



LAO PEOPLE'S DEMOCRATIC REPUBLIC
Peace Independence Democracy Unity and Prosperity

Terms of Reference (No. AF-C3-01, Component 3)

Job Title:	National Procurement Specialist to Support DoF
Project Name:	Lao Road Sector Project 2 (LRSP2)
Contracting Authority:	Personnel and Administration Division, Department of Finance Ministry of Public Works and Transport
Location:	Ministry of Public Works and Transport, Vientiane Capital
Duration:	2 year with possibility of extension
Start date:	June 2020

1. Background

The Ministry of Public Works and Transport (MPWT) of Lao PDR has received financing support from World Bank, the Nordic Development Fund (NDF), European Investment Bank (EIB) and European Union (EU) to implement Lao Road Sector Project 2 (LRSP2 or the Project) (March 2017-August 2022), which will support MPWT strengthen its capacity at both central and local levels to manage local road improvement and maintenance. The WB has approved a credit of approximately USD 25 million, a grant from NDF for a Technical Assistance (TA) program amounting to EUR 5 million and a loan not exceeding EUR 6 million, a credit from EIB of EUR 20 million and a credit from EU of EUR 5 million to finance the LRSP2. In addition, the Road Maintenance Funds (RMF) will contribute approximately USD 7 million, and the 6 participating provinces also will contribute around USD 3 million to the Project.

The Project Development Objective (“PDO”) is to strengthen maintenance systems to improve reliable road connectivity in Lao PDR, and to provide immediate and effective response in case of an Eligible Crisis or Emergency.

LRSP2 consists of four components: (1) Climate Resilient Road Maintenance, (2) Institutional Strengthening, (3) Project Management Support, and (4) Emergency Response.

State Assets Division under Department of Finance MPWT. Its key function includes develop and disseminate the instruction on implementation of public procurement No. 0477/MOF, coordinate and consolidate annual procurement plans from line departments, summarize, asses and report public procurement on monthly, quarterly, 6 months and annually, analyze and propose solutions to management in case of conflicts, etc.

Department of Finance (DoF) intends to recruit one individual Procurement Consultant for assisting MPWT/DoF in strengthening the Public Procurement and International Procurement as per the project procurement plan (the Assignments). The Consultant will be recruited using the Individual Consultant (IC) method following the World Bank 'Procurement Regulations for IPF Borrowers, July 2016, revised November 2017 and August 2018 edition. The services are described in these TOR.

2. Objective of the assignment

The overall objective of the consultancy service is to provide technical support to the DoF in executing planned activities towards implementation of the public procurement regulations including finalizing Standard Procurement Documents (SPDs), reviewing and finalizing draft Procurement Manual as well as supporting training activities.

The consultant is also expected to coordinate and support the procurement of the MPWT by ensuring that all procurement is conducted in accordance with the procurement procedures and the procurement plan for the LRSP2's and National Road 13 Improvement and Maintenance Project (NR13's) components/sub-components agreed between the World Bank and the Government of Lao PDR in a manner of economy, efficiency and transparency. The consultant will support and liaise closely with the MPWT's International Procurement Specialist and jointly assist potential or existing procurement staff and/or the focal point in relevant Department within MPWT to successfully implement all procurement activities of the LRSP2, NR13 and other projects as requested by MPWT.

Specifically the Consultant will be required to (a) assist the MPWT to carry out the procurement of goods, civil works, and consultant services under the LRSP2, NR13 and other projects as requested; (b) build up capacity of the procurement management of DoF and Department concerned within MPWT and DPWTs including hands-on training, formal training, providing oversight, monitoring and supervision of the procurement etc.

3. Scope of work

The National Procurement Specialist (NPS) will work under State Assets Division. The consultant will work closely with and report to the Division Director and support the MPWT's International Procurement Consultants, and coordinate with the World Bank's consultants in updating the aforementioned procurement documents in clear and concise manner and completing the activities within the agreed time.

Specific duties and responsibilities include:

- Provide inputs into the finalization of the draft Procurement Manual as required and help translate the final output into Lao language;
- Assist State Assets Division to finalize standard procurement documents including Request for Quotation (RFQ) and Request for Bid (RFB) for Goods and Works, and Request for Proposal (RFP) for consulting services for firms and related documents for other services
- Support DoF to organize and manage the conduct of a train-the-trainer program for line Department;
- Provide technical assistance and support strengthening the capacity of DoF by assisting the DoF in the implementation of the activities under the WB's financing projects and liaise closely with the MPWT's International Procurement Consultant and WB's consultants. Those activities include, among other, the identification of procurement-related content on the MoF's procurement guideline, design and development of simple monitoring and complaint mechanisms on public procurement;
- Assist the DoF in other communications, coordination and tracking procurement plan activities;
- Make relevant inputs into the internal DoF procurement progress/management reports;

- Update, monitoring and follow-up an annual project procurement plan; and
- Assist the DoF with other tasks as required.

For LRSP2, NR13 and other WB's financing projects, the NPS will work closely with the MPWT's International Procurement Consultant to:

- Assist the PCC team and BEC at all stages of procurement to ensure that the correct procedures are followed;
- Assist the MPWT/DoF to prepare the procurement plan for all purchasing and procurement activities needed by the Projects and update regularly for Ministry approval and for submission to the World Bank for review;
- Assisting the MPWT/DoF to maintain an effective monitoring and recording system on procurement process, information and recording for document keeping; and use the systematic tracking of exchanges in procurement (STEP);
- Support DoF in development of an action plan to strengthen transparency and accountability in the procurement process (including complaint-handling mechanism, integrity pacts and sanctions procedures as per procurement rules of the Lao PDR Prime Minister's Procurement Decree and the World Bank's Procurement Regulations) and also work with ICT division to enhance and systematic disclosure of procurement related documents in the MPWT website;
- Support the whole procurement process for goods and works according to project Procurement Plan and the applicable Procurement Guidelines, that includes: (i) Assist the agency in preparing the technical specifications of goods/ works; (ii) Assist in advertising of the Invitation for Bids/Quotations; (iii) Identify the sources of supply, evaluate the eligibility and qualifications in order to prepare the list of suppliers/contractors for contracts procured using shopping in consultation with the agency; (iv) Review bidding documents/request for quotations, bids/quotations evaluation reports, contract conditions including issues of performance guarantee, advance payment guarantee, insurance, liquidated damages, contract execution schedule, payments, delays, compensation events, contract extension, quality control, disputes, claims parties' obligations and so on in accordance with the sample documents applied for this Project;
- Support the process of the selection and employment of project consultants according to project Procurement Plan and the applicable Consultant Guidelines, that includes: (i) Prepare/comment Terms of Reference (TORs), request for expression of interest; short-list of consultants, Request for Proposals; (ii) Review evaluation reports and contract negotiation with selected consultants and draft contracts, etc.; (iii) Monitor and advise on the contract implementation, including issues off claims and disputes, compensation events etc.;
- Regularly upload procurement documents into STEP for WB's review and process related documentation on time; solve related problems with WB technical staff; print out procurement documents for the Projects' staff and management;
- Keep all-the-time online communication with MPWT's International Procurement Consultant, with regard to relevant procurement activities;
- Keep accurate filing system for all procurement activities.

4. Reporting

The NPC will report directly to the Director of DoF and will work closely with other DoF staff and the State Assets Division. Upon request of MPWT's International Procurement

Consultant, the NPS shall update and provide all relevant information on procurement and, if required, organize related meetings or events.

5. Duration of the Assignment

The services of the NPS are initially required for a period of 24 months starting June 2020 on a full-time basis working at MPWT, with possibility of extension over the duration of the project, depending on the need and availability of funds. The NPS will be based in Vientiane, Lao PDR. Contract extensions shall be subject to annual performance evaluation, based on the Key Performance Indicators specified below.

6. Key Performance Indicators

Indicator	Timeline
Preparation and finalization of various documents associated with the assignment	Per the timelines agreed in DoF implementation plan
Provide inputs into the Procurement Manual as required and translate the final one into Lao language	Per the timelines agreed in DoF implementation plan
Support implementing the capacity building agenda of the DoF, related to Procurement.	Continuous
Regular update and download of documents through STEP, to avoid delays on procurement implementation.	Continuous
Efficient support to DoF in the implementation of the activities under the Lao procurement reform	Continuous
Timely monitoring, tracking and follow-up the project procurement plan	Continuous
Regularly prepared and submitted procurement project report (monthly, quarterly, semi-annually and yearly)	Continuous
Efficient collaboration and coordination of procurement activities with Project Management, MPWT's International Procurement Specialist and other related staff.	Continuous
Accurate and regularly updated procurement filing system, in both hard and soft copies.	Continuous
Positive evaluation of procurement performance and implementation by financing institutions (WB, ADB, AIIB etc.)	Continuous

7. Qualifications and Experience

The NPS should possess the following qualifications:

- Preferably a Master degree in finance, management, business administration, or a related field; a public procurement degree or specialized professional trainings will be an advantage;
- A minimum of 7 years of relevant work experience in public procurement profession, including a minimum of 5 years of procurement experience in the GOL or application of the of public procurement in Lao PDR;

- A past similar assignment of same level and nature in a Government or ODA project is highly desirable; such knowledge and experience of World Bank (WB) procurement procedures is a strong advantage;
- Excellent report writing and good command of both spoken and written English and Lao is required;
- Familiarity with government and foreign aid project operations and excellent analytical and presentation skills;
- High degree of computer literacy, and intermediate to advanced knowledge of Microsoft Office Package (Excel, Word, and Power Point) and Internet; knowledge and experience using STEP (WB Projects) or similar software is a strong advantage;
- Excellent interpersonal skills and result orientation combined with a flexible and adaptable attitude, of good teamwork and communication skills.