																												
3. Construction																												

Source: Asian Development Bank

■ ■ ■ Initial Period for the Performance-based Maintenance

III. PROJECT MANAGEMENT ARRANGEMENTS

A. Project Implementation Organizations – Roles and Responsibilities

Project implementation organizations	Management Roles and Responsibilities
<ul style="list-style-type: none"> • Executing agency (Roads improvement and RHD institutional development) 	<p>Roads and Highways Department</p> <ul style="list-style-type: none"> • day-to-day project management • institutional development implementation • consultant recruitment and management • withdrawal applications • project progress reports • maintaining project accounts and complete loan financial records
<ul style="list-style-type: none"> • Executing agency (Land port improvement) 	<p>Bangladesh Land Port Authority</p> <ul style="list-style-type: none"> • day-to-day project management • consultant recruitment and management • withdrawal applications • project progress reports • maintaining project accounts and complete loan financial records
<ul style="list-style-type: none"> • Coordinating Agency 	<p>Ministry of Communications</p> <ul style="list-style-type: none"> • overall coordination of project implementation as Standing Member of the SASEC Transport Working Group • interagency coordination • chair the steering committee to execute and monitor RHD institutional development
<ul style="list-style-type: none"> • ADB 	<ul style="list-style-type: none"> • Monitor and review overall implementation of the project in consultation with the EAs including: the project implementation schedule; actions required in terms of poverty reduction, environmental impacts, and resettlement plans (RPs) if applicable; timeliness of budgetary allocations and counterpart funding; project expenditures; progress with procurement and disbursement; statement of expenditure when applicable; compliance with particular loan covenants; and the likelihood of attaining the project's immediate development objectives.

B. Key Persons Involved in Implementation

Executing Agency

Roads and Highways Department Mr. Md. Aminur Rahman Lasker
 Chief Engineer
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Bangladesh Land Port Authority Mr. Yeahea Chowdhury
 Chairman/Additional Secretary
 Fax No. (880) 2 9122627
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yhchowdhury@yahoo.com

Mr. M.M. Tarikul Islam
 Project Director/Director (Audit)
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 Dhaka, 1000

Coordinating Agency

Ministry of Communication
 (Standing Member of the SASEC
 Transport Working Group) M A N Siddique
 Secretary, Roads Division
 Fax No. (880) 2 956 3413
secretary@moc.gov.bd

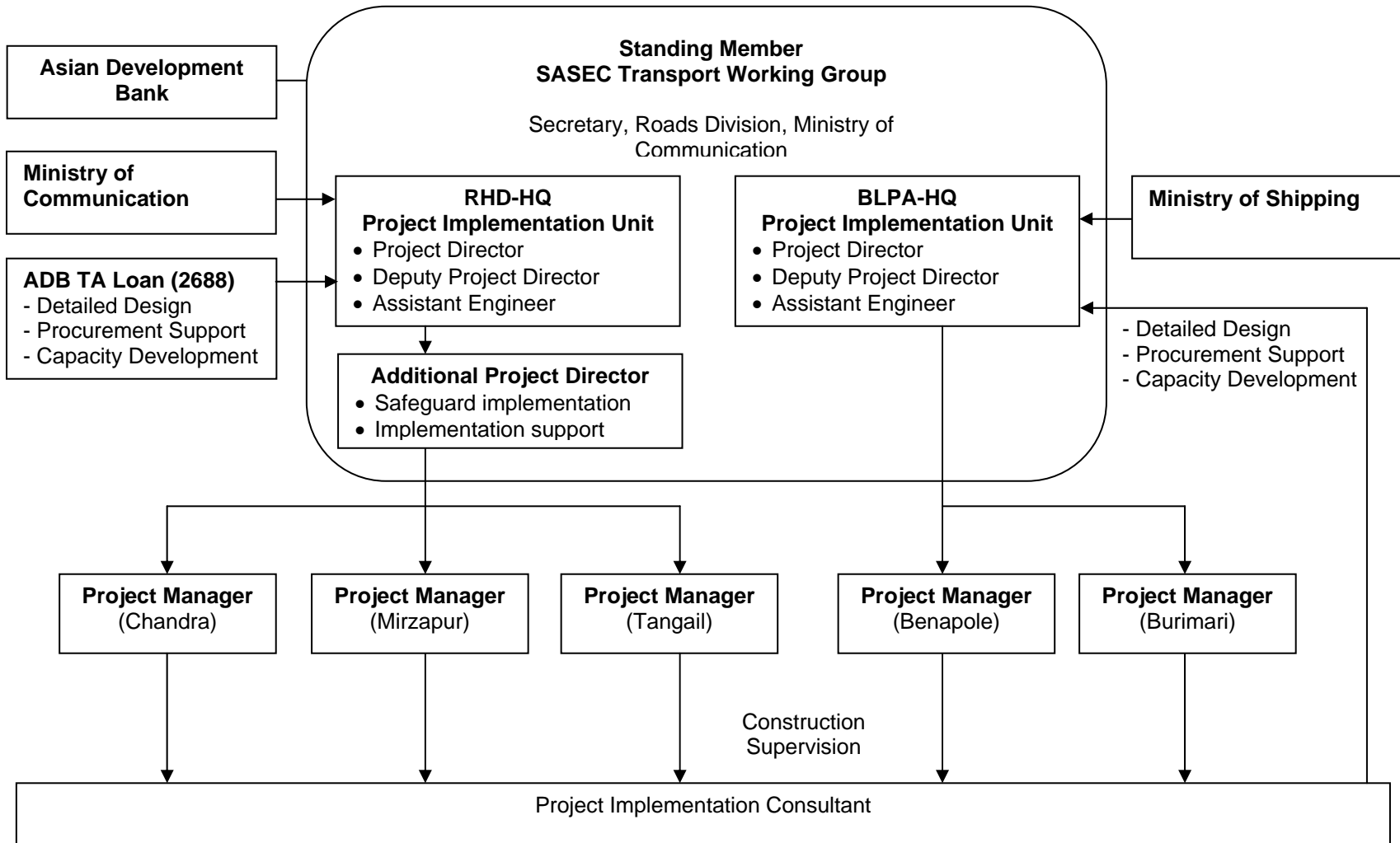
ADB

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C. Project Organization Structure



IV. COSTS AND FINANCING

6. The outputs under the project and the parallel financing are estimated together to cost \$344.7 million, including taxes and duties, physical and price contingencies, and interest during construction (Table 1). The detailed cost estimates by expenditure category and by financier are in the project administration manual (PAM).²

Table 1: Investment Plan
(\$ million)

Item	Amount
A. Base Cost^a	
1 Road improvement ^b	227.7
2 RHD institutional development	18.0
3 Land port improvement	14.4
4 Tax and duties ^c	23.3
Subtotal (A)	283.4
B. Recurrent Costs	2.7
C. Contingencies^d	57.5
D. Financing Charges During Implementation^e	1.1
Total (A+B+C+D)	344.7

^a In mid-2012 prices.

^b Includes \$24.0 million for the 15 km road section to be financed in parallel by ADFD.

^c To be financed from government resources.

^d Includes \$6.0 million to be financed in parallel by ADFD. Physical contingencies computed at 10% for roads and 15% for land ports. Price contingencies computed at 9% on local currency costs; includes provision for potential exchange rate fluctuation under the assumption of a purchasing power parity exchange rate.

^e Interest on the ADB loan has been computed at 1% during construction.

Sources: Asian Development Bank and Roads and Highways Department

7. The Government has requested a loan (the ADB Loan) in various currencies equivalent to SDR 128,114,000 (\$198 million equivalent at the time of loan negotiations) from ADB's Special Funds resources to help finance the project, including interest during construction. This is inclusive of \$40 million from the subregional pool of the Asian Development Fund. The ADB Loan will have a 32-year term, including a grace period of 8 years, an interest rate of 1.0% per annum during the grace period and 1.5% per annum thereafter, and such other terms and conditions set forth in the draft loan and project agreements.³

8. The Government has requested cofinancing (the OFID Loan) of \$30 million from OFID to be partially administered by ADB. OFID has provided firm commitments, with its board approval expected in September 2012. The OFID Loan will have a 20-year term, including a grace period of 5 years, an interest rate of 1.25% and a service charge of 1%. The OFID Loan will partially finance the works. The Government has requested cofinancing (the ADFD Loan) of \$30 million from ADFD, which has provided firm commitments for a parallel loan cofinancing, with its board approval expected in December 2012. The ADFD Loan will have a 20-year term, including a grace period of 5 years, an interest rate of 2%. The ADFD Loan will partially finance the works and the contingencies. In the event that cofinancing from OFID and ADFD is not provided within 6 months following the effectiveness of the ADB loan, GOB shall take all necessary and appropriate steps to make available all counterpart funds required for timely and effective completion of the project whether through budget allocations or other arrangements acceptable to ADB. In the absence of which, GOB and ADB shall agree to scale down the scope of the project and if applicable to adjust the relevant financing arrangement.

² Project Administration Manual (accessible from the list of linked documents in Appendix 2).

³ Loan and Project Agreements (accessible from the list of linked documents in Appendix 2)

9. The Government will finance the remaining local cost of \$86.7 million equivalent, or 25.1% of the total cost, including taxes and duties, land acquisition and resettlement and other miscellaneous costs (Table 2). A major portion of Government financing is land acquisition and resettlement, and utility shifting (together, about \$43 million, being 100% of each) and tax and duties at about \$23 million.

10. The Government will provide part of the ADB Loan, and all of the ADFD Loan and OFID Loan, to RHD through the budgetary allocation in the form of a grant. The Government will relend the remaining part of the ADB Loan to BLPA, pursuant to a subsidiary loan agreement with terms and conditions acceptable to ADB.

Table 2: Financing Plan

Source	Amount (\$ million)	Share of Total (%)
A. Asian Development Bank		
Asian Development Fund	198.0	57.4%
B. Cofinanciers		
OFID	30.0	8.7%
ADFD	30.0	8.7%
Subtotal (B)	60.0	17.4%
C. Government	86.7	25.1%
Total	344.7	100.0%

OFID = OPEC Fund for International Development

ADFD = Abu Dhabi Fund for Development

Source: Asian Development Bank

A. Cost Estimates by Expenditure Category and by Financier

11. The detailed cost estimates by expenditure category and by financier are presented below.

Table 3 Detailed Cost Estimates and Financing Plan

Item	Total Cost	Government		ADB		OFID		ADFD	
		Amount	% of Cost Category	Amount	% of Cost Category	Amount	% of Cost Category	Amount	% of Cost Category
1. RHD									
A. Road construction									
Land acquisition	21.6	21.6	100.0%	-	0.0%	-	0.0%	-	0.0%
Utility shifting	21.3	21.3	100.0%	-	0.0%	-	0.0%	-	0.0%
Works (Joint ADB/OFID)	148.9	-	0.0%	118.9	79.8%	30.0	20.2%	-	0.0%
Works (Parallel ADFD)	24.0	-	0.0%	-	0.0%	-	0.0%	24.0	100.0%
Tax and duties	18.2	18.2	100.0%	-	0.0%	-	0.0%	-	0.0%
Subtotal (1.A)	233.9	61.0	26.1%	118.9	50.8%	30.0	12.8%	24.0	10.3%
B. RHD Institution Development									
Building	15.0	-	0.0%	15.0	100.0%	-	0.0%	-	0.0%
Equipment/Service	3.0	-	0.0%	3.0	100.0%	-	0.0%	-	0.0%
Tax and duties	1.9	1.9	100.0%	-	0.0%	-	0.0%	-	0.0%
Subtotal (1.B)	19.9	1.9	9.5%	18.0	90.5%	-	0.0%	-	0.0%
C. Implementation Support									
PIC	12.0	-	0.0%	12.0	100.0%	-	0.0%	-	0.0%
Project Management	2.4	2.4	100.0%	-	0.0%	-	0.0%	-	0.0%
Tax and duties	1.7	1.7	100.0%	-	0.0%	-	0.0%	-	0.0%
Subtotal (1.C)	16.1	4.1	25.7%	12.0	74.3%	-	0.0%	-	0.0%
D. Contingencies^a									
Physical	21.1	7.13	33.8%	11.56	54.8%	-	0.0%	2.4	11.4%
Price	31.6	10.69	33.8%	17.35	54.8%	-	0.0%	3.6	11.4%
Subtotal (1.D)	52.7	17.8	33.8%	28.9	54.8%	-	0.0%	6.0	11.4%
E. IDC	1.0	-	0.0%	1.0	100.0%	-	0.0%	-	0.0%
Subtotal (1)	323.6	84.8	26.2%	178.8	55.2%	30.0	9.3%	30.0	9.3%
2. LPA									
A. Land Port Improvement									
Benapole Land Port	12.1	-	0.0%	12.1	100.0%	-	0.0%	-	0.0%
Burimari Land Port	1.4	-	0.0%	1.4	100.0%	-	0.0%	-	0.0%
Capacity Dev Consultant	0.9	-	0.0%	0.9	100.0%	-	0.0%	-	0.0%
Tax and duties	1.5	1.5	100.0%	-	0.0%	-	0.0%	-	0.0%
Subtotal (2.A)	15.9	1.5	9.7%	14.4	90.3%	-	0.0%	-	0.0%
B. Project Management	0.3	0.3	100.0%	-	0.0%	-	0.0%	-	0.0%
C. Contingencies									
Physical	2.4	-	0.0%	2.4	100.0%	-	0.0%	-	0.0%
Price	2.4	-	0.0%	2.4	100.0%	-	0.0%	-	0.0%
Subtotal (C)	4.8	-	0.0%	4.8	100.0%	-	0.0%	-	0.0%
D. IDC	0.1	-	0.0%	0.1	100.0%	-	0.0%	-	0.0%
Subtotal (2)	21.1	1.8	8.8%	19.2	91.2%	-	0.0%	-	0.0%
3. Total									
A. Road Improvement	227.7	42.8	18.8%	130.9	57.5%	30.0	13.2%	24.0	10.5%
B. RHD Institution Development	18.0	-	0.0%	18.0	100.0%	-	0.0%	-	0.0%
C. Land Port Improvement	14.4	-	0.0%	14.4	100.0%	-	0.0%	-	0.0%
D. Project Management	2.7	2.7	100.0%	-	0.0%	-	0.0%	-	0.0%
E. Tax and duties	23.3	23.3	100.0%	-	0.0%	-	0.0%	-	0.0%
Subtotal	286.1	68.9	24.1%	163.2	57.1%	30.0	10.5%	24.0	8.4%
F. Contingencies	57.5	17.8	31.0%	33.7	58.6%	-	0.0%	6.0	10.4%
G. IDC	1.1	-	0.0%	1.1	100.0%	-	0.0%	-	0.0%
Total	344.7	86.7	25.1%	198.0	57.4%	30.0	8.7%	30.0	8.7%

IDC = interest during construction

^a. Physical contingencies at 10% and price contingencies at 9% per annum applied, excluding land acquisition and utility shifting

B. Allocation and Withdrawal of Loan Proceeds

- Dollar equivalent for the ADB Loan will be converted to SDR at the time of loan negotiations.
- The ADB Loan will be used for (i) works including building, (ii) equipment, (iii) consulting services and (iv) interest during construction.
- The OFID Loan will be used for works of RHD.
- The OFID Loan is a joint financing with the ADB Loan, to be partially administered by ADB, for the same contracts to be disbursed on the prorated basis as tables below.
- The ADFD Loan will be used for (i) works of RHD and (ii) contingencies.
- The ADFD Loan is a parallel financing, without ADB administration, for a separate package from those for the ADB Loan and OFID Loan.

ADB Special Funds Resources Loan (ADF Loan)

CATEGORY				ADB FINANCING
Number	Item	Amount Allocated (SDR)		Percentage and Basis for Withdrawal From the Loan Account
		Category	Subcategory	
1	Works	95,309,000		
1A	RHD (roads)		76,933,000	79.8 percent of total expenditure*
1B	RHD (building)		9,706,000	100 percent of total expenditure*
1C	BLPA		8,670,000	100 percent of total expenditure*
2	Equipment	1,941,000		100 percent of total expenditure*
3	Consulting Services	8,347,000		
3A	RHD		7,765,000	100 percent of total expenditure*
3B	BLPA		582,000	100 percent of total expenditure*
4	Interest Charge	712,000		100 percent of amount due
5	Unallocated	21,805,000		
	Total	128,114,000		

*Exclusive of taxes and duties imposed within the territory of the Borrower.

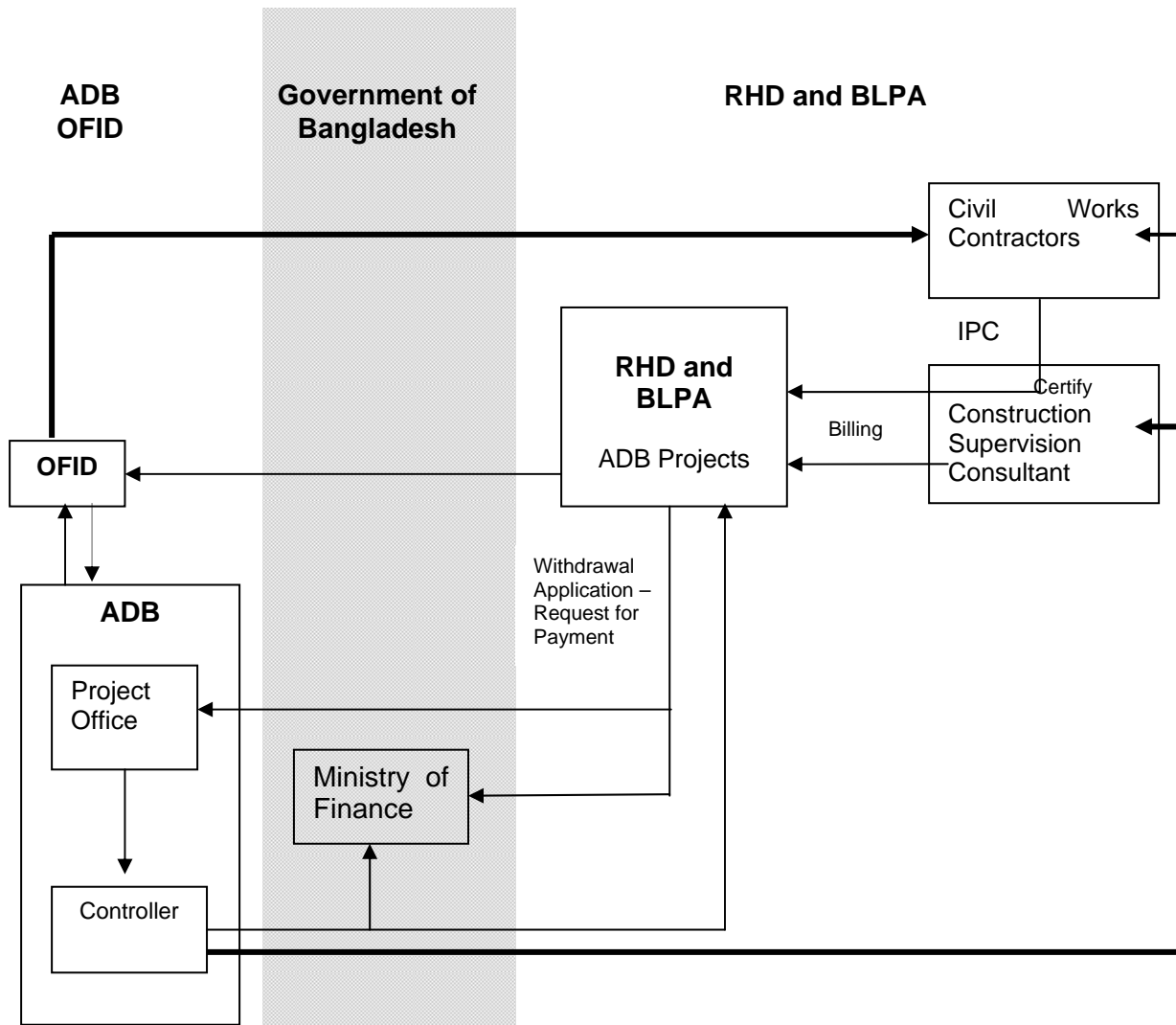
OPEC Fund for International Development (OFID)

CATEGORY				OFID FINANCING
Number	Item	Amount Allocated (\$ million)		Percentage and Basis for Withdrawal From the Loan Account
		Category	Subcategory	
1	Works	30.0		
1A	RHD		30.0	20.2 percent of total expenditure*
1B	BLPA			
	Total	30.0		

*Exclusive of taxes and duties imposed within the territory of the Borrower.

C. Fund Flow Diagram

12. The following diagram shows how the funds will flow from ADB, OFID and the Government to implement project activities, and from ADFD to implement activities associated with its output. ADB and OFID follow the direct payment procedures and ADFD will follow its own disbursement procedure.



Funds Flow \longrightarrow
 Documents Flow \longrightarrow
 Information sharing \longleftrightarrow

V. FINANCIAL MANAGEMENT

A. Financial Management Assessment

13. A financial management assessment has been carried out. RHD and BLPA will maintain separate project records and accounts to identify goods and services financed from loan proceeds, financing resources received, project expenditures, and use of local funds. Financial management risks should be considered and updated⁴ throughout the life of the project. Risk mitigation measures should also be updated accordingly. Details are provided in “Risk Management and Management Plan” and “Operational Risks and Measures in RHD”.

B. Disbursement

14. The ADB Loan and OFID Loan will be disbursed in accordance with ADB’s *Loan Disbursement Handbook* (as amended from time to time),⁵ and detailed arrangements agreed upon between the Government and ADB.

15. Pursuant to ADB's Safeguard Policy Statement (2009) (SPS),⁶ ADB funds may not be applied to the activities described on the ADB Prohibited Investment Activities List set forth at Appendix 5 of the SPS. All financial institutions will ensure that their investments are in compliance with applicable national laws and regulations and will apply the prohibited investment activities list (Appendix 5) to subprojects financed by ADB.

16. Direct payment procedures will be adopted for RHD and BLPA. RHD and BLPA each will be responsible for (i) preparing disbursement projections, (ii) requesting budgetary allocations for counterpart funds, (iii) collecting supporting documents, and (iv) preparing and sending withdrawal applications to ADB.

17. Before the submission of the first withdrawal application, the borrower should submit to ADB sufficient evidence of the authority of the person(s) who will sign the withdrawal applications on behalf of the borrower, together with the authenticated specimen signatures of each authorized person. The minimum value per withdrawal application is US\$100,000, unless otherwise approved by ADB. The borrower is to consolidate claims to meet this limit for reimbursement and imprest account claims. Withdrawal applications and supporting documents will demonstrate, among other things that the goods, and/or services were produced in or from ADB members, and are eligible for ADB financing.

C. Accounting

18. The RHD and BLPA each will maintain separate project accounts and records by funding source for all expenditures incurred on the project. The accounts will be set up in accordance with sound accounting principles. Independent auditors, acceptable to ADB, will audit the accounts and related financial statements annually. The audited reports and related financial statements will be submitted to ADB not later than 6 months after the end of the fiscal year to which they relate.

⁴ Available at: <http://www.adb.org/Documents/Others/FM-toolkit/Methodology-Note.pdf>, and Financial Management. See also Analysis of Projects Guidelines (2005): <http://www.adb.org/Documents/Guidelines/Financial/default.asp>.

⁵ Available at: http://www.adb.org/Documents/Handbooks/Loan_Disbursement/loan-disbursement-final.pdf

⁶ Available at: <http://www.adb.org/Documents/Policies/Safeguards/Safeguard-Policy-Statement-June2009.pdf>

19. The Office of Director, Accounting, in RHD, and Director (Accounts) and Director (Audit) in BLPA, will coordinate all accounts and ensure compliance with ADB's audit and accounting requirements, which will be followed up in regular reviews by ADB.

D. Auditing

20. The RHD and BLPA will cause the detailed consolidated project accounts to be audited annually by independent auditors whose qualifications, experience and terms of reference are acceptable to ADB, in accordance with international standards for auditing or the national equivalent acceptable by ADB. The audited accounts will be submitted in the English language to ADB within 6 months of the end of the fiscal year by the executing agency. The Government and RHD and BLPA have been made aware of ADB's policy on delayed submission, and the requirements for satisfactory and acceptable quality of the audited accounts. ADB reserves the right to verify the project's financial accounts to confirm that the share of ADB's financing is used in accordance with ADB's policies and procedures. For revenue generating projects only, ADB requires audited financial statements (AFS) for each executing and/or implementation agency associated with the project.

VI. PROCUREMENT AND CONSULTING SERVICES

A. Advance Contracting

21. All advance contracting for the project will be undertaken in conformity with ADB's *Procurement Guidelines* (April 2010, as amended from time to time) (ADB's *Procurement Guidelines*)⁷ and ADB's *Guidelines on the Use of Consultants* (2010, as amended from time to time) (ADB's *Guidelines on the Use of Consultants*).⁸ The issuance of invitations to bid under advance contracting will be subject to ADB approval. The Government, BLPA and RHD have been advised that approval of advance contracting does not commit ADB to finance the Project.

22. Advance action will be utilized for procurement of goods, works, and consulting services; and the steps to be concluded in advance – (i) recruitment of consultants; and (ii) tender process of works, including preparation of the bidding documents for civil works and call for tender.

B. Procurement of Goods, Works and Consulting Services

23. All procurement of goods and works will be undertaken in accordance with ADB's *Procurement Guidelines*.

24. International competitive bidding (ICB) procedures will be used for civil works contracts estimated to cost more than \$1 million, and goods contracts estimated to cost more than \$500,000. National competitive bidding (NCB) method will be used for civil works contracts of \$1 million or less and goods contracts of \$500,000 or less. Shopping will be used for procurement of works and goods estimated to cost less than \$100,000.

25. The procedures to be followed for national competitive bidding shall be those set forth for the National Open Tendering Method in the Government's *Public Procurement Rules, 2008* (as updated and issued pursuant to the Bangladesh *Public Procurement Act, 2006*) with the clarifications and modifications described in the procurement plan (the Procurement Plan, see Attachment A) required for compliance with the provisions of ADB's Procurement Guidelines.

26. An 18-month procurement plan indicating threshold and review procedures, goods, works, and consulting service contract packages and national competitive bidding guidelines is in the Procurement Plan.

27. Procurement activities will be the responsibility of the Project Directors, who will be supported by the consultants under TA loan 2688 and the PIC. ADB engaged an international consultant during procurement processes for probity. ADB will closely monitor all procurement and implementation activities. Contracts for civil works and goods will comprise about 7⁹ international competitive bidding (ICB) packages. Contract packages for equipment under RHD institutional development will be based on required technical features and timing of procurement. Packages will be identified during implementation by consultants engaged under technical assistance.

⁷ Available at: <http://www.adb.org/Documents/Guidelines/Procurement/Guidelines-Procurement.pdf>

⁸ Available at: <http://www.adb.org/Documents/Guidelines/Consulting/Guidelines-Consultants.pdf>

⁹ Includes one works contract for \$24.0 million to be financed in parallel by ADFD.

28. All consultants, financed by ADB, will be recruited according to ADB's *Guidelines on the Use of Consultants*.¹⁰ The terms of reference for all consulting services are detailed in Section D.

29. An estimated 2,710 person-months (249 international, 2,461 national) of consulting services are required to (i) facilitate project management and implementation for BLPA and RHD, and (ii) enhance operational efficiency of BLPA. Consulting firms will be engaged using the quality- and cost-based selection (QCBS) method with a quality:cost ratio of 90:10. A higher quality ratio is adopted because the task involves a certain level of innovativeness to coordinate with BLPA and RHD, and to mobilize and manage several teams at the same time.

30. To engage quality consultants in a timely manner, ADB and the government have agreed that ADB carry out consultant selection on behalf of the government. The government will retain its authority for contract negotiation and contract signing.

31. The size of civil works contracts for road improvement will be packaged at a larger scale sufficient to attract qualified national and international contractors. ADB's standard bidding documents with post-qualification under the two-envelope system will be adopted. The works contract will be modified to incorporate long-term performance-based maintenance contracts for 5 years into the works contract. The project implementation period includes pre-construction activities, construction period and the initial 1-year execution of the performance-based contract. RHD will supervise the remaining years.

32. The government will publish information relating to the Project, including business opportunities, information on procurement of goods, works, and consulting services, and project implementation and administration of funds, on RHD and MOC websites. To further enhance good governance during procurement, in connection with the ADB Loan and OFID Loan, (i) design consultants selected by ADB under the TA loan 2688 will provide procurement assistance; (ii) RHD and BLPA will involve in their procurement processes a procurement advisor to be engaged by ADB; (iii) ADB will closely monitor procurement activities on a regular basis; and (iv) the consultant under the TA grant associated with the project will undertake procurement review of the project.

C. Procurement Plan

33. The procurement plan, prepared in accordance with the country specific template, is in Attachment A, describing all procurement of good and works to be undertaken for the Project.

D. Consultant's Terms of Reference

34. The consultant's terms of reference are provided in the following:

Attachment B: Project Implementation Consultants

Attachment C: Capacity Development for Operational Efficiency Improvement in BLPA

¹⁰ Checklists for actions required to contract consultants by method available in e-Handbook on Project Implementation at: <http://www.adb.org/documents/handbooks/project-implementation/>

VII. SAFEGUARDS

(a) Environment

35. The project has been categorized as environment category “B”. Therefore separate IEE reports including EMPs have been prepared for the three project components. The EMP for each project component will be updated and made more site specific during the detailed design works and attached to the respective contract documents. The responsibilities of respective parties and agencies on implementing the environmental safeguards are given below:

- 1) **PIU, RHD:** Ensure that all environment safeguard requirements as stated in the IEE and loan covenants for the RHD building and the Joydeypur-Chandra-Tangail-Elenga Road are complied with. Submission of annual environmental monitoring reports for each subproject to ADB for disclosure on the ADB website.
- 2) **PIU, BLPA:** Ensure that all environment safeguard requirements as stated in the IEE and loan covenants for the land ports are complied with. Submission of annual environmental monitoring reports to ADB for disclosure on the ADB website.
- 3) **Social and Environment Circle, RHD:** Implementation and monitoring of the requirements of the IEE and EMP for the RHD building and JCE road. Preparation of annual environmental monitoring reports for each of the sub projects based on the periodic monitoring reports prepared at the site level by the PIC.
- 4) **Safeguards Focal Persons, BLPA:** Implementation and monitoring of the requirements of the IEE and EMP for the RHD building and JCE road. Preparation of annual environmental monitoring reports for each of the sub projects and submission to ADB and disclosure on the ADB website. Preparation of annual environmental monitoring reports for the landports based on the periodic monitoring reports prepared at the site level by the PIC.
- 5) **Environmental Focal Person, Project site, RHD/BLPA:** Day to day monitoring of site level implementation of the EMP. Review and approval of weekly/monthly environmental monitoring checklists or reports.
- 6) **Environmental Specialist, PIC:** Periodic site level monitoring, provision of technical advise, on the job training etc. to the contractor to enable smooth implementation of the EMP. Updating the EMP as necessary together and in consultation with the contractor. Preparation of monitoring checklists/reporting formats to be completed on a weekly/monthly basis. Submit the completed checklists/reports to the environmental focal person from RHD/BLPA at the site level. Provide necessary technical support to the environmental focal person at the site level as well as the department level for RHD and BLPA.
- 7) **Contractor:** Implementation of the EMP. Updating of the EMP when necessary together with and in consultation with the PIC Environmental Specialist.

36. An initial coordination cum training workshop will be carried out during the pre-construction stage for the RHD staff, BLPA staff, PIUs, PIC and contractors.

(b) Social – Involuntary Resettlement

36. For the road and the RHD headquarters improvement component, two resettlement plans (RPs) has been prepared for the subprojects based the feasibility study. The RPs were prepared following ADB's Safeguard Policy Statement (2009) and the Bangladesh Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982) and subsequent amendments in 1989, 1993, and 1994. The Project is classified as 'Category A' in accordance to ADB's Safeguard Policy Statement (SPS). Approved RPs will be disclosed through the ADB and the RHD websites.

37. During detailed design phase, the RPs shall be updated in accordance with the applicable laws referred to in the RPs. The updated RPs will need to be re-approved and re-disclosed on the ADB and RHD websites. The RP for the road subproject will be implemented by an experienced NGO, and the PICs resettlement specialist will implement the RP for the RHD headquarters component.

38. During implementation, the Government shall ensure that (i) compensation and assistance will be paid to all displaced persons following the entitlement matrix in the RPs, (ii) the land required will be free of encumbrances and obstructions prior to handover to the contractor for the commencement of civil works; (iii) efficient grievance redress mechanism will be in place to assist affected persons to resolve grievances and complaints in a timely manner; (iv) semi-annual monitoring reports on the implementation of the RPs will be prepared and submitted to ADB in a timely manner; and (v) semi-annual monitoring reports for Category A projects will be submitted to the ADB and disclosed on the ADB and RHD websites.

39. The implementation of the RPs will be monitored internally by RHD and the implementation NGO. The external monitoring for the road will be carried out by an independent monitoring expert under the project implementation consultants. The external monitor will undertake the overall monitoring of the safeguards and relevant social issues. The external monitoring reports will be submitted to RHD, who will then submit the reports to the ADB.

(c) Social – Indigenous People

40. There are no indigenous people present in the project area. As there will be no physical or economic displacement, no impact on indigenous people is envisaged.

41. BLPA and RHD will ensure that all bidding documents and contracts for civil works contain provisions that require contractors to provide GOB with a written notice of any unanticipated environmental, resettlement or indigenous peoples risks or impacts that arise during construction, implementation or operation of the Project that were not considered in the IEE, the EMP and the RP.

VIII. GENDER AND SOCIAL DIMENSIONS

(a) HIV/AIDS and Human Trafficking

42. RHD and BLPA will ensure that all civil works contractors will carry out awareness programs for workers on the risks of sexually transmitted diseases and human trafficking; and disseminate information at worksites on the risks of sexually transmitted diseases as part of occupational health and safety measures for those employed during construction. Contracts for all subprojects will include specific clauses on these undertakings, and compliance will be

strictly monitored by the RHD and BLPA with the support of project implementation consultants during project implementation.

43. In project affected communities, the implementation NGO will conduct HIV/AIDS and human trafficking awareness programs on a semi-annual basis for men and women in separate groups in order to address specific needs and questions from each group. The project implementation consultant's social/gender expert will provide advise on content of awareness program, and monitor and report on the status of implementation, including reporting of gender-disaggregated data.

(b) Gender

44. For the road component, during construction phase, women will be encouraged to participate in civil works. During the operations and maintenance phase, RHD will employ women through labor contracting societies for routine maintenance of the road which will be part of the performance based road maintenance. A minimum of 50% women will be employed for routine maintenance. They will be trained before starting work and will receive safety vests and simple tools. For all employment, women will receive equal pay for equal work. The social/gender expert of the PIC team will be the focal point for gender-related activities. She/he will advise RHD on the proper design of the initiatives to ensure that targets are met.

45. For the RHD institutional development component, the RHD Gender and Development Forum will be closely involved in the design phase of the project to ensure that gender-friendly working environment is achieved in the new building.

46. The social/gender expert of the project implementation consultant will monitor the progress and report to ADB on the status of implementation by providing gender-disaggregated data.

(c) Health

47. RHD and BLPA will ensure that contractors provide adequately for the health and safety of construction workers and further ensure that bidding documents include measures on how contractors will address this, including an information and awareness raising campaign for construction workers on sexually transmitted diseases, and human trafficking.

(d) Labor

48. RHD and BLPA will ensure that specific clauses will be included in bidding documents to ensure that civil works contractors (i) comply with all applicable labor laws and regulations, do not employ child labor for construction and maintenance activities, and provide appropriate facilities for women and children at construction campsites; (ii) give priority for employment to project displaced persons; (iii) give priority for employment to women from project affect areas wherever possible; and (iv) do not differentiate wages between men and women for work of equal value.

IX. PERFORMANCE MONITORING, EVALUATION, REPORTING AND COMMUNICATION

A. Project Design and Monitoring Framework

49. The Project Design and Monitoring Framework (DMF) is in **Appendix 1 of RRP**.

B. Monitoring

50. **Project performance monitoring** The achievement of the project performance targets will be assessed following the design and monitoring framework. BLPA and RHD, assisted by respective consultants, will establish a project performance management system. Indicators to be monitored include (i) traffic volume (project road and cross-border); (ii) travel time along the project road; (iii) waiting time at project land ports; (iv) accident rates; (v) number of participants and sessions for awareness of social aspects; (vi) road conditions and (vii) employee efficiency, i.e., completed length of roads and bridges. These indicators will be monitored before and after construction, both on the project and on some control roads and land ports. In addition, every year during the project period, BLPA and RHD will also monitor the project budget and actual expenditure. Achievement of the institutional and capacity development activities will also be monitored. For civil works, progress will be monitored and reported monthly by the PIC. The project beneficiaries' satisfaction will be surveyed during and after project implementation. Disaggregated baseline data for output and outcome indicators gathered during project processing will be updated and reported quarterly through the quarterly progress reports from BLPA and RHD, and after each ADB review mission. These quarterly reports will provide information necessary to update ADB's project performance reporting system.¹¹

51. **Compliance monitoring:** Compliance with covenants will be monitored through ADB's Project Administration Missions – including project inception mission to discuss and confirm the timetable for compliance with the loan covenants; project review missions to review the Government's compliance with particular loan covenants and, where there is any noncompliance or delay, discuss proposed remedial measures with the Government; and mid-term review mission if necessary to review covenants to assess whether they are still relevant or need to be changed, or waived due to changing circumstances. The PIC and the TA consultant will provide periodic progress reports, which will also provide the status of compliance.

52. **Safeguards monitoring:** The BLPA and RHD headquarters will be responsible for internal monitoring of the social, resettlement and environment aspects of the Project, ensuring compliance with the government's rules and regulations, documents agreed upon with ADB such as EMPs, and RPs. The PIC engaged by RHD will carry out independent review of implementation of environmental measures and resettlement as well as post project evaluation. Monitoring reports will be sent to ADB for review bi-annually. ADB review missions will review the compliance of the project with these documents.

53. **Gender and social dimensions monitoring:** BLPA and RHD will be responsible for internal monitoring, and the PIC will carry out independent bi-annual review of the effectiveness of the awareness of HIV/AIDS and anti-trafficking program implementation. Monitoring reports will

¹¹ ADB's project performance reporting system is available at:
<http://www.adb.org/Documents/Slideshows/PPMS/default.asp?p=evaltool>

be sent to ADB for review bi-annually.¹²

C. Evaluation

54. The project inception mission will be fielded soon after the legal agreements for the Project are declared effective; thereafter, regular reviews will follow at least annually. As necessary, special loan administration missions and a midterm review mission will be fielded, under which any changes in scope or implementation arrangement may be required to ensure achievement of project objectives. RHD and BLPA will monitor project implementation in accordance with the schedule and time-bound milestones, and keep ADB informed of any significant deviations that may result in the milestones not being met. Within 6 months of physical completion of the Project, BLPA and RVNL will submit a project completion report to ADB.¹³

D. Reporting

55. The Government will provide ADB with (i) quarterly progress reports in a format consistent with ADB's project performance reporting system, including implementation of maintenance activities such as reduction to maintenance backlog; (ii) consolidated annual reports including (a) progress achieved by output as measured through the indicator's performance targets, (b) key implementation issues and solutions; (c) updated procurement plan and (d) updated implementation plan for next 12 months; and (iii) a project completion report within 6 months of physical completion of the project.

E. Stakeholder Communication Strategy

56. Various information regarding the project, including scope, general progress status, beneficiaries, invitation for bids, and consultant recruitment notices, will be provided to the general public. The information will be made available and updated through the official websites of BLPA and RHD. ADB provides the following communication strategy.

Project Documents	Means of Communication	Responsible Party	Frequency	Audience(s)
Project Information Document (PID)	ADB's website	ADB	initial PID no later than 30 calendar days of approval of the concept paper; quarterly afterwards	General Public
Design and Monitoring Framework (DMF)	ADB's website	ADB	draft DMF after post fact-finding mission	Project-affected people
Environmental Impact Assessments, if any	ADB's website	ADB	at least 120 days before Board consideration	General Public, project-affected people in particular
Resettlement Planning Documents, if any	ADB's website	ADB	post fact-finding mission	General Public, project-affected people in particular

¹² ADB's *Handbook on Social Analysis: A Working Document*, is available at: <http://www.adb.org/Documents/Handbooks/social-analysis/default.asp>, *Staff Guide to Consultation and Participation*: <http://www.adb.org/participation/toolkit-staff-guide.asp>, and, *CSO Sourcebook: A Staff Guide to Cooperation with Civil Society Organizations*: <http://www.adb.org/Documents/Books/CSO-Staff-Guide/default.asp>

¹³ Project completion report format available at: <http://www.adb.org/Consulting/consultants-toolkits/PCR-Public-Sector-Landscape.rar>

Indigenous Peoples Planning Documents, if any	ADB's website	ADB	post fact-finding mission	General Public, project-affected people in particular
Reports and Recommendations of the President	ADB's website	ADB	within 2 weeks of Board approval of the loan	General Public
Legal Agreements	ADB's website	ADB	no later than 14 days of Board approval of the project	General Public
Initial Poverty and Social Assessment	ADB's website	ADB	within 2 weeks of completion	General Public, project-affected people in particular
Documents Produced under Technical Assistance	ADB's website	ADB	within 2 weeks of completion	General Public
Project Administration Memorandum	ADB's website	ADB	After loan negotiations	General Public
Social and Environmental Monitoring Reports	ADB's website	ADB	Routinely disclosed, no specific requirements	General Public, project-affected people in particular
Major Change in Scope	ADB's website	ADB	within 2 weeks of approval of the change	General Public

X. ANTICORRUPTION POLICY

57. ADB reserves the right to investigate, directly or through its agents, any violations of the Anticorruption Policy relating to the Project.¹⁴ All contracts financed by ADB shall include provisions specifying the right of ADB to audit and examine the records and accounts of the executing agency and all Project contractors, suppliers, consultants and other service providers. Individuals/entities on ADB's anticorruption debarment list are ineligible to participate in ADB-financed activity and may not be awarded any contracts under the Project.¹⁵

58. To support these efforts, relevant provisions are included in the loan and project agreement and the bidding documents for the Project. RHD has established the technical audit committee chaired by Chief Engineer. Internal control including technical audit will be supported and strengthened under the capacity development component of the TA Loan 2688. To further enhance the good governance during procurement. Further steps will be taken as described in paragraph 32 above.

59. The Government will publish pertinent information relating to the project on BLPA and RHD websites, including business opportunities associated with the project, and information in relation to procurement of goods, works, and consulting services.

XI. ACCOUNTABILITY MECHANISM

60. People who are, or may in the future be, adversely affected by the project may submit complaints to ADB's Accountability Mechanism. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted projects can voice, and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures. Before submitting a complaint to the Accountability Mechanism, affected people should make a good faith effort to solve their problems by working with the concerned ADB operations department. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism.¹⁶

61. The project will establish a grievance redress mechanism to ensure greater accountability. With the assistance of PIC, BLPA and RHD will set up the grievance redress mechanism within 6 months of the loan effectiveness, to receive and resolve complaints, as well as to act upon stakeholders' reports of irregularities on project related matters, including grievances concerning resettlement. BLPA and RHD will widely publicize the existence of this mechanism to ensure that stakeholders are aware that a venue is available to address concerns or grievances relating to fraud, corruption, abuse, and any other aspects of project implementation.

¹⁴ Available at: <http://www.adb.org/Documents/Policies/Anticorruption-Integrity/Policies-Strategies.pdf>

¹⁵ ADB's Integrity Office web site is available at: <http://www.adb.org/integrity/unit.asp>

¹⁶ For further information see: <http://www.adb.org/Accountability-Mechanism/default.asp>.

XII. RECORD OF PAM CHANGES

62. All revisions/updates during course of implementation should be recorded and retained under this Section to provide a chronological history of changes to implemented arrangements recorded in this PAM.

Rev.	Date	Description of Revisions
0	16 July 2012	Initial Project Administration Memorandum
1	26 September 2012	At loan negotiations

PROCUREMENT PLAN

Basic Data

Project Name	SASEC Road Connectivity Project
Country	Bangladesh
Executing Agencies	Roads and Highways Department and Bangladesh Land Port Authority
Loan/Grant Amount	\$198 million ADF loan \$30 million OFID loan \$30 million ADFD loan
Loan/Grant Number	
Date of First Procurement Plan	26 September 2012 (Loan negotiations)
Date of This Procurement Plan	26 September 2012

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

1. Project Procurement Thresholds

1. 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
International Competitive Bidding (ICB) for Works	Above \$1 million
International Competitive Bidding (ICB) for Goods	Above \$500,000
National Competitive Bidding (NCB) for Works	Beneath that stated for ICB, Works
National Competitive Bidding (NCB) for Goods	Beneath that stated for ICB, Goods
Shopping for Works	Below \$100,000
Shopping for Goods	Below \$100,000

2. ADB Prior or Post Review

2. Except as ADB may otherwise agree, the following prior or post review requirements apply to the various procurement and consultant recruitment methods used for the Project.

Procurement Method	Prior or Post	Comments
Procurement of Goods and Works		
ICB Works	Prior	
ICB Goods	Prior	
NCB Works and Good	Post	
Shopping for Works	Post	
Shopping for Goods	Post	
Recruitment of Consulting Firms		
Quality- and Cost-Based Selection (QCBS)	Prior	ADB will select the consultants. EAs will negotiate and sign the contract.

3. Goods and Works Contracts Estimated to Cost More Than \$ 1 Million

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

General Description	Contract Value	Procurement Method	Prequalification of Bidders (y/n)	Advertisement Date (quarter/year)	Comments
4 laning of a road (Refer to Indicative Packages below)	\$27.5 million - \$66.1 million (4 packages)	ICB	N	Q4/2012	Liner projects
RHD building	\$16.6 million (1 packages)	ICB	N	Q4/2012	
Land port improvement (Refer to Indicative Packages below)	\$1.5 million - \$13.3 million (2 package)	ICB	N	Q1/2012	

One package for works (\$27.5 million) will be financed by ADFD on a parallel basis.

Indicative packages

Location	Package No.	Approx. Length (km)	Estimated Cost (TK million)	Estimated Cost (\$ million)	Procurement Method
Vogra Bazar Intersection - Kaliakor Bypass Intersection	RHD-1	18.9	4,845	66.1	ICB
Kaliakor Bypass Intersection - Dulla Mari Road (Ch18+900 to 36+900)	RHD-2	18.0	4,275	52.8	ICB
Tangail - Ma Suchana Filling Station (Ch 36+900 to 59+300)	RHD-3	22.4	4,169	51.5	ICB
Tangail - Elenga intersection (Ch59+300 to 69+300)	RHD-4	10	2,226	27.5	ICB
Benapole Land Port	LPA-1	-	977	13.3	ICB
Burimari Land Port	LPA-2	-	113	1.5	ICB

The package of Ma Suchana Filling Station-Elenga intersection (Ch54+900 to 69+300) will be financed by the ADFD loan in parallel.

4. Consulting Services Contracts Estimated to Cost More Than \$100,000

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

General Description	Contract Value	Recruitment Method	Advertisement Date (quarter/year)	International or National Assignment	Comments
Project implementation consultants	\$ 13 million	Quality and Cost Based Selection (90:10)	Q3/2012	International	
BLPA operational efficiency improvement	\$1 million	Quality and Cost Based Selection (90:10)	Q3/2012	International	

B. Indicative List of Packages Required Under the Project

5. The following table provides an indicative list of all procurement (goods, works and consulting services) over the life of the project. Contracts financed by the Borrower and others should also be indicated, with an appropriate notation in the comments section.

General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Procurement Method	Domestic Preference Applicable	Comments
Works	\$229.3 million	7	ICB	YES	4-laning, building, land port improvement
Goods	\$3.0 million	tbd	ICB, NCB, Shopping	YES for ICB	Equipment
General Description	Estimated Value (cumulative)	Estimated Number of Contracts	Recruitment Method	Type of Proposal	Comments
Consulting Services	\$14.0 million	2	QCBS	FTP, STP	ADB will select the consultants. EAs will negotiate and sign the contract.

C. National Competitive Bidding

1. General

6. The procedures to be followed for national competitive bidding shall be those set forth for the National Open Tendering Method in the Government's *Public Procurement Rules, 2008* (as updated and issued pursuant to the Bangladesh *Public Procurement Act, 2006*) with the clarifications and modifications described in the following paragraphs required for compliance with the provisions of the Procurement Guidelines.

2. Advertising

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

3. Anti-Corruption

8. Definitions of corrupt, fraudulent, collusive and coercive practices shall reflect the latest ADB Board-approved Anti-Corruption Policy definitions of these terms and related additional provisions (such as conflict of interest, etc.).

4. Location of Bid Submission

9. Submission of bids to 'primary' and 'secondary' locations, or 'multiple droppings' of bids, shall not be required or allowed. Advertisements and bidding documents shall specify only one location for delivery of bids.

5. Rejection of All Bids and Rebidding

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

6. Member Country Restrictions

11. Bidders must be nationals of member countries of ADB, and offered goods must be produced in member countries of ADB.

7. Lottery

12. A lottery system shall not be used to determine a successful bidder, including for the purpose of resolving deadlocks.

8. Qualification Requirements

13. A successful bidder must be determined by an assessment process that shall include the application of qualification requirements to all bids.

9. Rejection of Bids

14. A bid shall not be rejected on the grounds that its bid price is not within a percentage range above or below the contract estimate.

OUTLINE TERMS OF REFERENCE FOR PROJECT IMPLEMENTATION CONSULTANTS

A. Objective

1. The Project Implementation Consultants (PIC) to assist the Roads and Highways Department (RHD) and Bangladesh Land Port Authority (BLPA) to implement the Project with the following tasks:

2. **Task 1.** For BLPA, prepare detailed design and provide procurement support for the project, covering (i) construction of transshipment shed, (ii) repaving and drainage system, and (iii) development of pilot warehouse in Benapole and Burimari land ports.

3. **Task 2.** For both RHD and BLPA, undertake construction supervision for the project, covering (i) about 70km of JCT road and the RHD office building (RHD), and (ii) Benapole and Burimari land ports (BLPA).

4. The objective of the construction supervision for RHD and BLPA includes:

- (i) Ensure high standards of quality assurance in the execution of work and completion of work within stipulated time limit;
- (ii) Comprehensive supervision of project implementation activities carried out by the Contractor(s) to ensure complete compliance with the drawings, technical specifications and various stipulations contained in the Contract Documents; and
- (iii) Efficient construction supervision by personnel who are experienced in modern methods of construction supervision and contract management.

5. **Task 3.** For RHD, undertake a third-party maintenance quality checks for about 500km of selected roads under maintenance. The objective of the third-party quality check is to undertake quality check on the works carried out by the contractor, with regard to the technical, contractual and financial aspects of the project implementation. The consultant shall provide to the RHD, the GoB and the ADB, an assessment report on the quality of the completed maintenance works.

B. Scope of Services

1. Task 1. Detailed design and procurement support for BLPA

a. Detailed design

- (i) Collecting and analyzing data for development of detailed design land ports in consultation with BLPA;
- (ii) Assess the surrounding area and determine drainage patterns. Design appropriate drainage structures and channels for the site.
- (iii) Investigate and test existing subgrade and foundation material strength.
- (iv) Determine the appropriate pavement structure for roadways, storage areas, and parking areas within the LCS. Specify and design the pavements.
- (v) Determine the appropriate building types and sizes for the LCS, in consultation with SJDA, JDA, Department of Commerce, local customs office and PWRD. Design buildings, warehouses and structures.
- (vi) Investigate, test, and define sources and available quantities of construction materials.

- (vii) Identify acceptable spoil areas, to be clearly designated in the contract documents.
- (viii) Design, prepare and conduct HIV/AIDS, anti-trafficking, and labor awareness campaign, and gender sensitization training in project influenced areas.
- (ix) Update and finalize IEEs and confirm due diligence reports on land acquisition and resettlement prepared by PPTA, as per policy of ADB.
- (x) Prepare complete detailed drawings and tender documentation suitable for procurement in accordance with ADB Procurement Guidelines (2010, as amended from time to time) and ADB's Standard Bidding Documents. Specify clauses in construction contracts to prohibit child labor, and obligate the contractor to take measures to prevent HIV/AIDs.
- (xi) LCS layout plan indicating the scheme for traffic flows for access and internal handling, location of all existing utility services (both over- and underground) and the scheme for their relocation, trees to be felled and planted: reports documents and drawings arrangement of estimates for cutting of trees and shifting of utilities from the concerned department.
- (xii) Design of all buildings, warehouses, sheds, parking spaces, etc and equipment required.
- (xiii) Preparation of detailed project report, cost estimate, approved for construction drawings, rate analysis, detailed bill of quantities, bid documents for execution of civil works in accordance with ADB Procurement Guidelines (2010, as amended from time to time).
- (xiv) Tie-in of on-going/sanctioned works of relevant agencies.

b. Procurement support

- (i) The Consultant will prepare of the bidding documents using ADB's Sample Bidding Documents—Procurement of Civil Works.
- (ii) The consultant will provide support services, which will involve assisting BLPA to respond to questions from bidders and to issue addenda when required. Services during the bidding period will also include the arranging a pre-bid meeting and site visit, and the public opening of bids.
- (iii) The consultant will develop project-specific bid evaluation criteria consistent with the ADB's guidelines and procedures that will be used by the evaluation committee in evaluating the submitted bids. The technical sub-committee reporting to the evaluation committee will consist of an integrated team of technical specialists from BLPA and the consultant.
- (iv) Any non-compliance or deviation from the bidding documents, as issued will be noted, and where appropriate, clarification from bidders will be requested. Upon completion of the bid evaluation, the evaluation committee will issue a Bid Evaluation Report with recommendations for award of the contract(s). The Consultant will assist BLPA in finalizing the contract. This assistance will include the verification of performance bonds and guarantees.

2. Task 2. Construction supervision for RHD and BLPA

6. The Project will be implemented in 7 construction contracts as follows:

Agency	Civil Works Package Details	Number of Packages
RHD	4-laning of about 70 km (Joydeypur-Chandra-Tangail Road)	4
RHD	RHD office building	1
BLPA	2 land ports improvement (Benapole and Burimari)	2

7. The consultant will be responsible for supervising all construction work. As the engineer, the consultant will:

- (i) administer the construction contracts following the International Federation of Consulting Engineers (FIDIC) contract conditions;
- (ii) ensure that all works comply with the approved engineering designs and technical specifications, agreed schedule and budget, terms and conditions of the contracts, standard engineering practice, and ADB's safeguards policy;
- (iii) provide general guidance and issue instructions to contractors;
- (iv) make engineering decisions in consultation with the Project Director and ADB's Project Management Team;
- (v) advise the Project Director on work progress, quality control, and implementation issues, if any;
- (vi) clarifications about the disputed points, anomaly, error or risk that could affect the project objectives and make the appropriate recommendations and/or take the necessary actions to remedy them.

8. The consultant will be required to nominate an engineer's representative who will be a full-time resident in the area.

9. The supervision consultant will make all necessary measurements and control the quality of works, will make all engineering decisions required for the successful and timely implementation of the construction contracts, and have the powers defined as those of the engineer with a few exceptions for which the supervision consultant will have to seek prior approval of the Employer. Main tasks include, but not limited to, the followings:

- (i) Ensure that the construction methods proposed by the contractor for carrying out the works are satisfactory;
- (ii) Inspect contractor's construction equipment; results of material and soil tests; safety of the works, property and personnel; and schedule of mitigation measures for adverse environmental impacts. Notify contractors to remedy works and materials that fail to comply with the specifications;
- (iii) Review the design of culverts, bridges and ensure that the methods of bridge construction are complied with the design and safety measures;
- (iv) Monitor and supervise (a) progress of contractors' works vis-à-vis contract schedule, and (b) quality of contractors' works vis-à-vis applicable technical specifications and design;
- (v) Check that "as built" drawing is prepared by the contractors for all works as construction processes;
- (vi) Ensure that road safety design requirements are implemented following the contract specifications;

- (vii) Develop quality assurance system and quality control plan for provisions of asphalt concrete pavement;
- (viii) Establish procedures to verify contractor performance and report progress and problems on time, including quality control reports, quantity survey records, requests for variation or change orders, and contractor's claims and invoices;
- (ix) Evaluate any proposed changes (e.g., time, scope and cost) by the contractor during the course of the Project;
- (x) Review and certify work volume, and process interim and final payments of the contractors. Ensure timely submission of contractors' interim payment certificates, and release of payment;
- (xi) Ensure project financial management procedures are in place and are strictly followed, specifically relating to payments, financial accounting, requests for time extension, and contractors' claims and invoices.

10. In addition, or as an expansion of the activities and responsibilities required of the engineer under the construction contracts, the consultant will:

- (i) Ensure that the construction methods as proposed by the contractor for carrying out the works are satisfactory, with particular reference to the Environmental Management Plan of IEE Report; requirements of the environmental clearance issued by DOE; to the technical requirements of sound environmental standards on the basis of ADB's *Environmental Guidelines for Selected Infrastructure Development Project (Highways & Roads)*; inspection of contractor's construction equipment; and safety of the works, property, personnel, and general public; the schedule of mitigation measures for adverse environmental impacts to be monitored by the consultant will be provided;
- (ii) Supervise and monitor the implementation of environmental mitigation plan (EMP). In case of unexpected environmental impacts, coordinate with the Project Director and PMC to recommend necessary mitigation measures to the Committee of Roads and ADB for implementation;
- (iii) Design and undertake project performance monitoring and evaluation of the Project in accordance with ADB's Project Performance Management System (PPMS) Handbook;
- (iv) Monitor and report on the implementation of the Resettlement Plan in accordance with the ADB's policy on involuntary resettlement;
- (v) Coordinate with local government agencies working on HIV/AIDS and anti-trafficking issues to design awareness materials in print which will be distributed and posted in high traffic areas in and around the land ports.
- (vi) Ensure that awareness materials are distributed.
- (vii) Monitor the status of the contractor's compliance with HIV/AIDS provisions, labor laws, and employment of the poor particularly women in the civil works contracts;
- (viii) Provide input to social development section of monitoring reports.
- (ix) Prepare and issue the following reports, the format and content of which are to be acceptable to the employer: an inception report, a quality assurance manual, a brief monthly progress report, a detailed quarterly report, a detailed project completion report and a maintenance manual.

11. The supervision consultant will process interim and final payment certificate submitted by the contractors.

12. If so required by the employer, the supervision consultant will provide any of the following as additional services: (i) prepare reports, including technical appraisals, additional contract documentation, and/or review and comment on the contractor's proposals, as may be

required for the successful completion of the Project; and (ii) provide any other specialist services as may be required from time to time.

3. Task 3. Third-party maintenance quality check for RHD

13. The third-party maintenance quality check will examine and assess the following aspects:

- (i) The conformity and quality of the contractual documents. Checks shall focus in particular on: (a) the consistency of the contractual documents, (b) the existence and the compliance with the relevant procedures of contractual documents, such as: Administrative Orders, Addendums, Variation Orders, etc.; and (c) works have been executed in accordance with the contractual basis.
- (ii) Perform site visits, and tests during which the auditor will in particular examine:
 - (a) the reality and the quality of the setting out of works and its adherence to the drawings; the consistency between the approved drawings, the works actually carried out and the quantities accounted for in the interim payment certificates,
 - (b) the quality of the works in conformity with the contract technical specifications,
 - (c) the project management documents such as: work register, including the list of equipments used daily, relevant measurements books, calculation fiches and as-built drawings approved by the supervision team, minutes of site meetings, the topographical, geotechnical and every other intermediary tasks' acceptance reports, progress reports of the supervising consultant, any other contractual documents and administrative orders, site correspondence and all correspondences between the contractor, the supervising consultant and the administration,
 - (d) the site management aspects such as: the quality and efficiency of the topographical and geotechnical teams' deliveries, the laboratory testing and also the adequacy and availability of equipment, etc.
 - (e) remaining works to be executed,
 - (f) any pre-dispute situations which are likely to result in a claim from the contractor or a site shutdown.
- (iii) The checks and verifications to be performed by the auditor will be carried out using appropriate methods and techniques including but not necessarily limited to: site surveys, laboratory and site tests, measurements, photos and calculations to verify quantities on the basis of statements and documents produced by the contractor and the supervising consultant.
- (iv) The auditor may recommend and execute further in-depth measures if deemed necessary.

C. Documentation and Reporting

- (i) Report and update the works implementation schedule, highlight any unforeseen delays, and timely propose corrective measures;
- (ii) Undertake project performance monitoring and evaluation following the project framework and ADB's Project Performance Management System Handbook and reporting up to project completion;
- (iii) Collect baseline survey data based on the indicators in the project's design and monitoring framework; and measure the indicators overtime during the assignment period. Design a simple MS Excel or similar system for recording the baseline and

- periodic data;
- (iv) Prepare and submit reports as indicated in Section F – Deliverables in this Terms of Reference (TOR);
 - (v) Develop and maintain a storage and retrieval system of records;
 - (vi) documenting information supplied by the field teams, decisions made at meetings, progress on civil works, certified achievements and milestones, financial records, any deviations from or changes to the contract plans (scope, cost, materials, time), correspondences, site diaries, test data and quality control reports, quantity survey records, as-built drawings, and progress reports.

14. The Project Director may require the Consultant to perform other tasks consistent with the above scope, including preparation of technical appraisals/additional contract documentation, and review and comment on the contractor's proposals.

15. The Project Director will authorize additional services that do not affect the scope of the supervision work, at the rates established in the construction supervision contract, or at the rates mutually agreed upon when the services require the use of specialists not listed in the contract.

D. Timing of Services

16. The consulting services defined in the terms of reference will be for a period of 53 months including the defects liability period and are expected to commence in June 2013. The actual commencement date will be confirmed during negotiations and will depend on progress in awarding the contract to contractors for construction in the Project.

E. Contractual Arrangements

17. Suggested staffing for the consultant's contracts is shown in the table. It is estimated that about 233 person-months of international staff and about 2,417 person-months of national staff will be required for the project.

F. Deliverables

18. The Consultant will prepare and submit the following reports in a format and content agreed with RHD, BLPA and ADB:

For Task 1:

- (i) Design reports and bidding documents for Benapole and Burimari ports
- (ii) Report on HIV/AIDS, Anti-trafficking and labor awareness campaign, and gender sensitization training;
- (iii) Updated IEEs and due diligence reports based on the detailed design if required, and
- (iv) Monthly progress reports on the design and bidding progress, or as requested by governments and ADB, and

For Task 2:

- (i) Inception report;
- (ii) Monthly progress reports;
- (iii) Quarterly progress reports;
- (iv) Annual environmental monitoring reports;
- (v) Semi-annual resettlement monitoring reports;

- (vi) Project performance monitoring reports;
- (vii) Quality assurance manual;
- (viii) Maintenance manuals; and
- (ix) Project completion report

For Task 3: please provide deliverables.

- (i) Inception report, describing roads selected for the quality check;
- (ii) Quality check reports, including remedial measures if weakness is found; and
- (iii) Monthly progress reports, or as requested by governments and ADB

G. Data, Local Services, Personnel and Facilities to be provided by the Client

19. The Client will provide the Consultant with the following:

- (i) Access to data, records, and other information required to perform the assigned tasks;
- (ii) Counterpart staff and engineers to work with the Consultant;
- (iii) Provide the Consultant and each of the personnel with work permits and other documents as necessary;
- (iv) Assist in obtaining necessary visa for the personnel and, if appropriate, their eligible dependent;
- (v) Assist in clearance through customs of any property required for the services and of the personal effects of the personnel and their eligible dependents;
- (vi) Issue to officials, agents and representatives of the Government all such instructions as may be necessary or appropriate for the prompt and effective implementation of the services.

20. The Client through the civil works contracts will provide the Consultant with the following:

- (i) Office space at site (including utilities, office equipment, and furnishings) for international and national experts, and for other as-needed field/technical support staff;
- (ii) Housing accommodation at site for appropriate Consultant's National Consultants and field staffs;
- (iii) Vehicles for site supervision:
- (iv) For all International Consultants;
- (v) For all National Consultants and appropriate field staffs;
- (vi) Motorbikes for Site Inspectors and Work Supervisors;
- (vii) Fully equipped and furnished testing laboratory;
- (viii) Necessary survey equipment (Total Station with GPS).

Suggested Staffing for Project Implementation Consultants

Sl. No.	Positions	No.	Total Person-
International Consultants			
1	Team Leader/Senior Highway Engineer	1	41
2	Senior Quality and Material Engineer	1	36
3	Senior Pavement Engineer	1	24
4	Senior Contracts Specialist	1	24
5	Senior Road Safety Engineer	1	12
6	Senior Bridge Engineer	1	24
7	Senior Technical Compliance Expert	1	24
8	Senior Structural Engineer	1	36
9	Environment Specialist	1	6
10	Social Development Specialist	1	6
International Consultants Total		10	233
National Consultants			
		No.	Total Person-
1	Deputy Team Leader/Highway Engineer	1	41
2	Pavement Engineer	1	36
3	Highway Design Engineer	1	36
4	Structural (Bridge) Engineer	1	36
5	Resident Engineers	5	5 x 36 = 180
6	Materials & Pavement Engineers	5	5 x 36 = 180
7	Quantity Surveyors	5	5 x 36 = 180
8	Topographic Surveyors	5	5 x 36 = 180
9	Site Inspectors	5	5 x 36 = 180
10	Road Safety Engineers	2	2 x 18 = 36
11	Environment Specialist	1	36
12	Social Development Specialist	1	18
13	Resettlement Specialist	1	18
14	Work Supervisors	15	15 x 36 = 540
15	CAD Technicians	5	5 x 36 = 180
16	Laboratory Technicians	5	5 x 36 = 180
17	Assistant Lab Technicians	10	10 x 36 = 360
National Consultants Total		69	2,417

Indicative Cost Estimate	
Competitive Components	Costs USD
<i>Remuneration</i>	
International	6,020,000
National	3,743,500
<i>Out-of-Pocket Expenses</i>	
International	233,800
National	397,800
Sub-Total	10,395,100
Non Competitive Components	
<i>Provisional Sums</i> (office accommodation, survey and investigation, and furniture and equipment rental)	
	900,000
<i>Contingencies</i>	
	1,000,000
Sub-Total	1,900,000
Total	12,295,100

OUTLINE TERMS OF REFERENCE FOR OPERATIONAL EFFICIENCY IMPROVEMENT IN THE BANGLADESH LAND PORT AUTHORITY

A. Objective

1. The project includes a complete series of measures to improve throughout the land port through improved operational efficiency, enhanced working conditions for employees and better environmental management. The proposed capacity development support is complementary to the physical improvement provided under the loan to improve operational efficiency and provide for safeguard issues. The inclusion of both physical and non-physical measures as inter-related components is important for the enhancement of land port efficiency and for full benefit to be drawn from the proposed investments. The proposed measures aim at a gradual introduction of improved working practices which are necessary in the short term to cater for the increase in traffic and which practices would be ever more necessary in the medium to long term if and when transit conditions between India and Bangladesh progress towards those compatible with international transit conventions.

2. The assessment of current material handling and warehousing has shown that, in part, congestion of the facilities is not necessarily linked with space capacity restrictions, but more largely by the lack of basic inventory management skills and tools, little use of material handling technologies, useless manipulation of industrial goods on semi-trailers (unload, storage and reload of raw material and industrial goods) and unreasonably low storage tariffs. These practices can only slow down traffic flows at border crossing and add congestion that could easily be avoided.

3. The main objective for the capacity development support is to improve financial management systems, material handling and warehousing; and to strengthen the capacity of implementing social and environmental measures, mainly in land ports and the overall financial management systems. This support accompanying infrastructure improvements will contribute to alleviate congestion, but above all to get hold of large potential savings : time savings (for cargo, trucks and drivers); inventory savings, less cargo damage, higher safety for labour workers, etc.

B. Scope of Services

4. Based on the recommendations by the financial management assessment and RETA7650 Regional Transport Development in South Asia - Report on Benapole and Burimal Land Ports and, the consultant will undertake the following, but not limited to, tasks focusing on the Benapole Land Port together with the BLPA headquarters:

- (i) Computerization of financial accounting systems
 - a. Computerize financial management systems, and train the accounting staff at the HQ and the land port level.
 - b. Pilot-test the system in Benapole office and help operationalize the system throughout BLPA.
 - c. Develop a monitoring system for revenue and expenditure, and assist in prepare periodic monitoring reports.
- (ii) Introduce basic inventory management skills and tools
 - a. develop computerized information systems, e.g., register of volumes in and out;

- b. identify long term storage goods and even waste, scrap materials, etc. which accentuating the impression of lack of space;
 - c. arrange and implement optimal storage plan.
- (iii) Increase the use of material handling at sheds as well as in the transshipment areas, and improve warehousing use
 - a. identify adequate circulation paths for efficient circulation and material handling and prepare a traffic management
 - b. identify product flow that could be assigned to specific areas, including possible additional services such as re-conditioning, re-packaging of goods and even services related to goods inventory management
 - c. determine and re-design warehouses for manual operation or degree of automation, including material handling technology
 - d. determine the warehouse storage plan
- (iv) Facilitate arrangement between operators to avoid the useless manipulation of industrial goods not intended to final consumers (metal, car chassis, etc loaded on semi-trailers).
 - a. propose smooth arrangements, removing current handling: unload, storage and reload of industrial heavy goods,
 - b. propose optimal level of storage tariffs
- (v) Monitor and evaluate process flows in terms of physical, paper and information
- (vi) Strengthen the capacity in environmental management and awareness of social aspects (e.g., employment opportunities in construction, risks of human trafficking and STI transmission) and in resettlement planning and management.
 - a. Prepare guidelines and operationalize procedures for BLPA to carry out environmental assessments and implement effective environmental management plans (EMPs) during construction, and operation and maintenance. Train BLPA staff members to implement and monitor EMPs and environmental protection measures and specifications.
 - b. Develop guidelines and implementation procedures for social analysis and resettlement planning, and their implementation.

C. Reporting

5. The consultants will provide ADB with progress reports, including achievements, problems and recommendations. The consultants will prepare specific reports (working reports) in accordance with the terms of reference (TOR). These progress working reports should be submitted monthly. The consultants will also consolidate these working reports by each task into the following reports with an executive summary (except the inception report):

- (i) The inception report within 3 weeks of engagement, elaborating on the initial work program;
- (ii) The first interim report after 3 months of engagement, providing proposed schemes for financial management systems, inventory management systems, material handling and warehousing scheme, and training program for financial management, operational efficiency, and environmental and social measures;
- (iii) The second interim report after 10 months of engagement, providing operation manuals for financial management systems; inventory management systems, material handling and warehousing scheme, operation manuals for environmental and social measures; and recommendations of implementation arrangement for all these measures;
- (iv) The draft final report 1 month before completion, including the progress of initial implementation; and

- (v) The final report on completion, incorporating comments by the Government and ADB, providing future tasks to be rolled out for BLPA.

6. The consultants, in consultation with BLPA, will prepare a training program in the areas specified in the TOR. The consultants will prepare comprehensive training proposals, including selection criteria for candidates, training objectives, cost estimates and so on.

D. Staffing

7. The TA will be implemented for 16 months from July 2013 to November 2014. International inputs of 16 person-months and national inputs of 44 are required as in Table 1.

Table 1. Person-month Requirement

International		National	
Transport Logistics Specialist/ Team Leader	8	Resident Logistics Specialist/ Deputy Team Leader	12
Financial Management Specialist	8	IT engineer (financial management)	12
		Resettlement and social development specialist	10
		Environment specialist	10
Total (International)	16	Total (National)	44

E. Cost Estimates

Table 2 Cost Estimate
(\$'000)

Item	Total Cost
ADB Financing (ADF Loan)	
1. Consultants	
a. Remuneration and Per Diem	
i. International Consultants	448
ii. National Consultants	264
b. International and Local Travel	15
c. Reports and Communications	20
2. Equipment (software licenses, etc.)	30
3. Workshops, Training & Seminars	50
4. Study Tour	50
5. Surveys	30
6. Contingencies	93
Total	1,000

Source: ADB Estimate