

## PROCUREMENT PLAN

### Basic Data

<b>Project Name:</b> Second Strengthening Higher Education Project		
<b>Project Number:</b> 48127-002		<b>Approval Number:</b> 3435/0500
<b>Country:</b> Lao People's Democratic Republic		<b>Executing Agency:</b> Ministry of Education and Sports
<b>Project Financing Amount:</b> US\$ 45,670,000 <b>ADB Financing:</b> US\$ 39,920,000 <b>Cofinancing (ADB Administered):</b> <b>Non-ADB Financing:</b> US\$ 5,750,000		<b>Implementing Agency:</b> Ministry of Education and Sports
		<b>Project Closing Date:</b> 31 December 2023
<b>Date of First Procurement Plan:</b> 31 August 2016		<b>Date of this Procurement Plan:</b> 4 September 2023, Version 11
<b>Advance Contracting:</b> No	<b>Related to COVID-19 response efforts:</b> No	<b>Use of e-procurement (e-GP):</b> No

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

#### 1. Procurement and Consulting Methods and Thresholds

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

Procurement of Goods and Works		
Method	Threshold	Comments
International Competitive Bidding for Goods	US\$ 1,000,001 and Above	All contracts in English language version for each NCB/shopping goods and works will be reviewed using prior review procedure. ADB-approved procurement document will be used as the model for subsequent procurement.
National Competitive Bidding for Goods	Between US\$ 100,001 and US\$ 999,999	All contracts in English language version for each NCB/shopping goods and works will be reviewed using prior review procedure. ADB-approved procurement document will be used as the model for subsequent procurement.
Shopping for Goods	Up to US\$ 100,000	All contracts in English language version for each NCB/shopping goods and works will be reviewed using prior review procedure. ADB-approved procurement document will be used as the model for subsequent procurement.
International Competitive Bidding for Works	US\$ 2,000,001 and Above	Prior review of all bidding documents.
National Competitive Bidding for Works	Between US\$ 100,001 and US\$ 2,000,000	All contracts in English language version for each NCB/shopping goods and works will be reviewed using prior review procedure. ADB-approved procurement document will be used as the model for subsequent procurement.
Shopping for Works	Up to US\$ 100,000	All contracts in English language version for each NCB/shopping goods and works

		will be reviewed using prior review procedure. ADB-approved procurement document will be used as the model for subsequent procurement.
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Consulting Services	
Method	Comments
Quality- and Cost-Based Selection for Consulting Firm	Prior review for all contracts.
Quality-Based Selection for Consulting Firm	
Consultant's Qualification Selection for Consulting Firm	
Single Source Selection for Consulting Firm	Prior review. Detailed design drawings, construction drawings, specifications will be provided through SSS with the design consortium that has prepared the schematic designs.
Individual Consultant Selection for Individual Consultant	Prior review. DHE/MOES selects, negotiates and manages the contract with prior review and approval of ADB.

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

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

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

## 3. Consulting Services Contracts Estimated to Cost \$100,000 or More

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

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

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

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

Goods and Works								
Package Number	General Description	Estimated Value	Number of Contracts	Procurement Method	Review (Prior/ Post)	Bidding Procedure	Advertisement Date (quarter/year)	Comments
CW10	Fixtures and furniture for NUOL	100,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No

CW11	Fixtures and furniture for CU	100,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
CW12	Fixtures and furniture for SU	100,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
CW13	Construction of NUOL fertilizer house	53,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
CW14	Refurbishment of NUOL COE	11,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
CW15	Refurbishment of SU food science lab	17,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
CW9	Fixtures and furniture for SKU	100,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
G17	CU, SKU, and SU examination answer checking machines	20,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No

G18	IT equipment for DHE	19,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
G19	Knowledge products: DHE/SSHEP	5,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
G20	NUOL IT/office equipment	20,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
G21	SU IT/office equipment	20,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No
G22	CU IT/office equipment	20,000.00	1	SHOPPING	Prior		Q3 / 2023	Covid-19 Response? No

Consulting Services								
Package Number	General Description	Estimated Value	Number of Contracts	Recruitment Method	Review (Prior/Post)	Advertisement Date (quarter/year)	Type of Proposal	Comments
CSI PIU 19	PCR consultant	37,000.00	1	ICS	Prior	Q3 / 2023		Assignment: International  Expertise: impact assessment, project completion,

								project administration
								Covid-19 Response? No
CSI PIU 20	Procurement assistant	9,000.00	1	ICS	Prior	Q3 / 2023		Assignment: National  Expertise: procurement   Covid-19 Response? No

## B. Indicative List of Packages Required Under the Project

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

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

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

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

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

### 1. Awarded and Ongoing Contracts

Goods and Works							
Package Number	General Description	Estimated Value	Awarded Contract Value	Procurement Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments
CW7	Civil works for SKU new	1,650,000.00	1,036,642.01	NCB	Q3 / 2021	25-JAN-22	

	campus (Food science faculty building)						
CW6	Civil works for SKU new campus (Science faculty building)	1,650,000.00	1,012,595.57	NCB	Q3 / 2021	25-JAN-22	
CW8	Civil works for SKU new campus (sports facility)	800,000.00	549,771.86	NCB	Q3 / 2022	15-DEC-22	
CW5	SKU fixtures and furnishing	3,600,000.00	3,365,999.46	ICB	Q3 / 2022	23-JAN-23	
G7	Equipment for SKU laboratory	2,000,000.00	2,121,590.00	ICB	Q3 / 2022	16-DEC-22	
G6	IT equipment for SKU (excluding building services and infrastructure)	800,000.00	542,071.74	NCB	Q3 / 2022	31-JAN-23	
G11.B	Internet connectivity for DHE, NUOL, DHE, QAC, and LIETC	64,732.00	68,540.00	SHOPPING	Q3 / 2017		

Consulting Services							
Package Number	General Description	Estimated Value	Awarded Contract Value	Recruitment Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Comments
CSF4	Software development and upgrading for LUMS	130,000.00	130,050.00	QCBS	Q1 / 2019	18-NOV-19	
CSF1	Consulting Services for Capacity Building and Project Implementation	1,564,000.00	1,373,208.00	QBS	Q3 / 2017	11-SEP-18	
CSI PIU 9	International capacity building specialist	275,766.00	275,766.00	ICS	Q1 / 2018	03-AUG-18	
CSI VS 1-3	Visiting Scholars	99,000.00	99,000.00	ICS	Q3 / 2019	11-SEP-19	
CSI VS 4-15	Visiting Scholars	759,000.00	660,000.00	ICS	Q1 / 2020	15-OCT-20	
CSI PIU 17	Construction	9,600.00	24,400.00	ICS	Q3 / 2022	22-NOV-22	

	supervision engineer (MEP)						
CSI PIU 18	Construction supervision engineer (quantity surveyor)	9,600.00	40,340.00	ICS	Q3 / 2022	22-NOV-22	
CSI PIU 16	Construction supervision expert	48,800.00	58,250.00	ICS	Q3 / 2022	22-NOV-22	
CSI PIU 4	PIU Contractual Staff - Administrator	76,000.00	12,000.00	ICS	Q3 / 2017	11-SEP-17	for annual renewal subject to satisfactory annual performance review
CSI PIU 6	PIU Contractual Staff - Driver/Messenger	36,000.00	15,120.00	ICS	Q1 / 2017	01-JUN-17	for annual renewal subject to satisfactory annual performance review
CSI PIU 1	PIU Contractual Staff - Finance	81,000.00	28,800.00	ICS	Q1 / 2017	01-JUN-18	for annual renewal subject to satisfactory annual performance review
CSI PIU 12	PIU Contractual Staff - SKU-based Safeguards Specialist	49,000.00	48,000.00	ICS	Q4 / 2019	14-JUL-20	
CSI PIU 13	PIU Contractual Staff - Senior Finance Officer	84,000.00	48,000.00	ICS	Q4 / 2019	03-JUL-20	no qualified EOIs received; TOR of scholarship coordinator expanded to cover financial management support to incumbent finance officer
CSI PIU 2	PIU contractual staff - Procurement	113,400.00	52,800.00	ICS	Q2 / 2017	08-AUG-18	first position advertised in Q2 2017 was filled in Q2 2017. However, the consultant's contract was not recommended for extension due to

							poor performance. A replacement procurement staff was recruited in Q3 2018. for annual renewal subject to satisfactory annual performance review
CSI PIU 3	PIU contractual staff - monitoring and reporting	169,000.00	56,400.00	ICS	Q2 / 2017	01-JUN-17	for annual renewal subject to satisfactory annual performance review
RP-5	Procurement officer	6,480.00	6,480.00	ICS	Q3 / 2022	12-SEP-22	
CSI PIU 15	Software programmer	6,000.00	6,000.00	ICS	Q1 / 2021	16-JUL-21	

## 2. Completed Contracts

Goods and Works								
Package Number	General Description	Estimated Value	Awarded Contract Value	Procurement Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Date of Completion	Comments
CW3	CW for CU Center of Excellence	222,000.00	210,725.11	NCB	Q2 / 2018	15-JAN-19	16-AUG-19	
CW2	CW of NUOL Center of Environmental Excellence	200,000.00	191,674.75	NCB	Q4 / 2018	21-MAY-19	21-JAN-20	
G8	Buses for SKU	170,000.00	223,150.00	NCB	Q1 / 2018	23-MAY-18	30-AUG-18	
G4	IT connectivity for DHE, National University of Laos, Savannakhet University, Souphanouvong University, and Champasack University	100,000.00	68,540.00	NCB	Q3 / 2017	26-OCT-17	10-SEP-18	
G3	Equipment Packages for DHE, QAC, SKU Center of	200,000.00	130,876.00	NCB	Q2 / 2018	21-AUG-18	03-OCT-18	



	Excellence and LIETC							
G5	Equipment Package for CU Center of Excellence	474,000.00	453,626.00	NCB	Q2 / 2019	02-OCT-19	19-MAY-20	
G1	Equipment for NUOL Center of Environmental Excellence	1,300,000.00	1,120,669.00	ICB	Q2 / 2019			

Consulting Services								
Package Number	General Description	Estimated Value	Awarded Contract Value	Recruitment Method	Advertisement Date (quarter/year)	Date of ADB Approval of Contract Award	Date of Completion	Comments
CSI PIU 8	International procurement technical advisor	20,848.00	20,848.00	ICS	Q1 / 2018	02-FEB-18	29-JUN-18	
CSI PIU 10	Environment Safeguards Specialist	2,925.00	3,225.00	ICS	Q3 / 2018	01-OCT-18	30-APR-19	
CSI PIU 11	Campus Facilities Development Specialist	15,000.00	9,000.00	ICS	Q3 / 2018	01-OCT-18	13-MAR-20	
RP 1-2	Resource persons	7,750.00	7,750.00	ICS	Q3 / 2019	12-SEP-19	30-APR-20	

## **D. National Competitive Bidding**

### **A. Regulation and Reference Documents**

1. The procedures to be followed for National Competitive Bidding (NCB) shall be those set forth for "Public Bidding" in Prime Minister's Decree No. 03/PM of the Lao People's Democratic Republic, effective 09 January 2004, and Implementing Rules and Regulations effective 12 March 2004 with update 0861/MOF of 05 May 2009 entitled "Amendments of Some Articles of Implementing Rules and Regulations on Decree Of Government Procurement Of Goods, Works, Maintenance And Services", with the clarifications and modifications described in the following paragraphs required for compliance with the provisions of the Procurement Guidelines.

### **B. Procurement Procedures**

#### **1. Procurement Plan**

2. Contract packages subject to NCB procedures will be those identified as such in the project Procurement Plan. Any changes to the method of procurement from those provided in the Procurement Plan shall be made through updating of the Procurement Plan, and only with prior approval of ADB.

#### **2. Eligibility**

3. The eligibility of bidders shall be as defined under Section I of the Procurement Guidelines; accordingly, no bidder or potential bidder should be declared ineligible for reasons other than those provided in Section I of the Guidelines, as amended from time to time.

### **3. Preferences**

4. No preference of any kind shall be given to domestic bidders or for domestically manufactured goods.
5. Suppliers and contractors shall not be required to purchase local goods or supplies or materials.

### **4. National Sanctions List**

6. National sanctions lists may be applied only with prior approval of ADB.

### **5. Advertising**

7. The posting of NCB specific notices for contracts valued at less than \$1 million on ADB's website is not required but is highly recommended.

## **C. Procurement Documents**

### **6. Use of Harmonized Documents**

8. The harmonized standard bidding documents entitled "Procurement of Works, NCB-SBD, Harmonized Bidding Documents, December 2015" and "Procurement of Goods, NCB-SBD, Harmonized Bidding Documents, December 2015" approved by the Ministry of Finance through 3246/MOF dated 28 September 2015, and approved by ADB by *OSFMD/OSP2* dated 7 June 2016, shall be used for all procurement by NCB unless exceptions are specifically identified in the Procurement Plan.

### **7. Rejection of all Bids and Rebidding**

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

### **8. Disclosure of Decisions on Contract Awards**

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

### **9. ADB Policy Clauses**

11. A provision shall be included in all NCB works and goods contracts financed by ADB requiring suppliers and contractors to permit ADB to inspect their accounts and records and other documents relating to the bid submission and the performance of the contract, and to have them audited by auditors appointed by ADB.
12. A provision shall be included in all bidding documents for NCB works and goods contracts financed by ADB stating that the Borrower shall reject a proposal for award if it determines that the bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the contract in question.
13. A provision shall be included in all bidding documents for NCB works and goods contracts financed by ADB stating that ADB will declare a firm or individual ineligible, either indefinitely or for a stated period, to be awarded a contract financed by ADB, if it at any time determines that the firm or individual has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive or obstructive practices or any integrity violation in competing for, or in executing, ADB-financed contract.



