



Government of the People's Republic of Bangladesh
Ministry of Planning
Implementation Monitoring and evaluation Division (IMED)
Central Procurement Technical Unit (CPTU)

Final Report

On
Post Procurement Review
Of
Bangladesh Inland Water Transport Authority (BIWTA)
Period: 2018-19

June 2020

TABLE OF CONTENTS	PAGE NO
Abbreviations	iii-iv
Executive Summary	01-02
Introduction	03-03
Background	03-03
Object of the Assignment	03-04
Scope of the Assignment	04-05
Methodology and Approaches	05-06
Limitations	06-06
Post Procurement Review Sampling	07-07
General Assessment/ Progress on Post Procurement Review	07-08
Selections of Procurement Contracts	08-10
Profile of Procurement Contracts (2018-2019)	10-11
Brief description of 3 (three) Projects	12-14
Field Visit	15-15
Procurement Management Capacity of the procuring Entities	16-18
Competition in Procurement	19-20
Findings	21-23
Recommendation	24-25
Conclusion	26-26
Annexure A-C: Post Procurement Review Templates	28-151
Photographs of three project	152-157

Abbreviations

AA	:	Approving Authority
AO	:	An Officer Authorized by HOPE
APP	:	Annual Procurement Plan
BEC	:	Bid Evaluation Committee
BOC	:	Bid Opening Committee
BIWTA	:	Bangladesh Inland Water Transport Authority
BWDB	:	Bangladesh Water Development Board
BDT	:	Bangladesh Taka
BE	:	Bid Evaluation
CPTU	:	Central Procurement Technical Unit
CSFM	:	Clearing, Storage and Movement
DPM	:	Direct Procuring Method
DL	:	Distribution List
DPP	:	Development Project Proforma
DoFP	:	Delegation of Financial Power
GOV	:	Government of Bangladesh
GCC	:	General Conditions of Contracts
EED	:	Education Engineering Department
HOPE	:	Head of Procuring Entity
HRD	:	Human Resource Development
IMED	:	Implementation Monitoring and Evaluation Division
ITD	:	Inspection and Testing Directorate
IFT	:	Invitation of Tender
ICT	:	International Competitive Tender
LGED	:	Local Government Engineering Department
LOI	:	Letter of Invitation
OSTETM	:	One stage Two Envelops Tendering Method
OTM	:	Open Tendering Method
ODA	:	Official Development Assistance
PPA	:	Public Procurement ACT
PPR	:	Public Procurement Rules

PE	:	Procuring Entity
PKg	:	Package
PD	:	Project Director
PCC	:	Particular Condition of Contracts
POC	:	Proposal Opening Committee
PEC	:	Proposal Evaluation Committee
RHD	:	Roads and Highways Department
RFT	:	Request of Tender
RR	:	Receiving Report
SE	:	Superintendent Engineer
SSTETM	:	Single Stage Two Envelope Tendering Method
STD	:	Standard Tender Document
TEC	:	Tender Evaluation Committee
TOC	:	Tender Opening Committee
TOS	:	Tender Opening Sheet
TSC	:	Technical Sub-Committee
TDC	:	Tender Data Sheet
LD	:	Liquidated Damage
LTM	:	Limited Tendering Method
MPSS	:	Material Planning, Standardization and Specification
NCT	:	National Competitive Tender
NOA	:	Notification of Award

Executive Summary

As per Section-24 of PPA- 2006 and Rules - 45 and 46 of PPR -2008 the responsibility of CPTU is to review and monitor the progress of implementation of the PPA and the PPR in procurement management in the government agencies for the procurement of goods, works and services. According to Rules - 45 and 46, the records of procurement activities of any procuring entity shall be reviewed by CPTU using own resource or by hiring independent consultants for the total procurement performed in a financial year worth at least taka 10.00 core in a PE. The procuring entity to be reviewed will be specified by the CPTU and the independent consultants will verify the compliance of the provisions of the Act and Rules taken in procurement process.

Independent consultant is assigned to review and evaluate 4 (four) procurement contracts (selected by CPTU) of each of the 3 (three) Procuring Entities (PE's) of Bangladesh Inland Water Transport Authority (BIWTA), The procuring entities are : - (a)Project Director, Capital Dredging of 53 River route in Inland Waterways (1st Phase:24 River Routes) (1st Revised) (b) Project Director, Establishment of Ferry Ghat including allied Facilities at Balashi and Bahadurabad and (c) Project Director, Establishment of River Port with allied Facilities at Nagarbari.

To achieve the objectives and perform the scope of services of the assignment, post review was conducted to the selected contracts in the format prescribed by the CPTU. Individual contract review incorporating part: -1: General information, part: -2: Compliance with Act and Rules, part: -3: Post review of works contract and part: -4: Report on physical inspection, has been annexed at Annex-A (Part- 1, Part-2, Part-3 and Part-4), Annex-B (Part-1, Part-2, Part-3 and Part-4) and Annex-C (Part-1, Part-2, Part-3 and Part-4).

Field visits were undertaken for physical inspection/verification of dredging and construction work under projects: Mahanganj-Lalitabari river route 3 Lot-3(dredging work), b-002 Lot-1 (establishment of ferry ghat), and WDN-1-Lot-1(establishment of river port) to verify the dredging and construction work executed by the concern Additional Chief Engineer² (Civil), Executive Engineer and Chief Engineer (Civil), Mahanganj, Balashi, Bhadurabad, and Nagarbari, of BIWTA. An extensive field visits could not be done due to nationwide lockdown for COVID-19.

There were many findings of the procurement contracts are unfolded. Some of those were answered by concern authorities. Some are not, this were: 1) The contract file was not prepared with required records and document as per rule 4(7) of the PPR-2008. 2) Checklists showing the time spent at each stage of procurement contracts/schedule of activities were not maintained fully as per Rule - 8(17)(18) and schedule-IV of the PPR-2008. 3) Excessive evaluation time has been taken for package b-004-Lot-1 (24 days), b-006-Lot-1 (29 days), WDN-1-Lot-1 (83 days), WDN-2-Lot-1(83 days), WDN-3-Lot-1 (128 days). 4)There were no provisions of insurance for dredging and construction equipment and workers in tender document. 5)Publication of tender notice in all edition of the well circulated daily newspapers on the day of publication was not done as per Rule - 90(2)(d) of the PPR-2008. 6)The procurement contracts do not contain required records and documents as per Rule - 43(3) of the PPR-2008. 7)Records of sending notification of award for contract for Publication in CPTU's website and PE's website was not done as per Rule - 37(2) of the PPR-2008. 8) The contract agreement is only 03-04 pages. It does not contain required documents as per Rule - 38 and 39 of the PPR-2008. 9) The contract time extension was done due lengthy land acquisition process and dry

season for Package: b-002 Lot-1, b-003 Lot-1(p-3), b-004, Lot-1, b-006, Lot-1. 10) Official Cost estimate was done on previous costing, not on present market price. 11) Procurement documents were not sent to the Zone office. 12) Less Number of officials of PE were involved in procuring training. 13) Almost all the contract done at the price of 10% less than official estimate. 14) Due to the dispute over the boundaries of the river and for the dry season dredging work could not be started in schedule time. 15) For land acquisition problem, construction work may not start at the right time.

The recommendations for improvement are stated as: 1) To be maintained properly include all required records and documents as per Rule - 4(7) of the PPR-2008. 2) The time spent at each stage of procurement contract/schedule of the activities to be maintained as per Rule - 8(17) (18) and as schedule-IV of PPR-2008. 3) Step to be taken to complete the evaluation in time, as per Rule -36(6), schedule-III, Part-A of the PPR-2008. 4) Steps to be taken to sign the contract within the initial tender validity time. 5) The un-successful bidders are to be notified the refund of their Bank Guarantee in time after the contract sign with the successful bidder as per Rule - 35 (1)(2)(3) of the PPR-2008. 6) Insurance coverages are to be kept by contractor for equipment and workers. 7) To ensure competition the publication of tender notice in all edition of well circulated daily newspapers to be done on the day of publication as per Rule - 90(2)(d). 8) Records and required documents of procurement contracts should include required file as per Rule - 43(3) of the PPR-2008. 9) The notification of award (NOA) for contracts are to be published in CPTU's website as per Rule -37(2) of the PPR-2008. 10) The contract agreement should be very specific as per Rule 38 and 39 of the PPR-2008. 11) Necessary procurement document should be sent to zone office at the right time. 12) The Annual Procurement Plan with cost estimate should be updated on a quarterly basis as per Rule – 16(10) of the PPR-2008. 13) The official estimate, must be prepared on local market price, not on previous price. 14) The lengthy process for government land acquisition should be minimized.

It is believed that BIWTA will follow the recommendation to improve/correct identified deficiencies in order to carry out the compliance of provisions of the Act and Rules in their procurement process.

Chapter One

1.1 Introduction:

As per Section-24 of PPA-2006 Rules - 45 and 46 of PPR-2008, CPTU is entrusted with a responsibility to review and monitor the progress of implementation of the PPA and the PPR in procurement management in the Government agencies for the procurement of goods, works and services and to inform the Government about its recommendation for remedial measures concerning adherence to the relevant Rules. According to Rules - 45 and 46, the records of procurement activities of any procuring entity shall be reviewed by CPTU using own resources or by hiring independent consultants for the total procurement performed in a financial year worth at least take 10.00 core in a PE. the procuring entity to be reviewed will be specified by the CPTU and the independent consultants will verify the compliance of the provisions of the Acts and Rules taken in the procurement process.

1.2 Background:

Post procurement review is the process for reviewing procurement processes. This review aims to ensure that the procurement processes comply with the PPA-2006 and PPR-2008 as well as project aids rules and regulations. This post review discusses the method for determining the most appropriate type of review applicable to specific contracts under a project based on the project procurement contract values, complexity, and highlights other factors to consider in performing each type of review. An effective procurement review may increase efficiency and reduce procurement time. Appropriate use of post review reduces procurement times by removing the need for prior review of each main step in the procurement process. Procurement reviews avert additional delays that may result from insufficient identification and handling of procurement hazards and non-compliance. The procurement reviews identify hazards and deficiencies in the PPA-2006 and PPR-2008 and borrower's procurement processes and recommend ways to mitigate them, thereby reducing hazards of future non-compliance or project failure.

1.3 Objectives of the Assignment:

The background, objectives and scope of services of the post procurement review have been comprehensively described in the TOR which is the part of the contract agreement.

The overall objective of the assignment is to check the compliance of the provisions of PPA-2006 and PPR-2008 in the procurement process through reviewing the records and other necessary documents related to the sample contracts. The specific objectives as specified by CPTU are to:

- 1) Determine whether the procurement processes and contracting proceedings are in accordance with the Public Procurement Act and Rules;
- 2) Review whether STD is followed and tender document is prepared in line with the act and rules;

- 3) Assess the extent to which value-for-money is being achieved in the procurement process as required by the procuring entities;
- 4) Review and assess the capacity of the Procuring Entity in handling procurement from preparation to contract implementation and documents are maintained as per Rules and required standards;
- 5) Review and assess that the procurement made are being used for the intended purpose;
- 6) Identify improvements in the procurement contracting in the light of deficiencies identified during the earlier review; and
- 7) Any other issues that may appear pertinent.

1.4 Scope of the Assignment:

The scope of the assignment is reviewing and evaluating 4 (four) procurement contracts made by the 3(three) procuring entities (PE's) of BIWTA in the financial year 2018-2019. The 3(three) Procuring Entities as specified by CPTU are: -

- 1) Project Director, Capital Dredging of 53 River route in Inland Waterways (1st Phase:24 River Routes) (1st Revised)
- 2) Project Director, Establishment of Ferry Ghat including allied Facilities at Balashi and Bahadurabad
- 3) Project Director, Establishment of River Port with allied Facilities at Nagarbari

Therefore, the main tasks are to:

- a) Verify the procurement and contracting proceeding executed by the procuring entities and identify non-compliance with the procurement Act and Rules;
- b) Verify whether PEs have used Standard Tender Documents (STD) in its procurement content and put necessary information in tender data sheet and other formats correctly.
- c) Verify, to the extent possible, whether the goods, works and consulting services contracted were supplied and/or completed according to the required specifications and technical standards;
- d) Identify in appropriate practices or questionable discussions and/or actions;
- e) Verify whether documents and the record keeping systems that are in place are adequate for ensuring post review requirements;
- f) Verify whether goods and works exist at intended locations and are being used for the purposes they were acquired;
- g) Recommend remedies to correct the identified deficiencies.

To achieve the objectives and perform the scope of services of the assignment, postreview will be conducted on the project files with special focus on the following aspects documentation and procedures of PE's

- 1) Procurement plan
- 2) Pre/Post qualification
- 3) Tender /RFP Document

- 4) Advertisement
- 5) Tender opening
- 6) Formation of TEC/PEC and TOC/POC
- 7) Tender / proposal evaluation
- 8) Approval of Tender/Proposal
- 9) Contract Award
- 10) Completion of Contract
- 11) Complain and appeal
- 12) Contract Amendment
- 13) Procurement management Capacity
- 14) Fraudulence and Corruption
- 15) Maintain of Procurement related file

1.5 Methodology and Approaches: -

The strategic approach has some dimensions to the implementation of the assignment. These are:

- 1) To meet with the Chairman BIWTA (HOPE), member BIWTA, Project Directors of three selected projects and discuss with them about the objectives and legal obligation of the post procurement review.
- 2) Visits to three PD offices and to obtain annual procurement plan, lists of the procurement contracts made by the three procuring entities in the financial year 2018-2019, names of concerned officials and staff and other information the contract.
- 3) Make a tentative work plan for the assignment.
- 4) To select four procurement contracts from each of the three Procuring Entities taking care of the main considerations provided by CPTU as broad guidelines for selection.
- 5) Undertake documentary review of the selected procurement contracts in specified formats for goods works and services at the PD offices.
- 6) Undertake review of the selected sample procurement contracts for the works processed and implemented by the concern SE offices under three PD.
- 7) Undertake physical inspection at SE office and the implementation site.
- 8) Preparation of the post procurement review report.

Deliverables:

- 1) Preparation and submission of inception report.
- 2) Preparation and submission the 1st draft report
- 3) Preparation and submission of draft final report
- 4) Organizing workshop in cooperation with CPTU
- 5) Submission of final report.

In undertaking this assignment, the participatory approach has been adopted involving consultations and constructive engagement with all key stakeholders at all levels namely,

District Commissioner Office or village officials, beneficiaries, community members, private sector providers, and any other relevant persons identified during the progress of the assignment. This participatory and consultative approach have been ensured effective communication with all the stakeholders at all levels especially the BIWTA and implementing agencies at the lower level. The approach also has been tried to achieve common understanding of the assignment at hand, emphasizing the roles and responsibilities of each and having regular communication and sharing of findings through sharing as well as receiving and jointly agreeing on programmers of work. The above approach to Value for Money assessment should lead the consultants to be identified weaknesses in the way present procedures are applied and be able to provide recommendations and way forward.

The approaches suggested above recognize international best practices as enshrined in the Governments own laws, procedures and regulations regarding procurement of goods and services where the following key principles are followed:

- Policy and fair dealing
- Accountability and transparency
- Equity or social safeguards
- Open and Fair competition
- Value for money

1.6 Limitation for Post Procurement Review:

There are few limitations were faced to performed in the Post Procurement Review:

- 1) Proper field visit was less for COVID-19.
- 2) Office staff were not available due to COVID-19.
- 3) Contractual clauses could not be performed by contractors due to nationwide lockdown.
- 4) Transportation was limited due to government embargo for COVID-19.
- 5) Nonattendance of BIWTA representative in coordination meeting at CPTU.

However, PE's office supported a lot of cordially to conduct the post procurement review. In spite of the above-mentioned limitations, the post procurement review was conducted with the help of officers of the BIWTA.

Chapter Two

2.1 Post Procurement Review Sampling

The sampling methodology is based on the value, nature, and distribution of post review contracts and the project's procurement and integrity risks, including the capacity of the agencies and its executing and implementing agencies. The sampling methodologies covered contracts amounting to a representative range of the total number of transactions covered by the project procurement plan in terms of value and number, but including in the sample the review of all types of contracts identified in the plan. Contracts chosen for post review are based essentially on a stratified random sampling process.

Variables to consider when creating groups of similar contracts for post review

1. Value of contracts
2. Nature or type of contracts
3. Distribution of contracts
4. Procurement risks
5. Integrity risks

2.2 General Assessment on Post Procurement Review

Organization Profile of Bangladesh Inland Water Transport Authority (BIWTA)

The Bangladesh Inland Water Transport Authority (BIWTA) is set for development, maintenance, and control of inland water transport and of certain inland navigable waterways. At first, BIWTA has a few departments to manage and operation of all activities. But the Authority in 1973 June separated all functions and created the different departments.

There are some department under the Bangladesh Inland Water Transport Authority (BIWTA) which are as follows:

- Ports and Transport department
- Engineering department
- Dredging department
- Conservancy and Pilotage
- Hydrography department
- Ports and Traffic department

In the FY: 2018-19 the total procurement value of BIWTA is TK. 258192.00 lac only and total procurement contract is 40. The selected procurement value is TK. 27,703r.79 only out of total TK. 258192.00 lac only and total procurement contract is 11 out of 40 which is covered 11.25 % of procurement value and 27.5% of procurement contracts respectively as sampling. The project capital dredging of 53 river-route in inland waterways (1st Phase:24 river routes) (1st revised) four contracts under reviewed which cover 16.67 % of the total 24 contracts. The selected contracts cover 5.39 % amounting TK 10,362.93 lakh in respect of the value of total

procurement amount of TK. 192300 lakh. The project establishment of ferry ghat including allied facilities at Balashi and Bahadurabad four contracts under reviewed which cover 40% of the total 10 contracts. The selected contracts cover 20.73% amounting TK 3007.04 lakh in respect of the value of total procurement amount of TK. 14502 lakh and the project establishment of river port with allied facilities at Nagarbari three contracts under reviewed which cover 50% of the total 06 contracts. The selected contracts cover 27.89% amounting TK 14,333.82 lakh in respect of the value of total procurement amount of TK. 51390 lakh.

2.1 Selection of Procurement Contracts:

The list supplied by the Project Director/Procurement Entities BIWTA, The Following 11 contract has been selected from 3 PE's for post procurement review on the following criteria:

- High value, medium value, low value of the contract
- OTM, DPM, LTM, e-GP etc.
- Goods, works and service etc.
- NCT and ICT tendering.
- Location of implementation of contract.

A. Project Director, Capital Dredging of 53 River-route in Inland Waterways (1st Phase:24 River Routes) (1st Revised)

Sl No.	Contract Pkg. No.	Description of Procurement	Contract Price (lakh Taka)	Method/type	Nature of PE
01	WD-Dilalpur-Nikil-Netrokona	Dredging work by cutter suction dredger and Excavator for Developing Navigability of Dilalpur – Ghoradigha – Chamraghut - Netrokona Atpara to Netrokona river route-2	2691.00	OTM (NCT)	PD Office
02	WD-Narsingdi-Belabo	Dredging work by cutter suction dredger and Excavator for Developing Navigability of Norshingdi (Bhairab) – Belabo- Katiadi river route-3	2295.33	OTM (NCT)	PD Office
03	Mahanganj - lalitabari river route 3	Dredging work by cutter suction dredger and Excavator including dredging related works for developing Navigability of Mahanganj – lalitabari river route Package - 3	2681.19	OTM(NCT)	PD Office
04	Mahanganj-Netrokona river route 4	Dredging work by cutter suction dredger and Excavator including dredging related works for developing Navigability of Mahanganj – lalitabari river route Package - 4	2695.41	OTM(NCT)	PD Office
Total TK.=			10,362.93		

Four (4) contracts under reviewed to Cover **16.67 %** of the Total **24** contracts. The selected contracts cover **5.39 %** in respect of the value of total procurement amount of **TK. 192300 lakh.**

B. Project Director, Establishment of Ferry Ghat including allied Facilities at Balashi and Bahadurabad

Sl No.	Contract Pkg. No.	Description of Procurement	Contract Price (lakh Taka)	Method/type	Nature of PE
01	b-002 Lot-1	Construction of Parking Yard and BIWTA office, Waiting Shed, Store room, Rest room, Pump house, Toll Both, Pilot House, Police House, Toilet Complex, Driver Shed including Toilet, Restaurant, Weigh bridge, Control room, sub-station room, Fire service barrack, Ansar barrack, Staff barrack, Generator room, Garage, BITWA office Payer room and Building at Balashi and Bhadurabad	2095.19	OTM(NCT)	PD Office
02	b-003 Lot-1(p-3)	Construction of Boundary and Fencing wall and slope protection of parking yard at Balashi and Bhadurabad	553.68	OTM(NCT)	PD Office
03	b-004, Lot-1	Construction of Ferry Ghat and Adjustment for operation during Project period at Balashi and Bahadurabad	228.58	OTM(NCT)	PD Office
04	b-006, Lot-1	Construction of Steel jetty (With shed) and Steel spud at Balashi and Bahadurabad	129.59	OTM(NCT)	PD Office
Total TK.=			3007.04		

Four (4) contracts under reviewed to Cover **40%** of the total **10** contracts. The selected contracts cover **20.73%** in respect of the value of total procurement amount of **TK. 14502 lakh.**

C. Project Director, Establishment of River Port with allied Facilities at Nagarbari

Sl No.	Contract Pkg. No.	Description of Procurement	Contract Price (lakh Taka)	Method/type	Nature of PE
01	WDN-1-Lot-1	Construction of RCC jetty and Access Road at Nagarbari	8984.66	OTM(NCT)	PD Office
02	WDN-2-Lot-1	Construction Bank Protection / Revetment Structure at Nagarbari	3553.10	OTM(NCT)	PD Office
03	WDN-3-Lot-1	Construction of Administrative Building, Inspection Banglo, Dormitory, Pilot House, Pump House, Generator room, Store room, Guard room, Mosque, Boundary Wall, Fencing, Gate, Water Connection and Sewerage, Drainage, Deep Tube Well, Electrical work, Land Development and other related works at Nagarbari	1796.06	OTM(NCT)	PD Office
Total TK.=			14,333.82		

Three (3) contracts under reviewed to Cover **50%** of the total **06** contracts. The selected contracts cover **27.89%** in respect of the value of total procurement amount of **TK. 51390 lakh**.

2.2 Profile of Procurement Contracts (2018-2019):

The profile of procurement contracts showing (a) category of procurement (b) method and type and (c) summary of individual contract review in prescribed format (goods, works, and services) is listed below:

a) Category:

Name of PE	Total Contract No		Goods		Works		Services		Number Review ed
	Total (No.)	Review ed (No.)	Total (No.)	Review ed (No.)	Total (No.)	Review Ed (No.)	Total (No.)	Review ed (No.)	
Office of the chief Engineer (Civil), Dhaka	24	04	-	-	24	04	-	-	04
Office of the Executive Engineer Aricha Sub - Division Engineering Dept. Manikgonj	10	04	-	-	10	04	-	-	04
Office of the Additional Chief Engineer2 (Civil), Dredging Dept. Dhaka	06	03	-	-	06	03	-	-	03

b) Method / Type:

Name of PE	OTM		DPM		ICT		NCT		SSTETM	
	Total (No.)	Review ed(No.)	Total (No.)	Review ed(No.)	Total (No.)	Review ed(No.)	Total (No.)	Review ed(No.)	Total (No.)	Review ed(No.)
Office of the chief Engineer (Civil), Dhaka	24	04	-	-	-	-	24	04	-	-
Office of the Executive Engineer Aricha Sub -Division Engineering Dept. Manikgonj	10	04	-	-	-	-	10	04	-	-
Office of the Additional Chief Engineer2 (Civil), Dredging Dept. Dhaka	06	03	-	-	-	-	06	03	-	-

Summary of individual contract review format (Goods, Works, and Services):
(Value in lakh Taka)

Sl. No	Procuring Entity ID and Name	Total Procurement						Contracts Reviewed (Million/Taka)					
		No	Value in Taka/ Million	Total				Goods/Works					
								OTM		DPM		SSTEM	
				No	%	Value	%	No	Value	No	Value	No	Value
1.	Office of the chief Engineer (Civil), Dhaka	24	1923	04	16.67	103.62	5.39	04	103.62	-	-	-	-
2.	Office of the Executive Engineer Aricha Sub - Division Engineering Dept. Manikgonj	10	145.02	04	40	30.07	20.73	04	30.070	-	-	-	-
3.	Office of the Additional Chief Engineer2 (Civil), Dredging Dept. Dhaka	06	513.90	03	50	163.33	27.89	03	163.33	-	-	-	-

Chapter Three

3.0 Brief description of 3 (three) Project:

3.1 Name of project: Capital dredging of 53 river-route in inland waterways (1st phase:24 river routes) (1st revised)

3.1.1 Background: Bangladesh is closely related to water. Because of this relation, shipping services have played an important role in our economy and transportation system. So, Bangladesh Government has taken an extensive plan for dredging the river routes. The project will support the navigability of Mymensingh and Dhaka divisions.

3.1.2 Completion Time: The project period is January 2012 to June 2021. Under this project the related 4 packages works started January 2019 with the target to finish by December 2020. The physical progress of the Project as now is about 73% and expected to complete 95% by 2020.

3.1.3 Cost of the Project:

Project cost	:	192300.00 lakh Taka
GOB	:	192300.00 lakh Taka
4 (four) packages Cost:		
Total	:	10,362.93 lakh Taka
GOB	:	10,362.93 lakh Taka

3.1.4 Geographical Area: This project covers river route under Monohorpur, Netrokona and Isorkhola, Salukanda, Mymensingh and Botchapa, Narsingdi and Krishnapur, Kishoreganj.

3.1.5 Major Component of the Project:

- I. A total of 996 lakh cubic meters of dredging in 24 waterways.
- II. To develop the navigability of 2386 km waterways.
- III. Fill the lowland area with soil.

3.2 Name of project: Establishment of ferry ghat including allied facilities at Balashi and Bahadurabad

3.2.1 Background: Bangladesh is closely related to water. Because of this relation, the ferry services have played an important role in our economy and transportation system. So, Bangladesh Government has taken an extensive plan to add more ferry ghat in Bangladesh.

This project will help to prepare for the new economic zone in rangpur and mymensingh division.

3.2.2 Completion Time: The project started march 2019 with the target to finish by 31 december 2020. The physical works of the projects as of now is about 65%, so it will be possible to close the project by 30 december 2020. but now project time extended till 30 june 2021.

3.2.3 Cost of the Project:

Project cost	:	14502.00 lakh Taka
GOB	:	14502.00 lakh Taka
4 (four) packages Cost:		
Total	:	3007.04 lakh Taka
GOB	:	3007.04 lakh Taka

3.2.4 Geographical Area: This project covers balashi, gaibandah and bahadurabad, jamalpur in Bangladesh.

3.2.5 Major Component of the Project:

- I. Construction of parking yard and ferry ghat.
- II. Construction of BIWTA Office, Sub-station Room.
- III. Construction of police barrack, ansar barrack, staff barrack and fire service barrack.
- IV. Construction of store room and generator room

3.3 Name of project: Establishment of river port with allied facilities at Nagarbari

3.3.1 Background: The broad objective of the project is to boost up the economic development, better communication system and reducing rural poverty. In order to achieve this objective BIWTA undertake a project under the name of establishment of river port with allied facilities at nagarbari. The specific task of this project is to build the river port, bank protection and administrative building in Nagarbari. There is already a temporary ghat set up and operations are being conducted.

3.3.2 Completion Time: The project started october 2019 with the target to finish by 31 march 2021. The physical works of the projects as of now is about 20.5%.

3.3.3 Cost of the Project:

Project cost	:	51390.00 lakh Taka
GOB	:	51390.00 lakh Taka
3 (three) packages Cost:		
Total	:	14,333.82 lakh Taka
GOB	:	14,333.82 lakh Taka

3.3.4 Geographical Area: This project covers nagarbari ghat,pabna in rajshahi division.

3.3.5 Major Component of the Project:

- I. RCC jetty and access Road
- II. Bank protection/revetment structure
- III. Construction work for highways, airfields and railways
- IV. Administrative building, inspection banglo
- V. Electrical installation work

Chapter Four

4.0 Field Visit of PE's Office:

The intimation letter has given to BIWTA for conducting post procurement review under the sample basis of three PE's for the year of 2018-19. According the discussions, PE's office has been visited and requested PE to nominate a contact person whom will be communicated regularly to conduct the post procurement review work.

The required information has been collected regarding all contract documents, tender documents, related annual procurement plan (APP), official estimate cost, notification of award (NOA), tender opening report, tender evaluation report, formation of tender opening committee (TOC), tender evaluation committee (TER), invitation for tender (IFT), pre-tender meeting minutes, clarification, any complaint, approval of all reports and committee as well as financial as per DoFP regarding the selected 11 packages.

By scrutinizing all documents and discussion, post procurement review has been performed and also fills up the relating contract forms from selected 11 procurement packages.

Chapter Five

5.0 Procurement Management Capacity of the Procuring Entities:

Bangladesh Inland Water Transport Authority (BIWTA) is a big organization expanding its activities in all over the Bangladesh. Each of the selected procuring entities has to spend every year a huge amount of money for procurement of goods works and services. Procurement management capacity of the procuring entities is described below:

a) Project Director, Capital Dredging of 53 River-route in Inland Waterways (1st Phase:24 River Routes) (1st Revised)

In the financial year 2018-2019, 24 (Twenty-Four) number of procurement agreements of goods, works and services were awarded by the PE. Total contract value of amount of BDT 1923 million. The PD is Mr. Saidur Rahman. He joined this project in November 2018. The PE has one Deputy Project Director (DPD) (Superintending Engineer), two Executive Engineers, three assistant Engineers, six sub-assistant Engineers, six technical assistant, four computer operators to assist him in procurement management (project total 66 persons).09 (Nine) official receive training on procurement (PPR). PE has one Deputy Director Finance under him for keeping accountants and bill payments.

Procurements of works are done by the PE. But the allocation and distribution of works to the contractor are done by the Material Planning, Standardization and Specification Director (MPSS). The works are received by the concerned Additional Chief Engineer2 (Civil) and the contractor as per allocation letter issued by the MPSS Directorate. Before delivery or receive, pre-delivery inspection and/or post-leading inspection are carried out by the inspection and the technical team organized by Chairman BIWTA (HOPE). Final payments are made by the Finance Directorate under PD with the approval of the procuring entity.

b) Project Director, Project Director, Establishment of Ferry Ghat including allied Facilities at Balashi and Bahadurabad

In the financial year 2018-2019, 10 (Ten) number of procurement agreements of goods, works and services were awarded by the PE, total contract value of amount of BDT 14502 million. The PD is Mr. Nizam Uddin Pathan. He joined this project in January 2019 and start the work. The PE has one Deputy Project Directors (Executive Engineer), one Deputy Director Technical (xen), one Deputy Director (DD) Finance, one Assistant Engineers, one Sub-Assistant Engineer (SAE), one accountant, two data entry operators, two office peons to assist him in procurement management. 08(Eight) official receive training on procurement (PPR). PE Has one Deputy Director Finance under him for keeping accountants and bill payments.

Procurements of works are done by the PE. But the allocation and distribution of works to the contractor are done by the Material Planning, Standardization and Specification Director (MPSS). The works are received by the concerned Executive Engineer and the contractor as per allocation letter Issued by the MPSS Directorate. Before delivery or receive, pre-delivery inspection and/or post-leading inspection are carried out by the inspection and the technical team organized by Chairman BIWTA (HOPE). Final payments are made by the Finance Directorate under PD with the approval of the procuring entity.

c) Project Director, Establishment of River Port with allied Facilities at Nagarbari

In the financial year 2018-2019, 06 (Six) number of procurement agreements of goods, works and services were awarded by the PE. Total contract value of amount of BDT 513.90 million. The PD is Mr. Mohidul Islam. He joined this project in May 2019 and start the work. The PE has one Deputy Project Directors (Executive Engineer), one Deputy Director Technical (xen), one Deputy Director (DD) Finance, one Assistant Engineers, one Sub-Assistant Engineer (SAE), one accountant, two data entry operators, two office peons to assist him in procurement management. 08(Eight) official receive training on procurement (PPR). PE Has one Deputy Director Finance under him for keeping accountants and bill payments.

Procurements of works are done by the PE. But the allocation and distribution of works to the contractor are done by the Material Planning, Standardization and Specification Director (MPSS). The works are received by the concerned Chief Engineer (Civil) and the contractor as per allocation letter Issued by the MPSS Directorate. Before delivery or receive, pre-delivery inspection and/or post-leading inspection are carried out by the inspection and the technical team organized by Chairman BIWTA (HOPE). Final payments are made by the Finance Directorate under PD with the approval of the procuring entity.

It is to mention head that procurement of “Dredging and Construction works contract” of above three projects are done by the concern Additional Chief Engineer² (Civil), Executive Engineer and Chief Engineer (Civil), Project, Zone office which under control of CE (project). Advertisement opening and evaluation are carried out in the CE (project) zone office. The evaluation report of the TEC is forwarded to PE approval. PE forwarded the evaluation report to Charmin BIWTA (HOPE) for the approval. After approval, CE Zone Office Signs the contract agreement and issues a work order execution of construction works. Supervision of dredging and construction works is carried out by the consulting firm appointed by the BIWTA. The Executive Engineer and Assistant Engineer of the CE Zone office also supervise contractual works. Completion certificate is given by the local engineer of the consulting firm and approved by the Executive Engineer CE (project) Zone office. The bills of work are sent to the PE for approval and payment. Finally, PE made payment for the work executed by concerned CE.

5.2 Time Management:

Generally, the project is implementing in time except for the project Establishment of Ferry Ghat including allied Facilities at Balashi, and Bahadurabad. Time is extended for this project due to the lengthy land acquisition process for this project.

5.3 Coordination between PE and Field:

Standard coordination between PE's and field work has been done for all the three projects. Regular coordination meeting and site visit has been done to run project work smoothly.

5.4 Monitoring:

Regular monitoring has been done for all three projects by collecting data every day from every worksite and then evaluating those data by PE offices.

5.5 Delegation of financial power:

Delegation of financial power (DoFP) has been exercised for the three projects. PD, PE, Chairman BIWTA, Ministry has been exercised delegation of financial power step by step for the three projects according to the rule and regulation.

Chapter Six

6.0 Competition in Procurement:

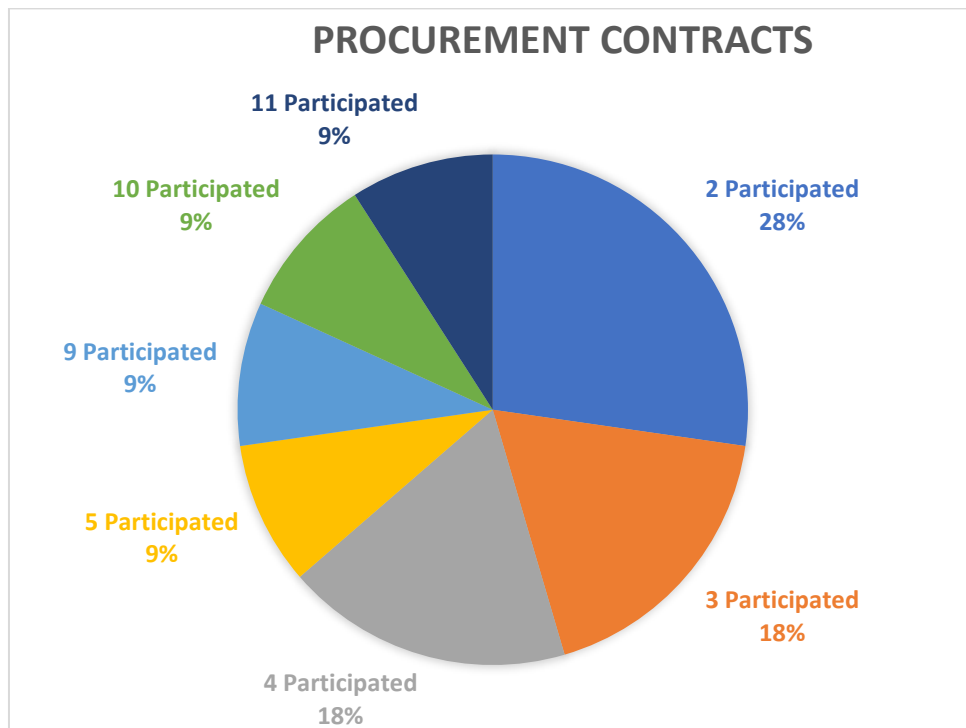
Number of sales of tender documents, number of advertised in newspaper, number of tenderers participated and number of responsive tenderers are shown below:

SL.NO	Cont. PKg.no	Adds (Newspaper)	T doc. Sold	No. Participated	Responsive (no)	Cont. Price (higher or lower)
1	Mahanganj-Nalitabari river route 3	01	05	04	03	9.99% lower than the estimated price
2	Mahanganj-Nalitabari river route 4	01	04	03	02	10% lower than the estimated price
3	WD-Dilalpur-Nikil-Netrokona	01	04	04	03	10% lower than the estimated price
4	WD-Narsingdi-Belabo	01	03	03	03	9.99% lower than the estimated price
5	b-002	01	02	02	02	10.01% lower than the estimated price
6	b-003	01	02	02	02	10.01% lower than the estimated price
7	b-004	01	06	05	02	10.01% lower than the estimated price
8	b-006	01	03	02	02	10% lower than the estimated price
9	WND-1	03	19	09	06	10.01% lower than the estimated price
10	WND-2	04	20	11	05	10.02% lower than the estimated price
11	WND-3	03	25	10	05	10.01% lower than the estimated price

From the above table, we get a summarized table and pie chart that are below:

No. Participated	Cont. Procurement Contracts
02	03
03	02
04	02
05	01
09	01
10	01
11	01

From the above table it appears that out of 11 procurement contracts PKg 2 participated in 3 procurement contracts PKg, 3-5 tenderers participated in 5 procurements contracts PKg, 9-11 tenderers participated in 3 procurement contracts PKg.



Chapter Seven

7.0 Findings:

Strengths, deficiencies, non-compliance with the procurement Rules and acts and comments and recommendations have been described while reviewing individual procurement contracts and are annexed as Annex -A, Annex-B and Annex -C. The common findings are described below:

7.1 Strengths:

1. Procuring Entities (PE) made Annual Procurement Plan (APP) with approval of Chairman, BIWTA (HOPE).
2. PEs processed all procurements through e –GP.
3. Advertisement given at least in one Bengali and one English national newspaper as per Rule - 90(2)(d) of the PPR-2008.
4. Tender notice is published of CPTU and PE website as per Rule-90 (2) of PPR-2008;
5. Procuring Entities used Standard Tender Documents (STD) of CPTU procurement and put necessary information in Tender Data Sheet (TDS) and other formats.
6. Tender Opening Committee (TOC) and Tender Evaluation Committee (TEC) were formed as per Rule-7 and 8(1), schedule-II of the PPR-2008 and e–GP guide line.
7. TEC completed evaluation in time for 55% contract packages as per Rule 98 (3) (d) of the PPR-2008.
8. NOA issued in time within 7 days from approval of award decision as per Rule – 36(4)(a), schedule-II of the PPR-2008
9. Procurement contract agreement were signed in time within 28 days from NOA issue as per Rule -102(11), schedule-II of the PPR-2008.
10. Above 45% of officials of the procuring entities involved in procurement, received training on PPR and e - GP.
11. Contract was signed before the start time mentioned in APP for two of the contract packages (17%). These are, WD-3 and b-006.

7.2 weaknesses:

7.2.1 Non- Maintenance of Records and Documents:

The following documents were not found:

1. The records and documents which are not found in the contract files are:(a) The signed Form of Contract Agreement (b) The Notification of award (c) The Completed Tender (d) Particular Conditions of Contract (e) General Condition of Contract (f) Technical Specifications (g) The General Specifications (h) Drawings (i) Bill of Quantities (j) Schedule of Day works (k) Other document including correspondences listed in the PCC as per Rule 4(7) of the PPR-2008.
2. The procurement record does not contain: (a) Original copy of advertisement in the newspaper with all edition (b) Copy of the original cost estimate with data for a particular contract (c) Delivery receipt, completion reports and management book for works, record book (d) Acknowledgment receipt of other relevant document for

payment (e) Acknowledgment receipts of payment by the contractors were not prepared as per Rule - 43(3) of the PPR-2008

3. Records of sending notification of award for contract for Publication in CPTU's website and PE's website was not done as per Rule - 37(2) of the PPR-2008.
4. The contract agreement is signed as per format of STD but it is only 03-04 page .This contract does not contain: (a) The notification of award (b) Complete tender (c) Particular condition of contract (d) General condition of contract (e) Technical specification (f) Drawing (g) Price schedules and schedules of requirements and (h) Other documents including correspondence listed in the PCC with signature of both the parties in every page of the contract agreement as per Rule - 38 and 39 of the PPR-2008.

7.2.2 Non-compliance with Acts and Rules:

1. Checklists showing the time spent at each stage of procurement contracts/schedule of activities were not maintained fully as per Rule - 8(17)(18) and Schedule -IV of the PPR-2008.
2. Tender notices were not published in widely circulated daily newspapers (i. e Daily Star, Prothom-alo, Financial express etc.) to ensure competition as per Rule - 90(2)(d) of the PPR-2008.
3. Evaluation time were not maintained fully for 45% of contract packages as per Rule-36(6), Schedule-III, Part-A of the PPR-2008.
4. The Notification of Award (NOA) for contracts were not published in CPTU's website as per Rule-37(2) of the PPR-2008.
5. The un-successful bidders were not notified with the refund of their bank guarantee in time, after the contract sign with successful bidder as per Rule 26 of the PPR-2008 and PPA section 53 and 63.
6. Some of contracts award are not made within the initial tender validity period according to the Rule - 19 of PPR-2008 (WDN-1-Lot-1, WDN-2-Lot-1, WDN-3-Lot-1).

7.3 Delay in dredging and construction works:

7.3.1 Delay survey for dry season:

At times due to the dispute over the boundaries of the river, dredging work for capital rivers could not start in schedule time. Again, for dry season sometimes it becomes difficult to fix the dredger for dredging. So as a whole it takes around 6 -7 months more to complete the task. It happened in case of around 36% of total contract packages.

7.3.2 Delay survey for land acquisition:

The land acquisition of any government project becomes an important issue. Government offices take more time for this. Lengthy acquisition process is the main cause of delay. For this reason, construction could not start at the right time for establishing river port at Nagarbari. It's around 27% of total contract package.

7.4 Updated APP:

The annual procurement plan with estimated cost was not updated on a quarterly basis as per Rule 16(10) of PPR-2008.

7.5 Official cost estimation (OCE):

Official Cost estimation was done on previous costing, not on local current market price.

7.6 Three contract signed with same firm:

Three of the contract packages (27%) of same project is signed with same firm i.e S S Rahman International. These are, b-002, b-003, b-004.

7.7 Weak Competition:

Some of the selected procurement contracts competition were weak. Here 02 bidders participated in 03 contract, 03 bidders participated in 02 contract, 04 bidders participated in 02 contract, 05 bidders participated in 01 contract, 09 bidders participated in 01 contract, 10 bidders participated in 01 contract and 11 participated in 01 contract. In last three contracts participated 9,10 and 11 bidders but responsive only 6, 5 and 5 tenders.

7.8 Excessive evaluation time:

Excess evaluation time has taken for package b-004-Lot-1 (24 days), b-006-Lot-1 (29 days), WDN-1-Lot-1 (83 days), WDN-2-Lot-1(83 days), WDN-3-Lot-1 (128 days), which is 45% of total contract. As a result, it exceeded more than 200 days from IFT to contract sign.

7.9 Problem for excessive evaluation time:

If the tender evaluation steps take more time, then it creates a problem for bidders. Because they give offer for a particular price of the market considering not more than 90 days. If the evaluating time exceeded 200 days then bidders may be faced problems in their business. The reason for the problem is the increase in the market price of a particular product.

7.10 Documents sending to zone office:

Procurement documents were not sent to the Zone office.

7.11 Insurance:

There were no provisions of insurance for dredging and construction equipment and workers kept by contractor at any level as per tender requirement.

7.12 Contract concluded on 10% less price of official estimate:

Almost all the contract done at the price of 10% less then official estimate.

7.13 Time extension:

The contract time extension was done due lengthy land acquisition process and dry season for Package: b-002 Lot-1, Package: b-003 Lot-1(p-3), Package: b-004, Lot-1, Package: b-006, Lot-1.

7.14 Social and environmental issued are not address:

Dredging waste and construction dust are creating a direct impact on human body and environment by health hazard and pollution.

7.15 Overall delay:

Due to the COVID-19, a wide range of delay will be there for not getting workers, materials, administrative support, etc.

Chapter Eight

8.0 Recommendation:

The recommendations for improvement are stated below:

- 1) All contracts file to be maintain properly including:(a) The signed Form of Contract Agreement (b) The Notification of award (c) The Completed Tender (d) Particular Conditions of Contract (e) General Condition of Contract (f) Technical Specifications (g) The General Specifications (h) Drawings (i) Bill of Quantities (j) Schedule of Day works (k) Other document including correspondences listed in the PCC as per Rule - 4(7) of the PPR-2008.
- 2) The time spent at each stage of procurement contract/schedule of the activities to be maintained as per Rule - 8(17) (18) and as schedule-IV of PPR-2008.
- 3) Step to be taken to complete the evaluation in time, as per Rule -36(6), schedule-III, Part-A of the PPR-2008.
- 4) Steps to be taken to sign the contract within the initial tender validity time.
- 5) The un-successful bidders are to be notified with the refund of their Bank Guarantee in time after the contract sign with the successful bidder as per Rule - 35 (1)(2)(3) of the PPR-2008.
- 6) The insurance coverages are to be kept by contractor for equipment and workers.
- 7) To ensure competition the publication of tender notice in all edition of well circulated daily newspapers to be done on the day of publication as per Rule - 90(2)(d).
- 8) The procurement record should include (a) Original copy of advertisement in the newspaper with all edition (b) Copy of the original cost estimate with data for a particular contract (c) Delivery receipt, completion reports and management book for works, record book (d) Acknowledgment receipt of other relevant document for payment (e) Acknowledgment receipts of payment by the contractors and other relevant document prepared properly as per Rule -43(3) of the PPR-2008.
- 9) The notification of award (NOA) for contracts are to be published in CPTU's website as per Rule -37(2) of the PPR-2008.
- 10) The contract agreement should be very specific. This should contain: (a)The notification of award (b) Complete tender (c) Particular condition of contract (d) General condition of contract (e)Technical specification (f) Drawing (g) Price schedules and schedules of requirements and (h) Other documents including correspondence listed in the PCC with signature of both the parties in every page of the contract agreement as per Rule 38 and 39 of the PPR-2008.
- 11) Initiative to be taken by the PD for timely completion of every contract.

- 12) PE/ PD must maintain all records of the payment including the bills, invoices for procurement of goods, works and services per Rule - 43(3)(n) of the PPR-2008.
- 13) PD must arrange regular frequent meeting with stakeholder to give approval of procurements.
- 14) Necessary procurement document should be sent to zone office at the right time.
- 15) The lengthy process for government land acquisition should be minimized.
- 16) Social and environmental issues must be addressed by minimalizing dredging waste and construction dust.
- 17) An alternative contingency plan should be done for any adverse situation like COVID-19, Cyclone Amphan, dry season etc. so that total procurement process does not hamper the public services.

Chapter Nine

9.0 Conclusion:

The Government enacted The Public Procurement Act-2006 and consequently made The Public Procurement Rules-2008 for ensuring transparency, accountability, efficiency and fair competition in the procurement of goods, works and services using public funds. So, compliance with the provisions of Rules and Act should be ensured by Procuring Entities.

The objectives of the assignment were to determine whether the procurement processes and contracting proceeding are in accordance with the Public Procurement Act and Rules, to identify deficiencies or non-compliance etc. The final report is prepared with the help and support of client and stakeholders concerned. Through review some deficiencies or anomalies are identified which is occurred in procurement operation and suggested some remedies as recommendations to improve/correct those in order to carry out the compliance of the provisions of Act and Rules in their procurement process.

This kind of post procurement review will create consciousness and awareness in the Procuring Entities in complying with the Rules and Act in procurement contracts for achieving competition, transparency and value for money in using public fund.

10.00 Annexures:

10.01 Annex: A-1

Individual Contract Review Format (Package: Mahanganj-Lalitabari river route 3, Lot-3) (e-GP System)

Part-1: General

Data of Review	5 th April and 25 April 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Additional Chief Engineer2 (Civil) Dredging Department, Dhaka, BIWTA
Contract Name and Reference No.	Dredging work by cutter suction dredger and Excavator including dredging related works for Developing Navigability of Mahanganj-Lalitabari river route (Pakage-3). Mahanganj-Lalitabari river route-3, Lot-3, Dated: 17.01.2019
Contract Amount	BDT 26,81,19,000.394
Procurement Type	NCT
Category of Procurement	Service (Dredging Mahanganj-Lalitabari river route 3)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ To ensure Dredging work for Developing Navigability of Mahanganj - Lalitabari river route (Pakage-3) to facilitate water transportation throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: Mahanganj-Lalitabari river route -3, Lot-3)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(7)],	Chairman BIWTA
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Dainik Jugantor : 14.11.2018 English Newage : 13.11.2018
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 24.12.2018
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR, 2008 and e-GP Guidelines,	e-GP Guidelines and PPR2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	5 (Five)
3.2	No of Tender Participate	No limit	4 (Four)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 14.11.2018 Submission : 24.12.2018 41 days (preparation - submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)

4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 24.12.2018 Evaluation : 02.01.2019 10 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 24.12.2018 Evaluation : 02.01.2019 10 days (Opening-evaluation) Submission to Member : 02.01.2019 10 days (opening-sub. to Member)
5.3	Responsiveness of Tender/Proposal	No Limit	3 (Three)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 02.01.2019 Submission to : 02.01.2019 Member (Eng.) Member (Eng.) : 02.01.2019 to Member (Finance) Member (Finance) to : 02.01.2019 Member (Plan and Ops) Member (Plan and Ops) to : 02.01.2019 HOPE HOPE : 03.01.2019 Approved 02 days (Evaluation-Approved)
6.2	AA as per DoFP	HOPE / PD	HOPE, Chairman (BIWTA)
6.3	Authority approved	HOPE / PD	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via Member (Eng.) to Chairman (BIWTA)
6.5	Days actual for issuance of NOA / PO / Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract signing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 03.01.2019 NOA Issue : 03.01.2019 01 days (approval to NOA issue) Contract Sign : 17.01.2019 15 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Sub. : 02.01.2019 Approval Approval : 03.01.2019 02 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A

6.8	Authority higher or lower than AA, if any, approved the Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		
7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 24.12.2018 NOA issue : 03.01.2019 11 days (Opening-NOA) Contract Sign : 17.01.2019 26 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36 (6) Schedule-III, Part-A]	IFT : 14.11.2018 NOA issue : 03.01.2019 51 days (IFT -NOA) Contract Sign : 17.01.2019 65 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	Yes (23.12.2018 to 24.03.2019), Within tender validity period
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/ Execution/Perform	25% : 12.07.2019 50% : 04.01.2020 75% : 28.06.2020 100% : 23.12.2020	Contract Sign: 17.01.2019 66.5% within 67 weeks and 100% within 100 weeks from day of contract 66.5% : 30.04.2020 100% : 23.12.2020
8.2	Day actual for Supply/ Execution/Delivery/ Perform	66.5 % within 67 weeks and 100% within 100 weeks from day of contract 66.5% : 30.04.2020 100% : 23.12.2020	Ongoing (61% Completed) 61% : 30.04.2020 100% : 23.12.2020
8.3	Amount of LD imposed		N/A

9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	N/A
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide whether to reject the complaint or take corrective action [R-57(3)(4)]	N/A
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	N/A
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A

12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		09 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: Mahanganj-Lalitabari river route-3, Lot-3)

Date of Review: 5th April and 25 April 2020	Name of the Reviewer: Commodore (Retd) Syed Salahuddin Ahmed
Contract Name, Number and Date: Dredging work by cutter suction dredger and Excavator including dredging related works for Developing Navigability of Mahanganj-Lalitabari river route (Pakage-3).	Contract Amount: BDT 26,81,19,000.394
Mahanganj-Lalitabari river route-3, Lot-3, Dated: 17.01.2019	
Contractor's Name and Address: BDL SRDC(JV), Sky lark Point (9th Floor), Suite # 9-J1, 175, Shaheed Syed Nazrul Islam Sarani, 24/A, Bijoy Nagar (Old), Dhaka-1000, Bangladesh.	

Procurement Method : NCT, OTM(e-GP)

Category : Service (Dredging Mahanganj-Lalitabari river route 3)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 14.11.2018 with other 11 (Eleven) packages/sub-packages in the Dainik Juntor, 13.11.2018 in the English Newage and CPTU's website (at least one Bengali and one English national newspaper). The advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by Office of the Additional Chief Engineer ² (Civil) Dredging Department, Dhaka, BIWTA
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.

Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.
Tender security records	Records of the tender security as per TOR-1 and TOR-2.
BE Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 1. BDL SRDC(JV) 2. S.S Engineering and Construction Limited. 3. Sonalia Dredger Ltd.
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Day works (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Performance Guarantee NO: 04911000343, Issue date: 08.01.2019, Expiry date: 27-03-2021, Guarantee amount: BDT 1,34,05,950.02; Issued by Bank Asia Limited, Paltan Branch, Dhaka, Bangladesh
Complaints and Appeals	N/A
Contractual completion date	66.5% within 67 weeks and 100% within 100 weeks from day of contract 66.5% : 30.04.2020 100% : 23.12.2020
Actual completion date	61% : 30.04.2020 100% : 23.12.2020
Bill of lading, if Any	N/A
Delivery receipt/ not receipt or like Instrument	As per dredging work
Liquidated Damages, Details and	There is no possibility

enforcement for delays							
Timeliness of Payment	<u>Payment Statement</u>						
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date
	FY (2019-2020)	10,88,15,108.29			15%	9,24,92,842.05	
Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUSHak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.							
Others matters							
Compliance with agreed provisions Yes or No (Explain)	Generally, the provisions of PPA -2006 and PPR-2008 has been complied. Because the procurement has been done on e-GP where if the provision is not complied then the next step will not be allowed by the e-GP system. Some are not complied such as: the records and documents of procurement contracts were not prepared properly as per Rule - 43(3) of the PPR-2008. The un-successful bidders were not notified with the refund of their bank guarantee after the contract sign with the successful bidder as per Rule 35 (1)(2)(3) of the PPR-2008.						

Part-4: Report on Physical Inception (Package: Mahanganj-Lalitabari river route (Pakage-3, Lot-3))

Procurement Item Name and number	Dredging work by cutter suction dredger and Excavator including dredging related works for Developing Navigability of Mahanganj-Lalitabari river route (Pakage-3). Mahanganj-Lalitabari river route-3, Lot-1, Dated: 17.01.2019
Location	Isorkhola, Netrokona
Date of visit	20 March 2020 (Insufficient)
Date of Contract	Contract Signing : 17.01.2019
Contracted Completion date (Original)	66.5% within 67 weeks and 100% within 100 weeks from day of contract 66.5% : 30.04.2020 100% : 23.12.2020
Contractual completion date	61% : 30.04.2020 100% : 23.12.2020
Contract value	BDT 26,81,19,000.394
Final Contract Value	BDT 26,81,19,000.394
Supplier/ Contractor	BDL SRDC(JV) Sky lark Point (9th Floor), Suite # 9-J1, 175, Shaheed Syed Nazrul Islam Sarani, 24/A, Bijoy Nagar (Old), Dhaka-1000, Bangladesh.
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Service (dredging works)
Materials (Supply and quantity)	As per dredging Work.
Construction supervision	Dredging work supervision was undertaken by BIWTA.
Time overruns	There is no possibility
Cost overruns	There is no possibility
Deficiencies/ Defects observed	For the dredging work, completion time of the work start from the date of the sign contract.

Timeliness of Payment	Payment Statement						
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date
	FY (2019-2020)	10,88,15,108.29			15%	9,24,92,842.05	
	Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.						
Comments and recommendations	The dredging work of this project was supposed to be completed 66.5% by April 2020. It has been completed only 61% so far. PD should take extra initiative to complete in time. The tender advertisement should be published in the widely circulated daily newspapers to ensure competition.						

10.02 Annex: A-2

Individual Contract Review Format (Package: Mahanganj-Lalitabari river route 4, Lot-4) (e-GP System)

Part-1: General

Data of Review	5 th April and 25 April 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Additional Chief Engineer2 (Civil) Dredging Department, Dhaka, BIWTA
Contract Name and Reference Name	Dredging work by cutter suction dredger and Excavator including dredging related works for Developing Navigability of Mahanganj-Lalitabari river route (Pakage-4). Mahanganj-Lalitabari river route-4, Lot-4, Dated: 16.01.2019
Contract Amount	BDT 26,95,41,000.00
Procurement Type	NCT
Category of Procurement	Service (Dredging Mahanganj-Lalitabari river route 4)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ To ensure Dredging work for Developing Navigability of Mahanganj - Lalitabari river route (Pakage-4) to facilitate water transportation throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: Mahanganj-Lalitabari river route 4, Lot-4)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Dainik Jugantor : 14.11.2018 English Newage : 13.11.2018
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [PPR 2008 R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 11.12.2018
2.3	Tenders/Proposals followed PPR 2008	To be Followed PPR 2008 and e-GP Guidelines,	e-GP Guidelines and PPR 2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	4 (Four)
3.2	No of Tender Participate	No limit	3 (Three)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [PPR 2008 R-61(5)]	Advertisement : 14.11.2018 Submission : 11.12.2018 28 days(preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)

4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 11.12.2018 Evaluation : 19.12.2018 09 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 11.12.2018 Evaluation : 19.12.2018 06 days (Opening-evaluation) Submission to Member : 20.12.2018 08 days (opening-sub. to Member)
5.3	Responsiveness of Tender/Proposal	No Limit	2 (Two)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part - A]	Evaluation : 19.12.2018 Submission to Member (Eng.) : 20.12.2018 Member (Eng.) to Member (Finance) : 27.12.2018 Member (Finance) to Member (Plan and Ops) : 31.12.2018 Member (Plan and Ops) to HOPE : 31.12.2018 HOPE : 31.12.2018 Approved 12 days (Evaluation-Approved)
6.2	AA as per DoFP	HOPE / PD	HOPE, Chairman (BIWTA)
6.3	Authority approved	HOPE / PD	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via Member (Eng.) to Chairman (BIWTA)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract singing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 31.12.2018 NOA Issue : 03.01.2019 04 days (approval to NOA issue Contract Sign : 16.01.2019 15 days (NOA to Contract Sign
6.6	Days actual for contract award decision by AA	HOPE: 2 weeks (14 days) [R-36(6), schedule-III, Part-A]	Sub. : 20.12.2018 Approval : 31.12.2018 12 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A

6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		
7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance At least 14 days and NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 11.12.2018 NOA issue : 03.01.2019 24 days (Opening-NOA) Contract Sign : 16.01.2019 37 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 14.11.2018 NOA issue : 03.01.2019 51 days (IFT -NOA) Contract Sign : 16.01.2019 64 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	Yes (10.12.2018 to 11.03.2019), Within tender validity period
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply / Execution / Perform	25% : 06.07.2019 50% : 24.12.2019 75% : 12.06.2020 100% : 02.12.2020	69% within 67 weeks and 100% within 98 weeks from day of contract 69% : 30.04.2020 100% : 02.12.2020
8.2	Day actual for Supply / Execution / Delivery / Perform	69% within 67 weeks and 100% within 98 weeks from day of contract 69% : 30.04.2020 100% : 02.12.2020	Ongoing (25% completed) 25% : 30.04.2020 100% : 02.12.2020
8.3	Amount of LD imposed	N/A	N/A
9.0	Complaint and Appeal		

9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	N/A
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide whether to reject the complaint or take corrective action [R-57(3)(4)]	N/A
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	N/A
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable

13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2
13.2	No of Staff trained in procurement	09 Completed training

**Part-3: Post Reviews Goods/Works Contracts (Package:
Mahanganj-Lalitabari river route 4, Lot-4)**

Date of Review: 5th April and 25 April 2020	Name of the Reviewer: Commodore (Retd) Syed Salahuddin Ahmed
Contract Name, Number and Date: Dredging work by cutter suction dredger and Excavator including dredging related works for Developing Navigability of Mahanganj-Lalitabari river route (Pakage- 4). Mahanganj-Lalitabari river route-4, Lot-4, Dated: 16.01.2019	Contract Amount: BDT 26,95,41,000.00
Contractor's Name and Address: S.S Rahman-Matri Bangla JV, Rupayan Taj Tower, 5th Floor(k-5), 1-1/1, Naya Polton, Box Culvert Road, Dhaka-1000.	

Procurement Method : NCT, OTM(e-GP)

Category : Service (Dredging Mahanganj-Lalitabari river route 4)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 14.11.2018 with other 11 (Eleven) packages/sub-packages in the Dainik Juntor, 13.11.2018 in the English Newage and CPTU's website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by Addl. Chief Engineer2 (Dreg_C), BIWTA
Time Allowed for submission of Tenders	16 Days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.

Tender security records	Records of the tender security as per TOR-1 and TOR-2.
BE Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 4. Nabarun Traders Limited. 5. S.S Rahman-Matri Bangla JV. 6. Orient Trading and Builders Ltd.
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Day works (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Performance Guarantee NO: 1173, Issue date: 17.01.2019, Expiry date: 02.12.2020, Guarantee amount: BDT 1,34,77,050.00, Issued by Islami Bank Bangladesh Limited, Farmgate Branch, Malek Tower, 31 Tejkunipara, Farmgate, Dhaka-1215
Complaints and Appeals	N/A
Contractual completion date	69% within 67 weeks and 100% within 98 weeks from day of contract 69% : 30.04.2020 100% : 02.12.2020
Actual completion date	25% : 30.04.2020 100% : 02.12.2020
Bill of lading, if Any	N/A
Delivery receipt/ not receipt or like Instrument	All cost by the contractor for this dredging work
Liquidated Damages, Details and enforcement for Delays	Probability is there

Timeliness of Payment	<table><tr><th colspan="7"><u>Payment Statement</u></th></tr><tr><th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr><tr><td>FY (2019-2020)</td><td>2,15,90,511.93</td><td></td><td></td><td>15%</td><td>1,83,51,935.15</td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>	<u>Payment Statement</u>							Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date	FY (2019-2020)	2,15,90,511.93			15%	1,83,51,935.15															
<u>Payment Statement</u>																																				
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																														
FY (2019-2020)	2,15,90,511.93			15%	1,83,51,935.15																															
Others matters																																				
Compliance with agreed provisions Yes or No (Explain)	<p>The provisions of PPA -2006 and PPR-2008 have been complied with all required process. Since the procurement has been done on e-GP system so, it is not possible to skip any provision of Act and Rules.</p> <p>But the contract agreement is only 03-04 pages. It does not contain required documents as per Rule - 38 and 39 of the PPR-2008. The un-successful bidders were not notified with the refund of their bank guarantee after the contract sign with the successful bidder as per Rule 35 (1)(2)(3) of the PPR-2008.</p>																																			

Part-4: Report on Physical Inception (Package: Mahanganj-Lalitabari river route-4, Lot-4)

Procurement Item Name and number	Dredging work by cutter suction dredger and Excavator including dredging related works for Developing Navigability of Mahanganj-Lalitabari river route (Package-3). Mahanganj-Lalitabari river route-4, Lot-4, Dated: 16.01.2019
Location	Salukanda, Mymensingh
Date of visit	20 March 2020 (Insufficient)
Date of Contract	Contract Signing : 16.01.2019
Contracted Completion date (Original)	69% within 67 weeks and 100% within 98 weeks from day of contract 69% : 30.04.2020 100% : 02.12.2020
Contractual completion date	25% : 30.04.2020 100% : 02.12.2020
Contract value	BDT 26,95,41,000.00
Final Contract Value	BDT 26,95,41,000.00
Supplier/ Contractor	S.S Rahman-Matri Bangla JV, Rupayan Taj Tower, 5th Floor(k-5), 1-1/1, Naya Polton, Box Culvert Road, Dhaka-1000.
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Service (dredging works)
Materials (Supply and quantity)	As per dredging work
Construction supervision	Dredging work supervision was undertaken by BIWTA.
Time overruns	Probability is there

Cost overruns	Probability is there																																	
Deficiencies/ Defects observed	It takes 6-7 months for the survey of deaths river																																	
Timeliness of Payment	<p style="text-align: center;"><u>Payment Statement</u></p> <table> <tr> <th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr> <tr> <td>FY (2019-2020)</td><td>2,15,90,511.93</td><td></td><td></td><td>15%</td><td>1,83,51,935.15</td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUSHAK-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date	FY (2019-2020)	2,15,90,511.93			15%	1,83,51,935.15															
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																												
FY (2019-2020)	2,15,90,511.93			15%	1,83,51,935.15																													
Comments and recommendations	The total progress of dredging work for this contract is slow. So far it is completed 25% only which should be 69%. PE should try to complete this contract within schedule time. The payment should be done by the proper examination of record book, management book etc. for this work.																																	

10.03 Annex: A-3

Individual Contract Review Format (Package: WD-Dilalpur-Nikil-Netrokona, Lot-1)

(e-GP System)

Part-1: General

Data of Review	5 th April and 25 April 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Additional Chief Engineer (Civil), Dredging Department, Dhaka, BIWTA
Contract Name and Reference No.	Dredging work by cutter suction dredger and Excavator for Developing Navigability of Dilalpur – Ghoradigha – Chamraghut - Netrokona (Atpara to Netrokona) river route-2 WD-Dilalpur-Nikil-Netrokona, Lot-1, Dated: 24.01.2019
Contract Amount	BDT 26,91,00,000.00
Procurement Type	NCT
Category of Procurement	Service (Dredging Dilalpur - Ghoradigha - Chamraghut - Netrokona (Atpara to Netrokona) river route 2)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ To ensure dredging work for dredging Dilalpur - Ghoradigha - Chamraghut - Netrokona (Atpara to Netrokona) river route 2 to facilitate water transportation throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: WD-Dilalpur-Nikil-Netrokona, Lot-1)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Dainik Jugantor : 14.11.2018 English Newage : 13.11.2018
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 24.12.2018
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines,	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	4 (Four)
3.2	No of Tender Participate	No limit	4 (Four)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 14.11.2018 Submission : 24.12.2018 41 days(preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		

4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)
4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 24.12.2018 Evaluation : 02.01.2019 10 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 24.12.2018 Evaluation : 02.01.2019 10 days (Opening-evaluation) Submission to : 02.01.2019 Member 10 days (opening - sub. To Member)
5.3	Responsiveness of Tender/Proposal	No Limit	3 (Three)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 02.01.2019 Submission to : 02.01.2019 Member (Eng.) Member (Eng.) to Member : 02.01.2019 (Finance) Member (Finance) to : 02.01.2019 Member (Plan and Ops) Member (Plan and Ops) to : 02.01.2019 HOPE HOPE : 03.01.2019 Approved 2 days (Evaluation-Approved)
6.2	AA as per DoFP	HOPE / PD	HOPE, Chairman (BIWTA)
6.3	Authority approved	HOPE / PD	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via Member (Eng.) to Chairman (BIWTA)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract singing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 03.01.2019 NOA Issue : 06.01.2019 04 days (approval to NOA issue) Contract Sign : 24.01.2019 22 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Sub. : 02.01.2019 Approval Approval : 03.01.2019 02 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A

6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		
7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 24.12.2018 NOA issue : 06.01.2019 14 days (Opening-NOA) Contract Sign : 24.01.2019 32 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 14.11.2018 NOA issue : 06.01.2019 24 days (IFT -NOA) Contract Sign : 24.01.2019 62 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	Yes (23.12.2018 to 24.03.2019), Within tender validity period
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply /Execution/ Perform	25% : 19.07.2019 50% : 11.01.2020 75% : 05.07.2020 100% : 29.12.2020	Contract Sign: 24.01.2019 65.5% within 66 weeks and 100% within 100 weeks from day of contract 65.5% : 30.04.2020 100% : 29.12.2020
8.2	Day actual for Supply/ Execution/Delivery/ Perform	65.5% within 66 weeks and 100% within 100 weeks from day of contract 65.5% : 30.04.2020 100% : 29.12.2020	Ongoing (40% completed) 40% : 30.04.2020 100% : 29.12.2020

8.3	Amount of LD imposed	N/A	N/A
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	N/A
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide whether to reject the complaint or take corrective action [R-57(3)(4)]	N/A
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	N/A
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A

10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		09 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: WD-Dilalpur-Nikil-Netrokona, Lot-1)

Date of Review: 5 th April and 25 April 2020	Name of the Reviewer: Commodore (Retd) Syed Salahuddin Ahmed
Contract Name, Number and Date: Dredging work by cutter suction dredger and excavator for developing navigability of Dilalpur – Ghoradigha – Chamraghut - Netrokona (Atpara to Netrokona) river route-2 WD-Dilalpur-Nikil-Netrokona, Lot-1, Dated: 24.01.2019	Contract Amount: BDT 26,91,00,000.00
Contractor's Name and Address: Orient Trading and Builders ltd and Kanak Construction Co. (JV), House No:80, Road No:02, Chairmanbari, Banani, Dhaka-1213	

Procurement Method : NCT, OTM(e-GP)
Category : Service (dredging Dilalpur - Ghoradigha - Chamraghut - Netrokona (Atpara to Netrokona) river route 2)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 14.11.2018 with other 11 (Eleven) packages/sub-packages in the Dainik Jujantor, 13.11.2018 in the English Newage and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by Office of the Additional Chief Engineer (Civil), Dredging Department, Dhaka, BIWTA
Time Allowed for submission of Tenders	16 Days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.

Tender security records	Records of the tender security as per TOR-1 and TOR-2.
BE Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 7. Bashundhara Infrastructure Development Limited 8. Orient Trading and Builders Ltd and Kanak Construction Co. (JV). 9. S.S. engineering and construction Ltd. 10. Sonali Dredger Ltd.
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities (j) Schedule of Day works (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Performance Guarantee NO: DBL/LO/PG/10/2019, Issue date: 15.01.2019, Expiry date: 27.01.2021, Guarantee amount: BDT 1,34,55,000.00; Issued by Dhaka Bank Limited, Local Office ,115-120, Motijiheel C/A, Dhaka-1000, Bangladesh.
Complaints and Appeals	N/A
Contractual completion date	65.5% within 66 weeks and 100% within 100 weeks from day of contract 65.5% : 30.04.2020 100% : 29.12.2020
Actual completion date	40% : 30.04.2020 100% : 02.12.2020
Bill of lading, if Any	N/A
Delivery receipt/ not receipt or like Instrument	As per dredging work
Liquidated Damages, Details and enforcement for delays	Probability is there

Timeliness of Payment	<u>Payment Statement</u>						
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date
	FY (2019-2020)	5,85,89,358.23			15%	4,98,00,954.50	
Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.							
Others matters							
Compliance with agreed provisions Yes or No (Explain)	Here the provisions of PPA-2008 have been complied with. Because of, the procurement has been done on the e-GP system. The records and documents of procurement contracts were not prepared properly as per Rule - 43(3) of the PPR-2008. The tender advertisements were not published in widely circulated daily newspapers as per Rule - 90(2)(d) of the PPR-2008.						

Part-4: Report on Physical Inception (Package: WD-Dilalpur-Nikil-Netrokona, Lot-1)

Procurement Item Name and number	Dredging work by cutter suction dredger and Excavator for Developing Navigability of Dilalpur – Ghoradigha – Chamraghut - Netrokona (Atpara to Netrokona) river route-2 WD-Dilalpur-Nikil-Netrokona, Lot-1, Dated: 24.01.2019
Location	Monohorpur, Netrokona
Date of visit	20 March 2020 (Insufficient)
Date of Contract	Contract Signing : 24.01.2019
Contracted Completion date (Original)	65.5% within 66 weeks and 100% within 100 weeks from day of contract 65.5% : 30.04.2020 100% : 29.12.2020
Contractual completion date	40% : 30.04.2020 100% : 02.12.2020
Contract value	BDT 26,91,00,000.00
Final Contract Value	BDT 26,91,00,000.00
Supplier/ Contractor	Orient Trading and Builders Ltd and Kanak Construction Co. (JV), House No:80, Road No:02, Chairman bari, Banani, Dhaka-1213.
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Works (dredging works)
Materials (Supply and quantity)	As per dredging work
Construction supervision	Dredging work supervision was undertaken by BIWTA.
Time overruns	Probability is there
Cost overruns	Probability is there

Deficiencies/ Defects observed	For the dry season and death river, not possible to the establishment of the dredger. That's why to work wasn't start in schedule time.																																	
Timeliness of Payment	<p style="text-align: center;">Payment Statement</p> <table> <tr> <th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M- Refund (after completion)</th><th>R/M- Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr> <tr> <td>FY (2019- 2020)</td><td>5,85,89,358.23</td><td></td><td></td><td>15%</td><td>4,98,00,954.50</td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUSHAK-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						Payment Recommended by field office	Bill Amount (BDT)	R/M- Refund (after completion)	R/M- Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date	FY (2019- 2020)	5,85,89,358.23			15%	4,98,00,954.50															
Payment Recommended by field office	Bill Amount (BDT)	R/M- Refund (after completion)	R/M- Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																												
FY (2019- 2020)	5,85,89,358.23			15%	4,98,00,954.50																													
Comments and recommendations	The dredging work of this contract was supposed to be completed 68% by April 2020. It has been completed only 40% so far. PD should take extra initiative to complete in time. Social and environmental issues must be addressed by minimalizing dredging waste and construction dust.																																	

10.04 Annex: A-4

Individual Contract Review Format (Package: WD-Norsingdi-Belabo, Lot-1)

(e-GP System)

Part-1: General

Data of Review	5 th April and 25 April 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Additional Chief Engineer (Civil) Dredging Department, Dhaka, BIWTA
Contract Name and Reference Name	Dredging work by cutter suction dredger and Excavator for Developing Navigability of Norshindi (Bhairab)-Belabo-Katiadi river route-3. WD-Norsingdi-Belabo, Lot-1, Dated: 27.12.2018
Contract Amount	BDT 22,95,33,750.018
Procurement Type	NTC
Category of Procurement	Service (dredging Norshindi (Bhairab) - Belabo-Katiadi river route - 2)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ To ensure dredging work for dredging Norshindi (Bhairab)-Belabo-Katiadi river route-2 to facilitate water transportation throughout the area ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: WD-Norsingdi-Belabo, Lot-1)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Dainik Jugantor : 14.11.2018 English Newage : 13.11.2018
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 29.11.2018
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines,	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	3 (Three)
3.2	No of Tender Participate	No limit	3 (Three)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 14.11.2018 Submission : 29.11.2018 16 days(preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)

4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 29.11.2018 Evaluation : 03.12.2018 05 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R- 36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 29.11.2018 Evaluation : 03.12.2018 05 days (Opening-evaluation) Submission to Member : 05.12.2018 07 days (opening-sub. to Member)
5.3	Responsiveness of Tender/Proposal	No Limit	3 (Three)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 03.12.2018 Submission to : 05.12.2018 Member (Eng.) Member (Eng.) : 05.12.2018 to Member (Finance) Member 05.12.2018 (Finance) to : Member (Plan and Ops) Member (Plan : 05.12.2018 and Ops) to HOPE HOPE : 05.12.2018 Approved 03 days (Evaluation-Approved)
6.2	AA as per DoFP	HOPE / PD	HOPE, Chairman (BIWTA)
6.3	Authority approved	HOPE / PD	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via Member (Eng.) to Chairman (BIWTA)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract signing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 05.12.2018 NOA Issue : 06.12.2018 02 days (approval to NOA issue) Contract Sign : 27.12.2018 23 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 2 weeks (14 days) [R-36(6), schedule-III, Part-A]	Sub. : 03.12.2018 Approval Approval : 05.12.2018 03 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A
6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		

7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 29.11.2018 NOA issue : 06.12.2018 08 days (Opening-NOA) Contract Sign : 27.12.2020 29 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 14.11.2018 NOA issue : 06.12.2018 23 days (IFT -NOA) Contract Sign : 27.12.2018 44 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	Yes (28.11.2018 to 27.02.2019), Within tender validity period
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/Execution/Perform	25% : 25.06.2019 50% : 22.12.2019 75% : 19.06.2020 100% : 16.12.2020	Contract Sign: 27.12.2018 68% within 70 weeks and 100% within 102 weeks from day of contract 68% : 30.04.2020 100% : 16.12.2020
8.2	Day actual for Supply/ Execution/Delivery/ Perform	68% : 30.04.2020 100% : 16.12.2020	Ongoing (41% completed) 41% : 30.04.2020 100% : 16.12.2020
8.3	Amount of LD imposed	N/A	N/A
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide whether to reject the	N/A

		complaint or take corrective action [R-57(3)(4)]	
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	N/A
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		09 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: WD-Norsingdi-Belabo, Lot-1)

Date of Review: 5th April and 25 April 2020	Name of the Reviewer: Commodore (Retd) Syed Salahuddin Ahmed
Contract Name, Number and Date: Dredging work by cutter suction dredger and Excavator for Developing Navigability of Norshindi (Bhairab)-Belabo-Katiadi river route-3. WD-Norsingdi-Belabo, Lot-1, Dated: 27.12.2018	Contract Amount: BDT 22,95,33,750.018
Contractor's Name and Address: Bashundhara Infrastructure Development Limited, Plot#125/A, Block#A, Bashundhara R/A, Dhaka-1229	

Procurement Method : NCT, OTM(e-GP)

Category : Service (Dredging Norshindi (Bhairab) - Belabo-Katiadi river route - 2)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 14.11.2018 with other 11 (Eleven) packages/sub-packages in the Dainik Jujantor, 13.11.2018 in the English Newedge and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by Additional Chief Engineer (Civil), Dredging Department, BIWTA
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.

Tender security records	Records of the tender security as per TOR-1 and TOR-2.
BE Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 11. Bashundhara Infrastructure Development Limited 12. Nabarun Traders Limited. 13. Kanak Construction Co.
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Day works (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Performance Guarantee NO: 015PG005018, Issue date: 19.12.2018, Expiry date:18.12.2019, Guarantee amount: BDT 1,14,76,687.50; Issued by Social Islami Bank LTD, Panthapath Branch.
Complaints and Appeals	N/A
Contractual completion date	68% within 70 weeks and 100% within 102 weeks from day of contract 68% : 30.04.2020 100% : 16.12.2020
Actual completion date	40% : 30.04.2020 100% : 16.12.2020
Bill of lading, if Any	N/A
Delivery receipt Or like Instrument	As per dredging work
Liquidated Damages, Details and enforcement for delays	Probability is there

Timeliness of Payment	<u>Payment Statement</u>						
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date
	FY (2019-2020)	3,91,36,596.87			15%	3,32,66,107.36	
Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.							
Others matters							
Compliance with agreed provisions Yes or No (Explain)	Generally, the provisions of PPA -2006 and PPR-2008 has been complied. Because the procurement has been done on e-GP where if the provision is not complied then the next step will not be allowed by the e-GP system. The un-successful bidders were not notified with the refund of their bank guarantee after the contract sign with the successful bidder as per Rule 35 (1)(2)(3) of the PPR-2008. The records and documents of procurement contracts were not prepared properly as per Rule - 43(3) of the PPR-2008.						

Part-4: Report on Physical Inception (Package: WD-Norsingdi-Belabo, Lot-1)

Procurement Item Name and number	Dredging work by cutter suction dredger and Excavator for Developing Navigability of Norshindi (Bhairab)-Belabo-Katiadi river route-3. WD-Norsingdi-Belabo, Lot-1, Dated: 27.12.2018
Location	Botchapa, Norshindi and Krishnapur, Kishoreganj
Date of visit	20 March 2020 (Insufficient)
Date of Contract	Contract Signing : 27.12.2018
Contracted Completion date (Original)	68% within 70 weeks and 100% within 102 weeks from day of contract 68% : 30.04.2020 100% : 16.12.2020
Contractual completion date	40% : 30.04.2020 100% : 16.12.2020
Contract value	BDT 22,95,33,750.018
Final Contract Value	BDT 22,95,33,750.018
Supplier/ Contractor	Bashundhara Infrastructure Development Limited, Plot#125/A, Block# A, Bashundhara R/A, Dhaka-1229
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Service (dredging works)
Materials (Supply and quantity)	As per dredging work
Construction supervision	Dredging work supervision was undertaken by BIWTA.
Time overruns	Probability is there
Cost overruns	Probability is there

Deficiencies/ Defects observed	Due to the dispute over the boundaries of the river work wasn't start in schedule time																																	
Timeliness of Payment	<p style="text-align: center;">Payment Statement</p> <table> <tr> <th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr> <tr> <td>FY (2019-2020)</td><td>3,91,36,596.87</td><td></td><td></td><td>15%</td><td>3,32,66,107.36</td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date	FY (2019-2020)	3,91,36,596.87			15%	3,32,66,107.36															
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																												
FY (2019-2020)	3,91,36,596.87			15%	3,32,66,107.36																													
Comments and recommendations	<p>The tender advertisements were not published in the widely circulated daily newspapers. The total progress of dredging work for this contract is slow. So far it is completed 40% only which should be 68%. PE should try to complete this contract within schedule time. Payment should be done by the proper examination of record book, management book etc. for dredging work. The tender advertisement should be published in the well circulated daily newspapers for ensure competition.</p>																																	

10.05 Annex: B-1

Individual Contract Review Format (Package: b-002 Lot-1)

(e-GP System)

Part-1: General

Data of Review	3 and 13 May 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Executive Engineer Aricha sub-Division Engineering Department, BIWTA, Manikgonj
Contract Name and	Construction of Parking Yard and BIWTA office, Waiting Shed, Store room, Rest room, Pump house, Toll Booth, Pilot House, Police House, Toilet Complex, Driver Shed including Toilet, Restaurant, Weigh bridge, Control room, sub-station room, Fire service barrack, Ansar barrack, Staff barrack, Generator room, Garage, BITWA office prayer room and Building at Balashi and Bhadurabad
Reference No	b-002 Lot-1, Dated: 03.03.2019
Contract Amount	BDT 20,95,19,010.619
Procurement Type	NCT
Category of Procurement	Works (Construction)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ Construction works for Establishment of BIWTA office at Balashi and Bahadurabad to facilitate water transportation for general public throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: b-002 Lot-1)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA (13.012.2018)
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Amader Somoy : 13.12.2018
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 01.01.2019
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines,	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	2 (Two)
3.2	No of Tender Participate	No limit	2 (Two)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 13.12.2018 Submission : 01.01.2019 20 days(preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		

4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)
4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 01.01.2019 Evaluation : 14.02.2019 14 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 01.01.2019 Evaluation : 14.02.2019 14 days (Opening-evaluation) Submission to CE: 14.01.2019 14 days (opening-sub. to CE)
5.3	Responsiveness of Tender/Proposal	No Limit	2 (Two)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 14.01.2019 Submission : 14.01.2019 to SE SE to CE : 14.01.2019 CE to Member : 14.01.2019 Member to HOPE : 14.01.2019 HOPE : 15.01.2019 Approved 02 days (Evaluation-Approved)
6.2	AA as per DoFP	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.3	Authority approved	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via CE to Chairman (BIWTA)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract singing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 14.01.2019 NOA Issue : 04.02.2019 22 days (approval to NOA issue) Contract Sign : 03.03.2019 49 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Sub. : 14.01.2019 Approval : 15.01.2019 02 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A
6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		
7.1	Procurement processing Lead time	Safe Custody: 2days[R-32]	Opening : 01.01.2019 NOA issue : 04.02.2019

	I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	35 days (Opening-NOA) Contract Sign : 03.03.2019 61 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 13.12.2018 NOA issue : 04.02.2019 54 days (IFT -NOA) Contract Sign : 03.03.2019 80 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	Yes (01.01.2019 to 01.04.2019), Within tender validity period
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/Execution/Per form	25% : 02.07.2019 50% : 31.10.2019 75% : 29.02.2020 100% : 30.06.2020	Contract Sign: 03.03.2019 50% within 34 weeks and 100% within 69 weeks from day of contract 50% : 01.11.2019 100% : 30.06.2020
8.2	Day actual for Supply/ Execution/Delivery/ Perform	50% within 34 weeks and 100% within 64 weeks from day of contract 50% : 01.11.2019 100% : 30.06.2020	65% : 30.04.2020 100% : 30.06.2020
8.3	Amount of LD imposed		N/A
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	N/A
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide	N/A

		whether to reject the complaint or take corrective action [R-57(3)(4)]	
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	01(One) Up to 30.06.2020 with the approval of HOPE
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		08 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: b-002-Lot-1)

Date of Review: 3 and 13 May 2020	Name of the Reviewer: Commodore Syed Salahuddin Ahmed
Contract Name, Number and Date: Construction of Parking Yard and BIWTA office, Waiting Shed, Store room, Rest room, Pump house, Toll Booth, Pilot House, Police House, Toilet Complex, Driver Shed including Toilet, Restaurant, Weigh bridge, Control room, sub-station room, Fire service barrack, Ansar barrack, Staff barrack, Generator room, Garage, BITWA office prayer room and Building at Balashi and Bhadurabad b-002, Lot-1, Dated: 03.03.2019	Contract Amount: BDT 20,95,19,010.619
Contractor's Name and Address: S.S Rahman International, 65/2/1, Purana Polton, Paramount Height, Dhaka-1000	

Procurement Method : NCT, OTM(e-GP)
Category : Works (Construction work)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 13.12.2018 with other 01 (One) packages/sub-packages in the Amader somoy and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by Office of the Executive Engineer Aricha sub-Division Engineering Department, BIWTA, Manikgonj.
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.

Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.
Tender security records	Records of the tender security as per OR-1 and TOR-2.
B.E Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 14. S.S International and Construction Ltd 15. S.S Rahman International
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Dayworks (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Bank Guarantee NO: MBL/GRB/BG-11/2019, Issue date: 17.02.2019, Expiry date: 31.12.2020(Extended), Previous Expiry date:12.01.2020, Guarantee amount: BDT 2,09,51,901.0600; Issued by Mercantile Bank Limited, Banani Branch, Dhaka.
Complaints and Appeals	N/A
Contractual completion date	Contract Sign: 03.03.2019 50% within 34 weeks and 100% within 69 weeks from day of contract 50% : 01.11.2019 100% : 30.06.2020
Actual completion date	65% : 30.04.2020 100% : 30.06.2020
Bill of lading, if Any	N/A
Delivery receipt / not receipt or like Instrument	As per construction work
Liquidated Damages, Details and	N/A

enforcement for delays							
Timeliness of Payment	<u>Payment Statement</u>						
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date
	FY(2018-2019) and FY(2019-2020)	10,90,50,000			15%	9,26,92,500	
	Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.						
Others matters							
Compliance with agreed provisions Yes or No (Explain)	The provisions of PPA -2006 and PPR-2008 has been complied. Because the procurement has been done on e-GP where if the provision is not complied then the next step will not be allowed by the e-GP system. Some are not complied such as: the time spent at each stage of procurement activities were not maintained fully as per Rule - 8(17)(18) and Schedule -IV of the PPR-2008. The Notification of Award (NOA) for contracts were not published in CPTU’s website as per Rule-37(2) of the PPR-2008.						

Part-4: Report on Physical Inception (Package: b-002-Lot-1)

Procurement Item Name and number	Construction of Parking Yard and BIWTA office, Waiting Shed, Store room, Rest room, Pump house, Toll Booth, Pilot House, Police House, Toilet Complex, Driver Shed including Toilet, Restaurant, Weigh bridge, Control room, sub-station room, Fire service barrack, Ansar barrack, Staff barrack, Generator room, Garage, BITWA office prayer room and Building at Balashi and Bhadurabad b-002 Lot-1, Dated: 03.03.2019
Location	Bahadurabad, Jamalpur and Balashi, Gaibandah.
Date of visit	22 March 2020 (Insufficient)
Date of Contract	Contract Signing : 03.03.2019
Contracted Completion date (Original)	50% within 34 weeks and 100% within 69 weeks from day of contract 50% : 01.11.2019 100% : 30.06.2020
Contractual completion date	65% : 30.04.2020 100% : 30.06.2020
Contract value	BDT 20,95,19,010.619
Final Contract Value	BDT 20,95,19,010.619
Supplier/ Contractor	S.S Rahman International, 65/2/1, Purana Polton, Paramount Height, Dhaka-1000
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Works (construction works)
Materials (Supply and quantity)	As per construction work
Construction supervision	Construction supervision was undertaken by BIWTA.
Time overruns	Probability is there

Cost overruns	Probability is there						
Deficiencies/ Defects observed	Extending project completion time.						
Timeliness of Payment	<u>Payment Statement</u>						
	Payment Recommended by field office	Bill Amount (BDT)	R/M- Refund (after completion)	R/M- Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date
	FY(2018- 2019) and FY(2019- 2020)	10,90,50,000			15%	9,26,92,500	
	Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUSHAK-11 N.B. Since it was a GOB Funded Project, there was no advance payment.						
Comments and recommendations	The contract was extended for lengthy land acquisition process. Total construction work for this contract is slow. So far it is completed 65% only which should be 87.5%. PD should take extra initiative to complete in time. PE/ PD must maintain all records of the payment including the bills, invoices for procurement of construction works. Social and environmental issues must be addressed by minimalizing dredging waste and construction dust.						

10.06 Annex: B-2

Individual Contract Review Format (Package: b-003 Lot-1(p-3)) (e-GP System)

Part-1: General

Data of Review	3 and 13 May 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Executive Engineer Aricha sub-Division Engineering Department, BIWTA, Manikgonj
Contract Name and Reference No	Construction of Boundary and Fencing wall and slope protection of parking yard at Balashi and Bhadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad. b-003 Lot-1(p-3), Dated: 24.03.2019
Contract Amount	BDT 05,33,68,031.688
Procurement Type	NCT
Category of Procurement	Works (construction)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ Construction works for Establishment of Boundary and Fencing wall including allied facilities at Balashi and Bahadurabad to facilitate water transportation for general public throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: b-003-Lot-1(p-3))

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA (27.01.2019)
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Daily Amader : 29.01.2019 Shomay
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 28.02.2019
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines,	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	2 (Two)
3.2	No of Tender Participate	No limit	2 (Two)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 29.01.2019 Submission : 28.02.2019 31 days(preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)

4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 28.02.2019 Evaluation : 07.03.2019 08 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 28.02.2019 Evaluation : 07.03.2019 08 days (Opening-evaluation) Submission to CE: 07.03.2019 08 days (opening-sub. to CE)
5.3	Responsiveness of Tender/Proposal	No Limit	2 (Two)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 07.03.2019 Submission to : 07.03.2019 SE SE to CE : 07.03.2019 CE to Member : 07.03.2019 Member to : 10.03.2019 HOPE HOPE : 13.03.2019 Approved 07 days (Evaluation-Approved)
6.2	AA as per DoFP	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.3	Authority approved	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via CE to Chairman (BIWTA)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract signing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 13.03.2019 NOA Issue : 21.03.2019 09days (approval to NOA issue) Contract : 24.03.2019 Sign 04 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Sub. : 07.03.2019 Approval Approval : 13.03.2019 07 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A
6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		

7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 28.02.2019 NOA issue : 21.03.2019 22 days (Opening-NOA) Contract Sign : 24.03.2019 25 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 29.01.2019 NOA issue : 21.03.2019 52 days (IFT -NOA) Contract Sign : 24.03.2019 55 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	Yes (18.02.2019 to 29.05.2019), Within tender validity period
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/Execution/Perform	25% : 17.07.2019 50% : 10.11.2019 75% : 05.03.2020 100% : 30.06.2020	Contract Sign: 24.03.2019 50% within 33 weeks and 100% within 66 weeks from day of contract 50% : 10.11.2019 100% : 30.06.2020
8.2	Day actual for Supply/ Execution/Delivery/ Perform	50% within 33 weeks and 100% within 66 weeks from day of contract 50% : 10.11.2019 100% : 30.06.2020	Ongoing (65% completed) 65% : 30.04.2019 100% : 30.06.2020
8.3	Amount of LD imposed		N/A
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	N/A

9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide whether to reject the complaint or take corrective action [R-57(3)(4)]	N/A
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	01(One) Up to 30.06.2020 with the approval of HOPE
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		08 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: b-003, Lot-1(p-3))

Date of Review: 3 and 13 May 2020	Name of the Reviewer: Commodore Syed Salahuddin Ahmed
Contract Name, Number and Date: Construction of Boundary and Fencing wall and slope protection of parking yard at Balashi and Bhadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad. b-003, Lot-1(p-3), Dated: 24.03.2019	Contract Amount: BDT 05,33,68,031.688
Contractor's Name and Address: S.S Rahman International, 65/2/1, Purana Polton, Paramount Height, Dhaka-1000	

Procurement Method : NCT, OTM(e-GP)
Category : Works (Construction work)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on Daily Amader Shomoy with other 1 (One) packages/sub-packages in the 29.1.2019 and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by Office of the Executive Engineer Aricha sub-Division Engineering Department, BIWTA, Manikgonj
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.
Tender security records	Records of the tender security as per TOR-1 and TOR-2.

B.E Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 16. M.R Construction- S.K. International JV 17. S.S Rahman International
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Dayworks (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Bank Guarantee NO: MBL/GRB/BG-23/2019, Issue date: 03.04.2019, Expiry date:15.12.2019, Extended Previous Expiry date: 31.12.2020, Guarantee amount: BDT 2,09,51,901.0600; Issued by Mercantile Bank Limited, Green Road Branch, Dhaka.
Complaints and Appeals	N/A
Contractual completion date	Contract Sign: 24.03.2019 50% within 33 weeks and 100% within 66 weeks from day of contract 50% : 10.11.2019 100% : 30.06.2020
Actual completion date	Ongoing (65% completed) 65% : 30.04.2019 100% : 30.06.2020
Bill of lading, if Any	N/A
Delivery receipt / not receipt or like Instrument	As per construction work
Liquidated Damages, Details and enforcement for delays	N/A

Timeliness of Payment	Payment Statement					
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount
	FY(2018-2019) and FY(2019-2020)	98,63,500			15%	83,83,975
Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUSHAK-11 N.B. Since it was a GOB Funded Project, there was no advance payment.						
Others matters						
Compliance with agreed provisions Yes or No (Explain)	<p>The procurement has been done on the e-GP framework. For that, the provisions of PPA -2006 and PPR-2008 have been complied.</p> <p>The contract agreement does not contain required documents as per Rule- 38 and 39 of the PPR-2008. The publication of tender notice in all edition of the widely circulated daily newspapers on the day of publication was not done as per Rule - 90(2)(d) of the PPR-2008.</p>					

Part-4: Report on Physical Inception (Package: b-003, Lot-1(p-3))

Procurement Item Name and number	Construction of Boundary and Fencing wall and slope protection of parking yard at Balashi and Bhadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad. b-003 Lot-1(p-3), Dated: 24.03.2019
Location	Bahadurabad, Jamalpur and Balashi, Gaibandah.
Date of visit	22 march 2020 (Insufficient)
Date of Contract	Contract Signing : 24.03.2019
Contracted Completion date (Original)	50% within 33 weeks and 100% within 66 weeks from day of contract 50% : 10.11.2019 100% : 30.06.2020
Contractual completion date	Ongoing (65% completed) 65% : 30.04.2019 100% : 30.06.2020
Contract value	BDT 05,33,68,031.688
Final Contract Value	BDT 05,33,68,031.688
Supplier/ Contractor	S.S Rahman International, 65/2/1, Purana Polton, Paramount Height, Dhaka-1000
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Works (construction works)
Materials (Supply and quantity)	As per construction work
Construction supervision	Construction supervision was undertaken by BIWTA.
Time overruns	Probability is there
Cost overruns	Probability is there

Deficiencies/ Defects observed	Extending project completion time.																																	
Timeliness of Payment	<p style="text-align: center;">Payment Statement</p> <table> <tr> <th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr> <tr> <td>FY(2018-2019) and FY(2019-2020)</td><td>98,63,500</td><td></td><td></td><td>15%</td><td>83,83,975</td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> <p>Payments to contractor were timely as described above in the chart **Deducted amount TK 1250 for non-return of wooded drums N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date	FY(2018-2019) and FY(2019-2020)	98,63,500			15%	83,83,975															
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																												
FY(2018-2019) and FY(2019-2020)	98,63,500			15%	83,83,975																													
Comments and recommendations	<p>The construction work of this contract was supposed to be completed 87%. by April 2020. It has been completed only 65% so far. PD should take extra initiative to complete in time. The tender advertisement should be published in the widely circulated daily newspapers to ensure competition. Official cost estimation should be done on local market price.</p>																																	

10.07 Annex: B-3

Individual Contract Review Format (Package: b-004, Lot-1)

(e-GP System)

Part-1: General

Data of Review	3 and 13 May 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Executive Engineer Aricha sub-Division Engineering Department, BIWTA, Manikgonj
Contract Name and Reference No	Construction of Ferry Ghat and Adjustment for operation during Project period at Balashi and Bahadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad. b-004 Lot-1, Dated: 07.04.2019
Contract Amount	BDT 02,28,58,177.437
Procurement Type	NCT
Category of Procurement	Works (Construction)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ Construction works for Establishment of Ferry Ghat including allied facilities at Balashi and Bahadurabad to facilitate water transportation for general public throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: b-004-Lot-1)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA (17.01.2019)
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Daily Amader : 29.01.2019 Somoy
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 18.02.2019
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines,	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	6 (Six)
3.2	No of Tender Participate	No limit	5 (Five)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 29.01.2019 Submission : 18.02.2019 21 days (preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)

4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and -GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 18.02.2019 Evaluation : 13.03.2019 24 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 18.02.2019 Evaluation : 13.03.2019 24 days (Opening-evaluation) Submission to CE: 24.03.2019 35 days (opening-sub. to CE)
5.3	Responsiveness of Tender/Proposal	No Limit	2 (Two)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		
6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 13.03.2019 Submission to : 24.03.2019 SE SE to CE : 24.03.2019 CE to Member : 24.03.2019 Member to : 27.03.2019 HOPE HOPE : 28.03.2019 Approved

			15 days (Evaluation-Approved)
6.2	AA as per DoFP	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.3	Authority approved	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via CE to Chairman (BIWTA)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract signing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 28.03.2019 NOA Issue : 31.03.2019 04 days (approval to NOA issue) Contract Sign : 07.04.2019 08 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Sub. : 24.03.2019 Approval : 28.03.2019 05 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A
6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		
7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 18.02.2019 NOA issue : 31.03.2019 42 days (Opening-NOA) Contract Sign : 07.04.2019 49 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 29.01.2019 NOA issue : 31.03.2019 62 days (IFT -NOA) Contract Sign : 07.04.2019 69 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1	Published

		month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	Yes (18.02.2019 to 19.05.2019), Within tender validity period
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/Execution/Perform	25% : 28.07.2019 50% : 18.11.2019 75% : 09.03.2020 100% : 30.06.2020	Contract Sign: 07.04.2019 50% within 32 weeks and 100% within 64 weeks from day of contract 50% : 18.11.2019 100% : 30.06.2020
8.2	Day actual for Supply/Execution/Delivery/Perform	50% within 32 weeks and 100% within 64 weeks from day of contract 50% : 18.11.2019 100% : 30.06.2020	Ongoing (65 % completed) 65% : 30.04.2019 100% : 30.06.2020
8.3	Amount of LD imposed		N/A
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide whether to reject the complaint or take corrective action [R-57(3)(4)]	N/A
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority	N/A

		[R-57(10)(11)(12)]	
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	01(One) Up to 30.06.2020 with the approval of HOPE
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		08 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: b-004, Lot-1)

Date of Review: 3 and 13 May 2020	Name of the Reviewer: Commodore Syed Salahuddin Ahmed
Contract Name, Number and Date: Construction of Ferry Ghat and Adjustment for operation during Project period at Balashi and Bahadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad	Contract Amount: BDT 02,28,58,177.437
b-004, Lot-1, Dated: 07.04.2019	
Contractor's Name and Address: S.S Rahman International, 65/2/1, Purana Polton, Paramount Height, Dhaka-1000	

Procurement Method : NCT, OTM(e-GP)
Category : Works (Construction work)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 29.01.2019 with other 02 (Two) packages/sub-packages in the Daily amader somoy and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by Office of the Executive Engineer Aricha sub-Division Engineering Department, BIWTA, Manikgonj
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.
Tender security records	Records of the tender security as per TOR-1 and TOR-2.

B.E Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 18. J Enterprise 19. M/S Hosain Enterprise 20. M/S Wadud Enterprise - 21. S.K. International 22. S.S Rahman International
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Dayworks (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Bank Guarantee NO: MBL/GRB/BG-24/2019, Issue date: 11.04.2019, Expiry date:31.12.2019, Extended Expiry date: 31.12.2020, Guarantee amount: BDT 22,58,817.7400; Issued by Mercantile Bank Limited, Green Road Branch, Dhaka.
Complaints and Appeals	N/A
Contractual completion date	Contract Sign: 07.04.2019 50% within 32 weeks and 100% within 64 weeks from day of contract 50% : 18.11.2019 100% : 30.06.2020
Actual completion date	Ongoing (65 % completed) 65% : 30.04.2019 100% : 30.06.2020
Bill of lading, if Any	N/A
Delivery receipt / not receipt or like Instrument	As per construction work
Liquidated Damages, Details and enforcement for delays	N/A

Timeliness of Payment	<u>Payment Statement</u>						
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date
	FY(2018-2019) and FY(2019-2020)	72,62,600			15%	61,73210	
Payments to contractor were timely as described above in the chart							
**15% VAT of the Works Were reimbursed by MUshak-11							
N.B. Since it was a GOB Funded Project, there was no advance payment.							
Others matters							
Compliance with agreed provisions Yes or No (Explain)	<p>The provisions of PPA -2006 and PPR-2008 have been complied with all required process. Since the procurement has been done on e-GP system so, it is not possible to skip any provision of Act and Rules.</p> <p>But evaluation time were not maintained as per Rule-36(6), Schedule-III, Part-A of the PPR-2008.The procurement record and other relevant document were not prepared as per Rule - 43(3) of the PPR-2008</p>						

Part-4: Report on Physical Inception (Package: b-004, Lot-1)

Procurement Item Name and number	Construction of Ferry Ghat and Adjustment for operation during Project period at Balashi and Bahadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad b-004 Lot-1, Dated:07.04.2019
Location	Bahadurabad, Jamalpur and Balashi, Gaibandah.
Date of visit	22 March 2020 (Insufficient)
Date of Contract	Contract Signing : 07.04.2019
Contracted Completion date (Original)	50% within 32 weeks and 100% within 64 weeks from day of contract 50% : 18.11.2019 100% : 30.06.2020
Contractual completion date	Ongoing (65 % completed) 65% : 30.04.2019 100% : 30.06.2020
Contract value	BDT 02,28,58,177.437
Final Contract Value	BDT 02,28,58,177.437
Supplier/ Contractor	S.S Rahman International, 65/2/1, Purana Polton, Paramount Height, Dhaka-1000
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Works (construction works)
Materials (Supply and quantity)	As per construction work
Construction supervision	Construction supervision was undertaken by BIWTA.
Time overruns	Probability is there
Cost overruns	Probability is there

Deficiencies/ Defects observed	Extending project completion time.																																	
Timeliness of Payment	<p style="text-align: center;">Payment Statement</p> <table> <tr> <th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr> <tr> <td>FY(2018-2019) and FY(2019-2020)</td><td>72,62,600</td><td></td><td></td><td>15%</td><td>61,73,210</td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date	FY(2018-2019) and FY(2019-2020)	72,62,600			15%	61,73,210															
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																												
FY(2018-2019) and FY(2019-2020)	72,62,600			15%	61,73,210																													
Comments and recommendations	<p>This contract was extended for lengthy land acquisition process. The total construction work for this contract is slow. So far it is completed 65% only which should be 86.5%. PD should take extra initiative to complete in time. PE/ PD must maintain all records of the payment including the bills, invoices for procurement of construction works. The time of government offices for land acquisition process should be reduced.</p>																																	

10.08 Annex: B-4

Individual Contract Review Format (Package: b-006, Lot-1)

(e-GP System)

Part-1: General

Data of Review	3 and 13 May 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Executive Engineer Aricha sub-Division Engineering Department, BIWTA, Manikgonj
Contract Name and Reference No	Construction of Steel jetty (With shed) and Steel spud at Balashi and Bahadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad. b-006 Lot-1, Dated: 19.08.2019
Contract Amount	BDT 01,29,59,963.882
Procurement Type	NCT
Category of Procurement	Works (Construction)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ Construction works for Establishment of Steel jetty including allied facilities at Balashi and Bahadurabad to facilitate water transportation for general public throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: b-006-Lot-1)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Daily Kaler : 08.05.2019 Khantho
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 19.05.2019
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines,	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	3 (Three)
3.2	No of Tender Participate	No limit	2 (Two)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 08.05.2019 Submission : 19.05.2019 12 days (preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)

4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 19.05.2019 Evaluation : 16.06.2019 29 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R- 36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 19.05.2019 Evaluation : 16.06.2019 29 days (Opening- evaluation) Submission to SE: 16.06.2019 29 days (opening-sub. to SE)
5.3	Responsiveness of Tender/Proposal	No Limit	2 (Two)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 16.06.2019 Submission : 16.06.2019 to SE SE to CE : 16.06.2019 CE to : 17.06.2019 Member Member to : 04.07.2019 HOPE HOPE : 07.07.2019 Approved 22 days (Evaluation-Approved)
6.2	AA as per DoFP	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.3	Authority approved	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via SE to Chairman (BIWTA)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract signing-withing 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 07.07.2019 NOA Issue : 08.08.2019 33 days (approval to NOA issue) Contract Sign : 19.08.2019 12 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Sub. : 16.06.2019 Approval Approval : 07.07.2019 22 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A
6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		
7.1	Procurement processing Lead time I.e. the actual between opening and Issuance	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance	Opening : 19.05.2019 NOA issue : 08.08.2019 82 days (Opening-NOA)

	of NOA/PO/ Contract signing/LOI	NOA:28 Days[R-36(6) Schedule-III, Part-A]	Contract Sign : 19.08.2019 93 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 08.05.2019 NOA issue : 08.08.2019 93 days (IFT -NOA) Contract Sign : 19.08.2019 104 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	No (19.05.2019 to 17.08.2019)
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/Execution/Perform	25% : 05.02.2020 50% : 24.07.2020 75% : 10.01.2021 100% : 30.06.2021	Contract Sign: 19.08.2019 50% within 48 weeks and 100% within 97 weeks from day of contract 50 % : 24.07.2020 100% : 30.06.2021
8.2	Day actual for Supply/ Execution/Delivery/ Perform	50% within 48 weeks and 100% within 97 weeks from day of contract 50 % : 24.07.2020 100% : 30.06.2021	Ongoing (37.50% Completed) 37.50% : 30.04.2020 100% : 30.06.2021
8.3	Amount of LD imposed		N/A
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide whether to reject the	N/A

		complaint or take corrective action [R-57(3)(4)]	
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	01(One) Up to 30.06.2021 with the approval of HOPE
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	No
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	No
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	No
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		05 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: b-006, Lot-1)

Date of Review: 3 and 13 May 2020	Name of the Reviewer: Commodore Syed Salahuddin Ahmed
Contract Name, Number and Date: Construction of Steel jetty (With shed) and Steel spud at Balashi and Bahadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad b-006, Lot-1, Dated: 19.08.2019	Contract Amount: BDT 1,29,59,963.882
23. Contractor's Name and Address: S.K. International, 121, Jiban Bima Bhaban (Level-04), Motijheel C/A, Dhaka-1000	

Procurement Method : NCT, OTM(e-GP)
Category : Works (Construction work)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 08.05.2019 with other 02 (Two) packages/sub-packages in the Daily Kaler Kantho and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by Office of the Executive Engineer Aricha sub-Division Engineering Department, BIWTA, Manikgonj
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.
Tender security records	Records of the tender security as per TOS, TOR-1 and TOR-2

B.E Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 24. S.K. International 25. MS Amdad International
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Dayworks (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Bank Guarantee NO: SEBL/AGN/BG-0020/90042, Issue date: 19.08.2019, Expiry date:18.02.2020, Guarantee amount: BDT 22,58,817.7400; Issued by Southeast Bank Limited, Agargaon Branch, Dhaka.
Complaints and Appeals	N/A
Contractual completion date	Contract Sign: 19.08.2019 50% within 48 weeks and 100% within 97 weeks from day of contract 50 % : 24.07.2020 100% : 30.06.2021
Actual completion date	Ongoing (37.50% Completed) 37.50% : 30.04.2020 100% : 30.06.2021
Bill of lading, if Any	N/A
Delivery receipt / not receipt or like Instrument	As per construction work
Liquidated Damages, Details and enforcement for delays	N/A

Timeliness of Payment	<p style="text-align: center;">Payment Statement</p> <table border="1"> <thead> <tr> <th>Payment Recommended by field office</th> <th>Bill Amount (BDT)</th> <th>R/M-Refund (after completion)</th> <th>R/M-Deduction (When R/A bill payment)</th> <th>IT and Vat* (BDT)</th> <th>Check Amount</th> <th>Payment Date</th> </tr> </thead> <tbody> <tr> <td></td> <td>Not paid</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUSHAK-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>							Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date		Not paid																																																													
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																																																																						
		Not paid																																																																											
Others matters																																																																													
Compliance with agreed provisions Yes or No (Explain)	<p>Here the provisions of PPA-2008 have been complied with. Because of, the procurement has been done on the e-GP system.</p> <p>The publication of tender notice in all edition of the well circulated daily newspapers on the day of publication was not done as per Rule - 90(2)(d) of the PPR-2008. The contract agreement does not contain required documents as per Rule - 38 and 39 of the PPR-2008.</p>																																																																												

Part-4: Report on Physical Inception (Package: b-006, Lot-1)

Procurement Item Name and number	Construction of Steel jetty (With shed) and Steel spud at Balashi and Bahadurabad under the project of Establishment of ferry Ghat including allied facilities at Balashi and Bahadurabad. b-006 Lot-1, Dated: 19.08.2019
Location	Bahadurabad, Jamalpur and Balashi, Gaibandah.
Date of visit	22 march 2020 (Insufficient)
Date of Contract	Contract Signing : 19.08.2019
Contracted Completion date (Original)	50% within 48 weeks and 100% within 97 weeks from day of contract 50 % : 24.07.2020 100% : 30.06.2021
Contractual completion date	Ongoing (37.50% Completed) 37.50% : 30.04.2020 100% : 30.06.2021
Contract value	BDT 01,29,59,968.882
Final Contract Value	BDT 01,29,59,968.882
Supplier/ Contractor	S.K. International, 121, Jiban Bima Bhaban (Level-04), Motijheel C/A, Dhaka-1000
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Works (Construction works)
Materials (Supply and quantity)	As per construction work
Construction supervision	Construction supervision was undertaken by BIWTA.
Time overruns	N/A
Cost overruns	N/A

Deficiencies/ Defects observed	One year and six months have been spent for land acquisition. It will take another six months for land acquisition. Due to this, the project will take more time to complete.																																																													
Timeliness of Payment	<p style="text-align: center;"><u>Payment Statement</u></p> <table> <tr> <th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr> <tr> <td></td><td>Not paid</td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date		Not paid																																															
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																																																								
	Not paid																																																													
Comments and recommendations	The tender advertisements were not published in any daily English newspaper. The contract was extended for lengthy land acquisition process. The contract concluded on 10% price of official estimate. The tender advertisement should be published in the widely circulated daily newspapers for ensure competition. The time of government offices for land acquisition process should be reduced.																																																													

10. 09 Annex: C-1

Individual Contract Review Format (Package: WDN-1-Lot-1) (e-GP System)

Part-1: General

Data of Review	15 and 29 April 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Chief Engineer (Civil), BIWTA, Dhaka
Contract Name and Reference No	Construction of RCC jetty and Access Road at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari. WDN-1-Lot-1, Dated: 14.01.2020
Contract Amount	BDT 89,84,66,310.450
Procurement Type	NCT
Category of Procurement	Works (construction)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ Construction works for Establishment of River Port with allied facilities at Nagarbari to facilitate water transportation for general public throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: WDN-1-Lot-1)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA (10.06.2019)
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Dainik Bonik : 13.07.2019 Barta Daily Sun : 13.07.2019 New Age : 13.07.2019
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 26.08.2019
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	19 (Nineteen)
3.2	No of Tender Participate	No limit	9 (Nine)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 13.07.2019 Submission : 26.08.2019 48 days(preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)

4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 26.08.2019 Evaluation : 16.11.2019 83 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R- 36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 26.08.2019 Evaluation : 16.11.2019 83 days (Opening-evaluation) Submission to CE : 17.11.2019 84 days (opening-sub. to CE)
5.3	Responsiveness of Tender/Proposal	No Limit	6 (Six)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 16.11.2019 Submission to : 17.11.2019 CE CE to Member : 17.11.2019 Member to : 24.11.2019 chairman Chairman to : 01.12.2019 Secretary Secretary to : 23.12.2019 Minister Minister : 1.01.2020 Approved 47 days (Evaluation-Approved)
6.2	AA as per DoFP	HOPE / Project Director	HOPE, Chairman (BIWTA)
6.3	Authority approved	HOPE / Project Director	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via CE to Ministry (Shipping)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract singing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 01.01.2020 NOA Issue : 01.01.2020 1 days (approval to NOA issue) Contract Sign : 14.01.2020 14 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]]	Sub. : 16.11.2019 Approval Approval : 01.01.2020 47 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A
6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		

7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 26.08.2019 NOA issue : 01.01.2020 129 days (Opening-NOA) Contract Sign : 14.01.2020 142 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 13.07.2019 NOA issue : 01.01.2020 173 days (IFT -NOA) Contract Sign : 14.01.2020 185 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	NO (26.08.2019 to 24.12.2019)
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/Execution/Perform	25% : 03.05.2020 50% : 30.08.2020 75% : 14.12.2020 100% : 31.03.2021	Contract Sign: 14.01.2020 24% within 15 weeks and 100% within 63 weeks from day of contract 24% : 30.04.2020 100% : 31.03.2021
8.2	Day actual for Supply/ Execution/Delivery/ Perform	24% within 15 weeks and 100% within 63 weeks from day of contract 24% : 30.04.2020 100% : 31.03.2021	Ongoing (24% completed) 24%(Approx.) : 30.04.2020 100% : 31.03.2021
8.3	Amount of LD imposed		Not yet
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	N/A
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide	N/A

		whether to reject the complaint or take corrective action [R-57(3)(4)]	
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	N/A
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		5 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: WDN-1-Lot-1)

Date of Review: 15 and 29 April 2020	Name of the Reviewer: Commodore Syed Salahuddin Ahmed
Contract Name, Number and Date: Construction of RCC jetty and Access Road at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari. WDN-1-Lot-1, Dated: 14.01.2020	Contract Amount: BDT 89,84,66,310.450
Contractor's Name and Address: S.S Rahman International, 65/2/1, Purana Polton, Paramount Height, Dhaka-1000.	

Procurement Method : NCT, OTM
Category : Works (Construction work)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008
Advertising	Advertised on 13.07.2019 with other 02 (two) packages/sub-packages in the Dainik Bonik Barta, Daily Sun, New Age and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by chief Engineer (Project), BIWTA
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.
Tender security records	Records of the tender security as per TOR-1 and TOR-2.
BE Report verify existence	TER-1, 2, 3, and 4 were used while evaluation 26. Concord Pragatee Consortium Ltd.

Of Tenders Names of Tenderers	27. M.MBuilders and Engineers ltd and S. Mahmood International Ltd. JV 28. M/S. Md. Jamil Iqbal 29. PBL-SEL (JV) 30. RABRC-HCPL-SCL JV. 31. RP-FMC-Yakub (JV) 32. S.S Rahman International 33. SSECL-KSA JV 34. Surmarupaliaminul.jv
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Dayworks (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Bank Guarantee NO: DBL/LO/PG/07/2020, Issue date:13.03.2020, Expiry date: 31.03.2021, Guarantee amount: BDT 08,98,46,631.0500; Issued by Dhaka Bank Ltd, Head Office, Dhaka.
Complaints and Appeals	N/A
Contractual completion date	Contract Sign: 14.01.2020 24% within 15 weeks and 100% within 63 weeks from day of contract 24% : 30.04.2020 100% : 31.03.2021
Actual completion date	Ongoing (24% completed) 24%(Approx.) : 30.04.2020 100% : 31.03.2021
Bill of lading, if Any	N/A
Delivery receipt / not receipt or like Instrument	As per construction work
Liquidated Damages, Details and enforcement for delays	Probability is there

Timeliness of Payment	<u>Payment Statement</u>						
	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date
		Not paid					
	<p>Payments to contractor were timely as described above in the chart</p> <p>**15% VAT of the Works Were reimbursed by MUshak-11</p> <p>N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						
Others matters							
Compliance with agreed provisions Yes or No (Explain)	<p>The provision of PPA -2006 and PPR-2008 have been complied with. Since the procurement has been done on e-GP system so, it is not possible to skip any provision of Act and Rules.</p> <p>Some are not complied such as: completion of evaluation time was not maintained as per Rule-36(6), schedule -III, Part-A of PPR-2008. The time spent at each stage of procurement contract /schedule of activities were not maintained as per Rule -8(17) (18) and schedule-IV of PPR-2008.</p>						

Part-4: Report on Physical Inception (Package: WDN-1-Lot-1)

Procurement Item Name and number	Construction of RCC jetty and Access Road at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari. WDN-1-Lot-1, Dated: 14.01.2020
Location	Nagarbari Ghat, Pabna
Date of visit	23 March 2020 (Insufficient)
Date of Contract	Contract Signing: 14.01.2020
Contracted Completion date (Original)	24% within 15 weeks and 100% within 63 weeks from day of contract 24% : 30.04.2020 100% : 31.03.2021
Contractual completion date	Ongoing (24% completed) 24% (Approx.) : 30.04.2020 100% : 31.03.2021
Contract value	BDT 89,84,66,310.450
Final Contract Value	BDT 89,84,66,310.450
Supplier/ Contractor	S.S Rahman International, 65/2/1, Purana Polton, Paramount Height, Dhaka-1000.
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	To be mentioned
Scope of work	Works (construction works)
Materials (Supply and quantity)	As per construction work
Construction supervision	Construction supervision was undertaken by BIWTA.
Time overruns	Probability is there
Cost overruns	Probability is there

Deficiencies/ Defects observed	NOA issued (01.01.2020) after expired of tender validity (24.12.2020). So, the work started much later. Accordingly, project completion by 31.03.2021 to be impossible and there is no avoidance of time extension.																																																													
Timeliness of Payment	<p style="text-align: center;"><u>Payment Statement</u></p> <table border="1"> <thead> <tr> <th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr> </thead> <tbody> <tr> <td></td><td>Not paid</td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date		Not paid																																															
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																																																								
	Not paid																																																													
Comments and recommendations	<p>The time spent at each stage of procurement contracts/schedule of activities were not maintained properly. Excessive evaluation time has been taken for this contract. PE/ PD must maintain all records of the payment including the bills, invoices for procurement of this construction work. Social and environmental issues must be addressed by minimalizing dredging waste and construction dust.</p>																																																													

10.10 Annex: C-2

Individual Contract Review Format (Package: WDN-2-Lot-1) (e-GP System)

Part-1: General

Data of Review	15 and 29 April 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Chief Engineer (Civil), BIWTA, Dhaka
Contract Name and Reference No	Construction Bank Protection/Revetment Structure at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari. WDN-2-Lot-1, Dated: 21.01.2020
Contract Amount	BDT 35,53,10,296.380
Procurement Type	NCT
Category of Procurement	Works (Construction)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ Construction works for Establishment of River Port with allied facilities at Nagarbari to facilitate water transportation for general public throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: WDN-2-Lot-1)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA (10.06.2019)
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Dainik Kaler : 19.07.2016 Khantho Dainik Inqilab : 19.07.2016 Independent : 19.07.2016 Dhaka Tribune : 19.07.2016
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU :
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines,	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	20 (Twenty)
3.2	No of Tender Participate	No limit	11 (Eleven)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 19.07.2019 Submission : 26.08.2019 37 days(preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)

4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)
4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 26.08.2019 Evaluation : 16.11.2019 83 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R- 36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 26.08.2019 Evaluation : 16.11.2019 83 days (Opening-evaluation) Submission to CE : 17.11.2019 84 days (opening-sub. to CE)
5.3	Responsiveness of Tender/Proposal	No Limit	5 (Five)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		

6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 16.11.2019 Submission to : 16.11.2019 CE CE to Member : 07.12.2019 Member to : 10.12.2019 chairman Chairman to : 10.01.2020 Secretary Secretary to : 05.01.2020 Minister Minister : 08.01.2020 Approved 54 days (Evaluation-Approved)
6.2	AA as per DoFP	HOPE / Project Director	HOPE, Chairman (BIWTA)
6.3	Authority approved	HOPE / Project Director	HOPE, Chairman (BIWTA)
6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via CE to Ministry (Shipping)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract signing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 08.01.2020 NOA Issue : 09.01.2020 2 days (approval to NOA issue) Contract Sign : 21.01.2020 13 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 6 weeks (42 days) Project Director: 1 weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Sub. : 16.11.2019 Approval Approval : 08.01.2020 54 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A
6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		

7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 26.08.2019 NOA issue : 09.01.2020 137 days (Opening-NOA) Contract Sign : 21.01.2020 149 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 19.07.2019 NOA issue : 09.01.2020 175 days (IFT -NOA) Contract Sign : 21.01.2020 187 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published
7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	NO (26.08.2019 to 24.12.2019)
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/Execution/Perform	25% : 08.05.2020 50% : 25.08.2020 75% : 12.12.2020 100% : 31.03.2021	Contract Sign: 21.01.2020 23% within 14 weeks and 100% within 62 weeks from day of contract 23% : 30.04.2020 100% : 31.03.2021
8.2	Day actual for Supply/ Execution/Delivery/ Perform	23% within 14 weeks and 100% within 62 weeks from day of contract 23% : 30.04.2020 100% : 31.03.2021	Ongoing (23 % Completed) 23%(Approx.) : 30.04.2020 100% : 31.03.2021
8.3	Amount of LD imposed		Not yet
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	N/A
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the	N/A

		complaint and decide whether to reject the complaint or take corrective action [R-57(3)(4)]	
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A
10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	N/A
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		05 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: WDN-2-Lot-1)

Date of Review: 15 and 29 April 2020	Name of the Reviewer: Commodore Syed Salahuddin Ahmed
Contract Name, Number and Date: Construction Bank Protection/ Revetment Structure at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari. WDN-2, Lot-1, Dated: 21.01.2020	Contract Amount: BDT 35,53,10,296.380
Contractor's Name and Address: SSRI-JE(JV), 116, Hossen Tower, Naya Polton, Dhaka-1000.	

Procurement Method : NCT, OTM(e-GP)
Category : Works (Construction work)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 19.07.2016 with other 02 (two) packages/sub-packages in the Dainik Kaler Khantho, Dainik Inqilab, Independent, Dhaka Tribune and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by chief Engineer (Project), BIWTA
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.
Tender security records	Records of the tender security as per TOR-1 and TOR-2.

BE Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 35. M/S. Md. Jamil Iqbal and Kanak Construction Co. (JI-KCC JV) 36. PBL-SEL (JV) 37. Rana Builders (Pvt) Ltd-M/s Farjana Khan- Three Angle Marine Limited (JVCA) 38. SSECL-KAS JV 39. SSRI-JE (JV) 40. Surmarupalibellal.jv 41. M.M Builders and Engineers Ltd – S. Mahmood International Ltd. JV 42. RABRC-HCPL-SCL JV 43. Western Engineering (Pvt.) Ltd 44. Concord Pragatee Consortium Ltd.
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Dayworks (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Bank Guarantee NO: DBL/LO/PG/12/2020, Issue date:20.01.2020, Expiry date: 31.03.2021, Guarantee amount: BDT 03,55,31,029.6400; Issued by Dhaka Bank Ltd, Head Office, Dhaka.
Complaints and Appeals	N/A
Contractual completion date	Contract Sign: 21.01.2020 23% within 14 weeks and 100% within 62 weeks from day of contract 23% : 30.04.2020 100% : 31.03.2021
Actual completion date	Ongoing (23% Completed) 23% (Approx.) : 30.04.2020 100% : 31.03.2021
Bill of lading, if Any	N/A
Delivery receipt / not receipt or like Instrument	As per construction work
Liquidated Damages, Details and	Probability is there

enforcement for delays																																																															
Timeliness of Payment	<p align="center"><u>Payment Statement</u></p> <table border="1"> <thead> <tr> <th>Payment Recommended by field office</th> <th>Bill Amount (BDT)</th> <th>R/M-Refund (after completion)</th> <th>R/M-Deduction (When R/A bill payment)</th> <th>IT and Vat* (BDT)</th> <th>Check Amount</th> <th>Payment Date</th> </tr> </thead> <tbody> <tr> <td></td> <td>Not paid</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>							Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date		Not paid																																															
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																																																									
	Not paid																																																														
Others matters																																																															
Compliance with agreed provisions Yes or No (Explain)	<p>The procurement has been done on the e-GP framework. For that, the provision of PPA -2006 and PPR-2008 have been complied with.</p> <p>Some are not complied such as: completion of evaluation time was not maintained as per Rule-36(6), schedule -III, Part-A of PPR-2008. The un-successful bidders were not notified with the refund of their bank guarantee after the contract sign with the successful bidder as per Rule 35 (1)(2)(3) of the PPR-2008.</p>																																																														

Part-4: Report on Physical Inception (Package: WDN-2-Lot-1)

Procurement Item Name and number	Construction Bank Protection/ Revetment Structure at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari. WDN-2 Lot-1, Dated: 21.01.2020
Location	Nagarbari Ghat, Pabna
Date of visit	23 March 2020 (Insufficient)
Date of Contract	Contract Signing : 21.01.2020
Contracted Completion date (Original)	23% within 14 weeks and 100% within 63 weeks from day of contract 23% : 30.04.2020 100% : 31.03.2021
Contractual completion date	Ongoing (23% Completed) 23% (Approx.) : 30.04.2020 100% : 31.03.2021
Contract value	BDT 35,53,10,296.380
Final Contract Value	BDT 35,53,10,296.380
Supplier/ Contractor	SSRI-JE(JV), 116, Hossen Tower, Naya Polton, Dhaka-1000.
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Works (Construction works)
Materials (Supply and quantity)	As per construction work
Construction supervision	Construction supervision was undertaken by BIWTA.
Time overruns	Probability is there
Cost overruns	Probability is there

Deficiencies/ Defects observed	NOA issued (09.01.2020) after expired of tender validity (24.12.2019). So, the work started much later. Accordingly, project completion by 31.03.2021 to be impossible and there is no avoidance of time extension																																																													
Timeliness of Payment	<p style="text-align: center;"><u>Payment Statement</u></p> <table> <tr> <th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr> <tr> <td></td><td>Not paid</td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>						Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date		Not paid																																															
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																																																								
	Not paid																																																													
Comments and recommendations	Due to excessive evaluation time the contract was signed little late. That why it will be difficulty to complete in time. PD/PE should take extra initiative to complete in time. The records and documents of procurement contracts were not prepared properly. It should be prepared properly.																																																													

10.11 Annex: C-3

Individual Contract Review Format (Package: WDN-3-Lot-1)

(e-GP System)

Part-1: General

Data of Review	15 and 29 April 2020
Name of Reviewer	Commodore (Retd) Syed Salahuddin Ahmed
Procuring Entity Name	Office of the Chief Engineer (Civil), BIWTA, Dhaka
Contract Name and Reference No	Construction of Administrative Building, Inspection Banglo, Dormitory, Pilot House, Pump House, Generator Room, Store room, Guard room, Mosque, Boundary Wall, Fencing, Gate, Water Connection and Sewerage, Drainage, Deep Tube Well, Electrical work, Land Development and Other related Works at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari. WDN-3-Lot-1, Dated: 21.01.2020
Contract Amount	BDT 17,96,06,698.596
Procurement Type	NCT
Category of Procurement	Works (Construction)
Method of Procurement	OTM(e-GP)
Object of Procurement	<ul style="list-style-type: none"> ❖ Construction works for Establishment of River Port with allied facilities at Nagarbari to facilitate water transportation for general public throughout the area. ❖ To accelerate economic activities in Bangladesh by increasing water transportation. ❖ To achieve 100% water transportation for all.
Financing Arrangement of the Procurement	GOB

Part-2: Compliance with Act and Rules (Package: WDN-3-Lot-1)

		Applicable Provision	Actual
1.0	Procurement Plan		
1.1	Approval Status of APP.	HOPE or AO e-GP Guidelines, Section 3.3.1 and PPR-2008, Rule [R-16(17)]	Chairman BIWTA (10.07.2019)
2.0	Procurement Opportunities		
2.1	Advertised in Newspaper	e-GP Guidelines, Section 3.5.1.3 and PPR-2008, [Rule 90(2) (ka)] At least one Bengali and one English National Newspaper	Daily New Age : 12.07.2019 Daily Sun : 12.07.2019 Daily Banik : 12.07.2019 Barta
2.2	Advertised in CPTU's website	Procurement of Tk. 1.00 crore and above be sent to CPTU's website [R-90(2) (jha)] e-GP Guidelines, Sec-3.5.1.2	CPTU : 26.08.2019
2.3	Tenders/Proposals followed PPR,2008	To be Followed PPR-2008 and e-GP Guidelines,	e-GP Guidelines and PPR-2008
2.4	Tenders/Proposals followed DP's Guideline	N/A	N/A
3.0	Tenders/Proposals Submission		
3.1	No of Sale/Issuance of Tender/Proposal Document	No Limit	25 (Twenty Five)
3.2	No of Tender Participate	No limit	10 (Ten)
3.3	Days allowed per Rule For preparation and Submission of tender	At least 14 days: [R-61(5)]	Advertisement : 12.07.2019 Submission : 26.08.2019 46 days(preparation-submission)
4.0	Formation of TOC/BOC and TEC/BEC		
4.1	No of members in TOC/BOC	02(Two) [R-7, Schedule-II] and e-GP Guidelines Section-3.5.6.1	02 (Two)
4.2	No of members in TOC/BOC from TEC/BEC	1 (One) [R-7, Schedule-II]	1 (One)

4.3	No of members in TEC/BEC	03 (Three) member[R-8(1), Schedule-II] and e-GP, Section-3.5.6.1	03 (Three)
4.4	No of external members in TEC/BEC	N/A	N/A
4.5	Authority Approved TEC/BEC	Tender Approving Authority/ PD / Chairman / Secretary [R-8(3)]	HOPE
5.0	Tenders/Proposal Evaluation		
5.1	Days Allowed per Rules between opening and completion /submission of evaluation Report	Safe Custody-2days(R-32), Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 26.08.2019 Evaluation : 31.12.2019 128 days (Opening-evaluation)
5.2	Days actual between opening and completion /submission of evaluation	Safe Custody-2 days(R-32), TEC Evaluation-14 days [R-36(6), schedule-III, part-A] 16 days (opening to evaluation)	Opening : 26.08.2019 Evaluation : 31.12.2019 128 days (Opening-evaluation) Submission to CE: 31.12.2019 128 days (opening-sub. to CE)
	Responsiveness of Tender/Proposal	No Limit	5 (Five)
5.4	Re-invitation of Tender/Proposals recommended by TEC/BEC	PE may reject all tenders on the recommendations of the TEC, and with the approval HOPE invite Re-tender on certain grounds [R-33(2)], [R-11(2)(c)(II)]	N/A
5.5	Procurement proceedings annulled/cancelled	N/A	N/A
6.0	Approval of tenders / proposals		
6.1	Days actual between evolution and approval	HOPE: 6 weeks (42 days) Project Director: 1weeks (7 days) [R-36(6)-Schedule-III, Part -A]	Evaluation : 31.12.2019 Submission to : 31.12.2019 CE CE to Member : 31.12.2019 Member to : 31.12.2019 HOPE HOPE Approved : 06.01.2020 08 days (Evaluation-Approved)
6.2	AA as per DoFP	Project Director / HOPE	HOPE, Chairman (BIWTA)
6.3	Authority approved	Project Director/ HOPE	HOPE, Chairman (BIWTA)

6.4	Evaluation report was sent directly to the AA	Be sent directly to AA in sealed envelope [R-36(3)]	Via CE to Ministry (Shipping)
6.5	Days actual for issuance of NOA/PO/ Contracts sign	a) NOA-Within 7 working days of receipt of approval but before expiry of tender validity date [R-36(4)]/(a), Schedule-II] b) Contract signing-within 28 days from issuance NOA [R-102(11), schedule-II]	Approval : 6.01.2020 NOA Issue : 07.01.2020 02 days (approval to NOA issue) Contract Sign : 21.01.2020 15 days (NOA to Contract Sign)
6.6	Days actual for contract award decision by AA	HOPE: 2 weeks (14 days) [R-36(6), schedule-III, Part-A]	Sub. : 31.12.2019 Approval Approval : 06.01.2020 07 days (Submission-approval)
6.7	Authority other than AA, if any, made additional review of the evaluation report	N/A	N/A
6.8	Authority higher or lower than AA, if any, approved Tenders/ Proposals	Project Director	Chairman BIWTA
7.0	Contract Award		
7.1	Procurement processing Lead time I.e. the actual between opening and Issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2days[R-32] Days Actual Between Opening and Issuance NOA:28 Days[R-36(6) Schedule-III, Part-A]	Opening : 26.08.2019 NOA issue : 07.01.2020 135 days (Opening-NOA) Contract Sign : 21.01.2020 149 days (Opening-contract sign)
7.2	The actual between IFT/RFP issuance of NOA/PO/ Contract signing/LOI	Safe Custody: 2 days [R-32] Days Actual Between IFT and Issuance of NOA: Min 42 Days [R-36(6) Schedule-III, Part-A]	IFT : 19.07.2019 NOA issue : 07.01.2020 173 days (IFT -NOA) Contract Sign : 21.01.2020 187 days (IFT -contract sign)
7.3	Publication award in CPTUs website/PE's Website/others	a) CPTU's website: Within 7 working days from issuance of NOA for not less than 1 month for TK 1.00 crore and above [R-31(1 and 2)] b) PE's website-Below Tk.1.00 crore e-GP Guidelines, Section-3.7.4	Published

7.4	Contract awarded made within the initial tender/proposal validity period	Generally, 60-120 days [R-19(1) and 117(10)]	NO (26.08.2019 to 24.12.2019)
8.0	Completion Contract		
8.1	Day per original contract time is specified for Supply/Execution/Perform	25% : 08.05.2020 50% : 25.08.2020 75% : 12.12.2020 100% : 31.03.2021	Contract Sign: 21.01.2020 23% within 14 weeks and 100% within 62 weeks from day of contract 23% : 30.04.2020 100% : 31.03.2021
8.2	Day actual for Supply/Execution/Delivery/Perform	23% within 14 weeks and 100% within 62 weeks from day of contract 23% : 30.04.2020 100% : 31.03.2021	Ongoing (23 % Completed) 23%(Approx.) : 30.04.2020 100% : 31.03.2021
8.3	Amount of LD imposed		Not yet
9.0	Complaint and Appeal		
9.1	Complaint, if any, Lodged and reasons there of	Complaint may be lodged to PE within 7 days of becoming aware of the matter of complaint [R-56]	N/A
9.2	Resolution of complaints per Rules	The PE within 5 working days shall consider the complaint and decide whether to reject the complaint or take corrective action [R-57(3)(4)]	N/A
9.3	Modification resulting from resolution of complaints	N/A	N/A
9.4	Appeal of Independent Review Panel	A person within 7 working days of the receipt of the written decision may be appeal to a Review Panel only if he has exhausted all his options of complaints to the administrative Authority [R-57(10)(11)(12)]	N/A
9.5	Review Panel's decision and follow-on	Decision of the Review Panel within 12 working days from the receipt of the complaint	N/A

10.0	Contract Amendment		
10.1	No of times contract time extended and days	Up to 20% of original Contract time. Above 20% approval of HOPE shall be required [R-74(4)] and [R-39(3)]	N/A
10.2	Variation/Extra Work/Repeat/addl. Delivery Orders etc. made	15% of original Contract Price[R-77(ka)] [Rule-78, 79, and 80] of PPR-2008	N/A
10.3	No and Amount of such orders	[Rule -78,79, 80] of PPR-2008	N/A
11.0	Contract Disputes unresolved	[Rule -42(2)] of PPR-2008	N/A
12.0	Fraudulence and Corruption	[Rule -127] of PPR-2008	N/A
13.0	Procurement Management Capacity	Capable	Capable
13.1	HRD/Facilities	Project Director-1, DD Technical (xen)- 1, DD (Finance)-1, Assistant engineer-1, Sub assistant engineer-1, Accountant-1, Data entry operator-2, peon-2.	
13.2	No of Staff trained in procurement		05 Completed training

Part-3: Post Reviews Goods/Works Contracts (Package: WDN-3-Lot-1)

Date of Review: 15 and 29 April 2020	Name of the Reviewer: Commodore Syed Salahuddin Ahmed
Contract Name, Number and Date: Construction of Administrative building, Inspection Banglo, Dormitory, Pilot House, Pump House, Generator room, Store room, Guard room, Mosque, Boundary, Wall Fencing, Gate, Water Connection and Sewerage Drainage, Deep Tube Well, Electrical Work, Land Development and other related works at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari.	Contract Amount: BDT 17,96,06,698.596
WDN-3, Lot-1, Dated: 21.01.2020	
Contractor's Name and Address: ES-JE JV	

Procurement Method

: NCT, OTM(e-GP)

Category

: Works (Construction work)

Aspect	Comment and Findings
Procurement Document (Filing)	Procurement was done following e-GP guidelines. Most of the documents is kept in archive of e-GP Portal. Standard Tender Documents of CPTU were followed. Tender Data Sheet(general, tender document, qualification criteria, preparation of tender, submission of tender, opening and evaluation of a tender, award of contract, complain and appeal), Particular condition of Contract, Tender and Contract form(Price schedule, Bank Guarantee form, payment terms, insurance etc.), Schedules of requirement, Technical Specification and Drawings, were filled up as per provisions of Rule-4(1), 96(1) and Schedule XII of PPR-2008.
Advertising	Advertised on 12.07.2019 with other 03 (three) packages/sub-packages in the Daily New Age, Daily Sun, Daily Banik Barta and CPTU's Website (at least one Bengali and one English national newspaper). The Advertisement was as per provision of Rule-90(2) (ka) and in the format prescribed in Schedule-X and XI of PPR-2008.
Pre/Post Qualification	Pre-qualification was done by chief Engineer (Project), BIWTA
Time Allowed for submission of Tenders	16 days (preparation-submission). The days allowed for preparation and submission is consistent with Rules.
Tender Opening and minutes of Tender opening	Well formatted and recovered. TOS, TOR-1 and TOR-2 were used for the purposes.

Tender security records	Records of the tender security as per TOR-1 and TOR-2.
B.E Report verify existence Of Tenders Names of Tenderers	TER-1, 2, 3, and 4 were used while evaluation 45. Azadbellalsurma.jv 46. Dhaly Construction Ltd. 47. E-S-JE JV 48. M/S Belal and Brother 49. m/S Kohinoor Enterprise-M/S. Farjana Khan-Rana Builders (Pvt) Ltd. (JVCA) 50. M/S. MD. Jamil Iqbal – S.K. International – M/S.Tania Enterprise (JV) 51. MME-HCPL (JV) 52. Sazin Construction Ltd. 53. SSECL-KSA JV 54. Western Engineering (Pvt) Ltd.
Contract document	The documents mentioned in the contract agreement are: (a) The signed Form of Contract Agreement, (b) the Notification of award, (c) The Completed Tender (d) Particular Conditions of Contract, (e) General Condition of Contract, (f) Technical Specifications, (g) The General Specifications, (h) Drawings, (i) Bill of Quantities(j) Schedule of Dayworks (k) Other document including correspondences listed in the PCC performing part of the contract, were not attached with the contract agreement with signatures of both the parties on every page.
Advance payment guarantee Details and records	N/A
Performance security details and records	Bank Guarantee NO: MBL/BN/BG/02/2020, Issue date: 21.01.2020, Expiry date: 29.04.2021, Guarantee amount: BDT 1,79,60,669.8600; Issued by Mercantile Bank Limited, Banani Branch, Dhaka.
Complaints and Appeals	N/A
Contractual completion date	Contract Sign: 21.01.2020 23% within 14 weeks and 100% within 62 weeks from day of contract 23% : 30.04.2020 100% : 31.03.2021
Actual completion date	Ongoing (23 % Completed) 23%(Approx.) : 30.04.2020 100% : 31.03.2021
Bill of lading, if Any	N/A
Delivery receipt / not receipt or like Instrument	As per construction work
Liquidated Damages,	Probability is there

Details and enforcement for delays																																																									
Timeliness of Payment	<p style="text-align: center;"><u>Payment Statement</u></p> <table border="1"> <thead> <tr> <th>Payment Recommended by field office</th> <th>Bill Amount (BDT)</th> <th>R/M-Refund (after completion)</th> <th>R/M-Deduction (When R/A bill payment)</th> <th>IT and Vat* (BDT)</th> <th>Check Amount</th> <th>Payment Date</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUshak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>	Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																																																	
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																																																			
Others matters																																																									
Compliance with agreed provisions Yes or No (Explain)	<p>The procurement has been done on the e-GP framework. For that, the provision of PPA -2006 and PPR-2008 have been complied with.</p> <p>The time spent at each stage of procurement contract /schedule of activities were not maintained as per Rule -8(17) (18) and schedule-IV of PPR-2008. Evaluation time were not maintained properly as per Rule-36(6), schedule -III, Part-A of PPR-2008. The un-successful bidders were not notified with the refund of their bank guarantee after the contract sign with the successful bidder as per Rule 35 (1)(2)(3) of the PPR-2008.</p>																																																								

Part-4: Report on Physical Inception (Package: WDN-3-Lot-1)

Procurement Item Name and number	Construction of Administrative building, Inspection Banglo, Dormitory, Pilot House, Pump House, Generator room, Store room, Guard room, Mosque, Boundary, Wall Fencing, Gate, Water Connection and Sewerage Drainage, Deep Tube Well, Electrical Work, Land Development and other related works at Nagarbari under the project of Establishment of River Port with allied facilities at Nagarbari. WDN-3 Lot-1, Dated: 21.01.2020
Location	Nagarbari Ghat, Pabna
Date of visit	23 March 2020 (Insufficient)
Date of Contract	Contract Signing : 21.01.2020
Contracted Completion date (Original)	23% within 14 weeks and 100% within 62 weeks from day of contract 23% : 30.04.2020 100% : 31.03.2021
Contractual completion date	Ongoing (23 % Completed) 23%(Approx.) : 30.04.2020 100% : 31.03.2021
Contract value	BDT 17,96,06,698.596
Final Contract Value	BDT 17,96,06,698.596
Supplier/ Contractor	ES-JE JV
Arrival Date at port	N/A
Arrival Date at project site/ warehouse (Goods)	N/A
Scope of work	Works (Construction works)
Materials (Supply and quantity)	As per construction work
Construction supervision	Construction supervision was undertaken by BIWTA.
Time overruns	Probability is there

Cost overruns	Probability is there																																																								
Deficiencies/ Defects observed	NOA issued (07.01.2020) after expired of tender validity (24.12.2020). So, the work started much later. Accordingly, project completion by 31.03.2021 to be impossible and there is no avoidance of time extension.																																																								
Timeliness of Payment	<table><tr><th colspan="7"><u>Payment Statement</u></th></tr><tr><th>Payment Recommended by field office</th><th>Bill Amount (BDT)</th><th>R/M-Refund (after completion)</th><th>R/M-Deduction (When R/A bill payment)</th><th>IT and Vat* (BDT)</th><th>Check Amount</th><th>Payment Date</th></tr><tr><td></td><td>Not paid</td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> <p>Payments to contractor were timely as described above in the chart **15% VAT of the Works Were reimbursed by MUSHak-11 N.B. Since it was a GOB Funded Project, there was no advance payment.</p>	<u>Payment Statement</u>							Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date		Not paid																																								
<u>Payment Statement</u>																																																									
Payment Recommended by field office	Bill Amount (BDT)	R/M-Refund (after completion)	R/M-Deduction (When R/A bill payment)	IT and Vat* (BDT)	Check Amount	Payment Date																																																			
	Not paid																																																								
Comments and recommendations	Excessive evaluation time has been taken for this contract. NOA issued and contract signed little late. So far approximately 23% construction work has been done. The effort to be taken to complete the construction work in time. PE/ PD must maintain all records of the payment including the bills, invoices for procurement of construction works. Social and environmental issues must be addressed by minimalizing dredging waste and construction dust.																																																								

Photographs

Photographs of three project



College ground in Mohanganj area is being filled with the soil of dredging of Kangsha river



The low-lying areas of the Jangail area are being filled with the dredging soil of the Kangsha river



Paharpur Primary School in Madan upazila of Magra river was filled with soil by dredger



Kangsha river in Mohanganj area of Gaglajur-Mohanganj waterway



Establishment of Ferry Ghat including allied Facilities at Balashi and Bahadurabad



Establishment of Ferry Ghat including allied Facilities at Balashi and Bahadurabad





Establishment of River Port with allied Facilities at Nagarbari