

## **1.2 Terms of Reference (ToR) for Procurement Expert**

<b>Position:</b>	<b>Procurement Expert (PE)</b>
<b>Level of Position:</b>	L-1 (Senior Officer)
<b>Number of Position:</b>	1 (One)
<b>Duration:</b>	Program Period
<b>Duty station:</b>	<b>Program Coordination office (PCO), Surkhet with partial work station at Program Liaison Office, Harihar Bhawan, Lalitpur</b>
<b>Report to:</b>	Program Coordinator (PC)
<b>Mode of Contract:</b>	Rolling annual contract with a probation period of six months. The contract will be extendable annually up to the Program period based on satisfactory performance in the preceding contract assessed by the Program.

### **Roles and purpose of the assignment**

The Procurement Expert (PE) is responsible to streamline the procurement process by ensuring the procurement rules, regulations and procedures of the GoN and IFAD. S/he works under the direct guidance of the Program Coordinator in close coordination with the staff members charged with administration and financial management functions of the Program. S/he is responsible for imparting training to the relevant staffs and the staff members of the implementing partners and the service providers. S/he is also responsible to ensure quality of goods and services procured by the Program.

### **Key responsibilities and duties**

- Review the procurement procedures laid out in the Program Implementation Manual (PIM) and suggest necessary changes, if any, to the PC in order to ensure cost effective and transparent procurement system in the Program;
- Assist the PC and Planning team in preparing the Annual Work plan and Budget (AWBP)
- Prepare the procurement plan for the Program, facilitate PC to get no objection from IFAD and approval from PSC and update it periodically for no objection from IFAD;
- Prepare required documents for the procurement of goods, works, and services including drafting of tender invitations/bids notices, contract documents (Terms of References, Expressions of Interests, Requests for Proposals, Request for Quotations etc.), specifications, bill of quantities, cost estimates, work schedules, evaluation criteria etc. with required inputs from the technical Officers in the PCO;
- Participate in/Provide support to procurement & evaluation committee for pre-qualification, short-listing, organization of pre-bid meetings, preparing answers/clarifications/modifications and bid opening.
- Examine bids/proposals; (i) organize technical evaluation committees meeting and participate as appropriate; and (ii) prepare evaluation reports;
- Conduct due diligence for the winning bidder by undertaking background/reference/credit checks to determine financial and operational capacity to perform the scope of work
- Identify the potential members of the external evaluation panel of bids and proposals, if so required, get necessary approvals and provide the necessary support to the external evaluation panel, maintain minutes of the panel meetings;
- Assist in organizing negotiation meetings, negotiating with bidders, as and when required, and prepare contract documents, for approval by the concerned authority and the IFAD;
- Manage procurements which are subject to prior review and approval by IFAD's. Support the PCO to ensure the IFAD No Objection is obtained;

- Ensure that all decisions on procurement of goods, works and services or the awarding of competitive or partial grants are fully documented and made available, as requested, through annual reports or such other format as may be deemed appropriate;
- Support Program team team in adhering GoN and IFAD rules, regulation and procedures for the value chain co-financing and infrastructure development activities.
- Manage the appropriate mechanisms of partnership with municipalities and other stakeholders and define the fund flow and contract management process in relation to the development of Market Oriented Public and Community Infrastructures.
- Update consolidated register of contracts and monitor contract on regular basis and Support PCO in contract management;
- Ensure adherence to laws, rules, procedures, decisions of the PSC and IFAD joint missions as well as directives of the government and IFAD
- Support the Program in following up on any issues related to Procurement, identified in the Supervision Mission Report and Audit Report.
- Actively monitor and ensure the progress of procurements against the applicable Procurement Plan;
- Assist the MoALD on the issues related to procurement as required.
- Professionally discharge other tasks as directed by Program Coordinator and PCO.

#### **Qualification, experience and competencies**

- Masters degree in engineering, procurement management, law or financial management with more than 5 years of professional work experiences in procurement of goods, works and services with development projects/Programs;
- Sound knowledge of Government of Nepal's Public Procurement Act, Rules and Policies
- Good interpersonal skills, networking and ability to work in a multi-disciplinary team and facilitate the working of other team members;
- Excellent communications skills - spoken and written, both in English and Nepali and possess good report writing skills;
- Proficiency with Microsoft Office Suite; and computerized accounting software

#### **Preferences will be given to**

- Candidate having experiences of handling procurement work in a development project. Knowledge of IFAD, World Bank, ADB and UN procurement rules and procedures will be highly preferred.

#### **Duty station**

- The contracted experts needs spend at least 50 percent of the total working days in a year at Program Coordination Office, Surkhet as and when assigned by PC. S/he can work from Program Liaison Office of the ASDP at Hariharbhawan, Lalitpur for the remaining working days of the year provided Program performance would not be affected. Benefits and Remuneration

#### **Salary and benefits**

- Per month remuneration of the Expert (only for 12 months per year) will be between NPR. 160,000.00 - NPR 180,000.00 negotiable and finally decided by the Program Coordinator. Tax on the salary will be applicable as per the prevailing GON rules and regulation.
- Travel and DSA will be as per the prevailing GoN rule as applied for the gazetted class II officer while traveling out of the work-station for official purpose.

**Leave**

- The contracted expert will be provided 12 days of home leave and 6 days of casual leave annually, which will not be carried on for next year. They will also be provided 12 days of sick leave per year, which if not taken, can be carried on for the following year. The unspent sick leave at the time of termination of the contract or closing of the Program will be compensated as per the existing salary scale. In addition, the contracted experts/staff will also be provided with mourning leave of 15 days, maternity leave of 60 days for women and all public holidays.

**Insurance**

- The contracted expert should have procured life insurance policy including accidental insurances. The Program will reimburse 50 % of the monthly premium for the period the staff will be working in the Program, not exceeding NPR 300 per month, upon submission of copy of insurance policy and receipts. Insurance will be a precondition to sign the contract with ASDP.

**Probation period**

- The probation period of the contracted staff will be of 6 months. The above- mentioned benefits, particularly the leave and reimbursement of the insurance premium, will be effective only for those who have successfully completed the probation period.

**Reference check**

- ASDP will also check the references from the previous employer of the potential candidates, if required.

**Supervision and administrative control**

- All the contracted staff will be accountable to the Program Coordinator, as per TOR and Financial Procedural Act, 2055, Public Procurement Act, 2063 and Regulation, 2064 and other related rules and directives. He/she will be supervised and administered by the Program Coordinator or designated personnel of the PCO/ASDP.

**Performance assessment and renewal**

- The performance assessment of the position will be based on the quality and timely completion of the tasks assigned as per ToR. Details on the indicators for performance assessment will be negotiated and agreed upon on a later stage once s/he signs contract with the ASDP. The ASDP reserves the right to terminate the contract at any time if the performance is assessed as unsatisfactory.
- The individuals' personal behavior regarding the non-compliance with ToR, undisciplined, professional misconduct with stakeholders and colleagues, sexual abuse, drunkenness, etc. are subject to cancellation of the contract at any point of time by ASDP management.
- The contract period as well as ToR are subject to revision/update annually per requirement based on planning trajectory, modification in ASDP Program design, or as recommended by Joint Reviews/Supervision Missions and lessons learned during the course of implementation.
- The contracted expert has to inform to the PCO/ASDP at least 3 months before the date he/she wants to leave the Program. If not informed, his/her salary of one month will be deducted.