

Bank Procedure

Procurement in IPF and Other Operational Procurement Matters

Bank Access to Information Policy Designation

Public

Catalogue Number

OPS5.03-PROC.211

Issued

November 24, 2020

Effective

November 24, 2020

Content

Procedural instructions related to procurement in IPF operations and other operational procurement matters

Applicable to

IBRD, IDA

Issuer

Chief Procurement Officer, OPSPR

Sponsor

Lead Procurement Specialist, OPSPR

SECTION I – PURPOSE AND APPLICATION

1. This Procedure sets out the instructions related to procurement in IPF and other operational procurement matters, such as PASP, procurement accreditation, OPRC, and inter-institutional operational conflict of interest.
2. This Procedure applies to the Bank.

SECTION II – DEFINITIONS AND ACRONYMS

As used in this Procedure, the capitalized terms and acronyms have the meaning set out (a) in Section II of the [Procurement Policy](#) and Section II of the [Procurement Directive](#); or (b) below.

1. **APM:** Accredited Practice Manager (procurement).
2. **APS:** Accredited Practice Specialist (procurement).
3. **Appraisal:** a stage of project preparation for IPF operations set out in paragraph 26 of Section III of the IPF Directive, as the Directive may be amended from time to time.
4. **Business Day:** a day when the World Bank's Washington, DC, office is officially open for business.
5. **CD:** Country Director.
6. **CESO:** Chief Environmental and Social Standards Officer, OPCS
7. **CL:** country/project lawyer.
8. **CPO:** Chief Procurement Officer, OPCS.
9. **Decision Review:** Management's decision on whether to appraise an IPF operation as described in paragraph 24 of Section III of the IPF Directive, as the Directive may be amended from time to time.
10. **FMS:** Financial Management Specialist.
11. **GRA:** Group Internal Audit
12. **HEIS:** Hands-on expanded implementation support.
13. **IPR:** Independent Procurement Review.
14. **ISR:** Implementation Status and Results report or any successor thereto.
15. **LEGEN:** Environmental and International Law, LEG.
16. **LEGOP:** Operations and Policy unit, LEG.

17. **LEG-PrA:** Legal Procurement Advisor, LEGOP.
18. **Level One project restructuring:** type of project restructuring described in paragraph 23 of Section III of the IPF Policy.
19. **OPCS Lead Specialist (or Lead Specialist, OPSPF):** Accredited lead specialist, procurement, assigned by the CPO to carry out specific operational procurement activities described in this Procedure and other operations, processing, and documentation (including templates) requirements applicable to procurement in IPF operations.
20. **OPE:** Overall Performance Evaluation, or any successor thereto.
21. **PAD:** Project Appraisal Document.
22. **PAS:** Procurement-Accredited Staff.
23. **PASP:** Professional Accreditation & Standards Panel.
24. **PM:** Practice Manager.
25. **P&PF:** Policy and Procedure Framework.
26. **PPP:** public-private partnerships and concessions described in Annex XIV of the Procurement Regulations for Borrowers.
27. **PPSD:** Project Procurement Strategy for Development.
28. **Procurement Directive:** Bank Directive, "[Procurement in IPF and Other Procurement Operational Matters](#)."
29. **Procurement Plan:** a plan prepared by the Borrower that describes procurement activities and related procurement arrangements for goods, works, non-consulting services, and consulting services financed by the Bank.
30. **Restructuring Package:** documents supporting project restructuring described in the ["Bank Procedure: Investment Project Financing Implementation Support to Project Completion."](#)
31. **RVP:** Regional Vice President.
32. **SPDs:** Bank Standard Procurement Documents.
33. **TT:** Task Team (headed by TL, and including CL, FMS, APS/PAS, others as appropriate.)
34. **Track 1:** processing path for preparation of IPF operations referred to in the Concept Review table of the "[Bank Procedure: Preparation of Investment Project Financing](#)".
35. **WFAFO FO:** Finance Officer, WBG Financial Operations.

SECTION III – SCOPE

1. This Procedure supplements the Procurement Policy and Procurement Directive and other applicable operational, processing, and documents (including templates) requirements applicable to IPF operations.
2. Staff involved in Bank-financed procurement, including the TL, LEG, APS/PAS, APM, SIP Director, and CPO, are responsible and accountable for assigned procurement functions in accordance with the ADM framework and applicable Bank rules, including this Procedure. Any disagreements are resolved in accordance with the ADM framework and applicable Bank protocols.
3. In accordance with this Procedure and the requirements of paragraph 3 of Section III.E of the Procurement Directive, additional roles and responsibilities within GGP may be further described in the P&P Documents issued by GGP.
4. The following table and related annexes set out the processing steps and ADM roles related to procurement and other operational procurement matters, such as PASP, procurement accreditation, OPRC, and inter-institutional operational conflict of interest.

I. Procurement During IPF Preparation

A. Alternative Procurement Arrangements

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>APA proposal for Borrower's agency</u></p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking CPO approval to incorporate into the decision to appraise a project a proposal for the use of the procurement arrangements of a Borrower's agency.</p> <p>The memorandum provides justifications for the APA proposal, including a description of how the Bank will monitor and provide implementation support under the APA. It is supported by relevant drafts of project documents, including (i) the PPSD, (ii) the assessment of the Borrower's agency, and, to the extent available, (iii) the PAD, (iv) the legal agreement, and (v) other relevant documents/information.</p>	<p>TL: recommends APM: concurs LEG-PrA: advises CPO: decides</p>	<p>Cc: CD, SIP Director, PM, TT, OPCS Lead Specialist, CL</p>	<p>No later than 10 Business Days before (i) the Decision Review, or (ii) the decision to appraise a project for which there is no Decision Review.</p>	<p>Desirable for TL to alert CPO in writing (see template) as early as possible about the forthcoming APA proposal, copying the concerned CD, APM, and PM; SIP Director; TT; LEG-PrA; and the assigned OPCS Lead Specialist.</p> <p>Upon approval by CPO, the APA proposal is incorporated into the Decision Review or Appraisal package. The chair of the Decision Review or of the Appraisal decision for Track 1 operations ultimately decides whether the APA proposal is included in the project design. See Procurement Guidance on processing APAs, including a methodology for assessing Borrower's agencies.</p>
<p><u>APA proposal for bilateral or multilateral agency or organization (e.g., multilateral development bank)</u></p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking SIP Director approval to incorporate into the decision to appraise a project a proposal for the use of the procurement arrangements of a bilateral or multilateral agency or organization.</p>	<p>TL: recommends APM: concurs OPCS Lead Specialist: advises LEG-PrA: advises</p>	<p>Cc: CPO, CD; PM, TT, CL</p>	<p>No later than 10 Business Days before (i) the Decision Review, or (ii) the decision to appraise a project for which there is no Decision Review.</p>	<p>Desirable for TL to alert SIP Director in writing (see template) as early as possible about the forthcoming APA proposal; copying CPO: the concerned CD, APM, and PM; TT; LEG-PrA; and the assigned OPCS Lead Specialist.</p> <p>TT uses draft APA agreement forms issued by the CPO.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>The memorandum provides justifications for the APA proposal, including a description of how Bank procurement functions will be discharged. It is supported by relevant draft project documents, including (i) the PPSD, and, to the extent available, (ii) the PAD, (iii) the draft APA agreement with the development agency/organization, (iv) the legal agreement, and (v) other relevant documents.</p>	<p>SIP Director: decides¹</p>			<p>TL consults with CL on the draft agreement with the development agency/organization for the use of APA.</p> <p>Upon approval by SIP Director, the APA proposal is incorporated into the Decision Review or Appraisal package. The chair of the Decision Review or of the Appraisal decision for Track 1 operations ultimately decides whether the APA proposal is included in the project design.</p>

¹ This ADM authority is pursuant to a delegation from the CPO to the SIP Director.

B. Hands-on Expanded Implementation Support

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>With support from APS/PAS, TL prepares a memorandum (see template) seeking APM's approval to incorporate into the Decision Review package a proposal for HEIS.</p> <p>The memorandum justifies the HEIS proposal, describing specific activities to be carried out by Staff, proposed risk mitigation measures and controls (taking into account HEIS Guidance), and funding and staff resources required, and includes a draft notice to the Borrower communicating the Bank's decision to provide HEIS.</p> <p>The memorandum is supported by drafts of relevant project documents, including (i) the PPSD, (ii) the assessment of the Borrower's agency, (iii) a draft notice to the Borrower communicating the Bank's decision to provide HEIS, and (iv) other relevant documents/information.</p>	<p>TL: recommends OPCS Lead Specialist: advises CL: advises APM: decides</p>	<p>Cc: TT, CD, SIP Director, PM</p>	<p>No later than 10 Business Days before (i) the Decision Review, or (ii) the decision to appraise a project for which there is no Decision Review.</p>	<p>Upon approval by the APM, the HEIS proposal is incorporated into the Decision Review or Appraisal package. The chair of the Decision Review or of the Appraisal decision for Track 1 operations ultimately decides whether the HEIS proposal is included in the project design.</p>

C. Additional Financing

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>When there is a need to continue to use the Procurement Guidelines for additional financing (pursuant to paragraph 3 of Section VI of the Procurement Directive), the TL, with support from APS/PAS, prepares a memorandum (see template) seeking CPO approval to incorporate such a proposal into the Decision Review package.</p>	<p>TL: recommends APM: concurs CPO: decides</p>	<p>Cc: TT, CD</p>	<p>No later than 10 Business Days before (i) the Decision Review, or (ii) the decision to appraise a project for which there is no Decision Review.</p>	<p>Upon approval by the CPO, the proposal to apply the Procurement Guidelines to the additional financing IPF operations described in paragraph 3 of Section VI of the Procurement Directive is incorporated into the Decision Review or Appraisal package. The chair of the Decision Review or of the Appraisal decision for Track 1 operations ultimately decides whether this proposal is included in the project design.</p>

II. Procurement During IPF Implementation Support and Monitoring

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>APA proposal for operations under implementation involving a Borrower's agency</u></p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking CPO approval to incorporate in the Restructuring Package a proposal to use APA.</p> <p>The memorandum provides justifications for the APA proposal, including a description of how the Bank will monitor and provide implementation support under the APA. This memorandum is supported by drafts of relevant project documents, including (i) updated PPSD (for projects subject to the Procurement Regulations for Borrowers), (ii) the assessment of the Borrower's agency, and, to the extent available, (iii) the legal agreement, and (iv) other relevant documents/information.</p>	<p>TL: recommends APM: concurs LEG-PrA: advises CPO: decides</p>	<p>Cc: CD, SIP Director, PM, TT, OPCS Lead Specialist, CL</p>	<p>No later than 10 Business Days before the submission of the Restructuring Package to the CD or RVP for decision.</p>	<p>Desirable for TL to alert CPO in writing (see template) as early as possible about the forthcoming APA proposal, copying the concerned CD, APM, and PM; SIP Director; TT; LEG-PrA; and the assigned OPCS Lead Specialist.</p> <p>Upon approval by CPO, the APA proposal is incorporated into the Restructuring Package. The decider for the Restructuring ultimately decides whether the APA proposal is approved as part of Level One project restructuring. Section III, paragraph 23, of the IPF Policy sets out procedural instructions to process these project restructurings.</p>
<p><u>APA proposal for operations under implementation involving a bilateral or multilateral agency or organization (e.g., multilateral development bank)</u></p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking SIP Director approval to incorporate in the Restructuring Package a proposal to use the procurement arrangements of a bilateral or</p>	<p>TL: recommends APM: concurs OPCS Lead Specialist: advises LEG-PrA: advises</p>	<p>Cc: CPO, CD; PM, TT, CL</p>	<p>No later than 10 Business Days before the submission of the Restructuring Package to the CD or RVP for decision.</p>	<p>Desirable for TL to alert SIP Director in writing (see template) as early as possible about the forthcoming APA proposal, copying CPO; the concerned CD, APM, and PM; TT; LEG-PrA; and the assigned OPCS Lead Specialist.</p> <p>TT uses draft APA agreement forms issued by the CPO.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>multilateral agency or organization.</p> <p>The memorandum provides justifications for the APA proposal, including a description of how Bank procurement functions will be discharged. This memorandum is supported by draft relevant project documents, including (i) the PPSD (for projects subject to the Procurement Regulations for Borrowers), and, to the extent available, (ii) the draft APA agreement, (iii) the legal agreement, and (iv) other relevant documents.</p>	SIP Director: decides ²			<p>TL consults with CL on the draft agreement with the development agency/organization for the use of APA.</p> <p>Upon approval by SIP Director, the APA proposal is incorporated into the Restructuring Package. The decider for the Restructuring ultimately decides whether the APA proposal is approved as part of Level One project restructuring. Section III, paragraph 23 of the IPF Policy sets out procedural instructions to process these project restructurings.</p>
<p>Procurement clearance</p> <p>When the Bank is requested to issue a no-objection to a Borrower's decision that requires a procurement clearance (See Annex I of this Procedure), procurement staff are involved according to their level of accreditation.</p>	<p>(i) <i>Below OPRC thresholds</i></p> <p>TL: recommends</p> <p>APS/PAS, APM: decides on the procurement clearance according to their level of accreditation</p>	Cc: TT and OPCS Lead Specialist (for OPRC activities)	<p>(i) <i>Below OPRC thresholds:</i></p> <ul style="list-style-type: none"> - Within APS/PAS mandatory review thresholds: 7 Business Days from the TL's submission of the complete documentation. 	<p>Given the nature, complexity, and value of contracts reviewed by OPRC, the CPO, LEG-PrA and APM (or their acting representatives) participate in the OPRC meeting. The SIP Director is invited to each OPRC meeting and participates at his/her discretion/as he/she deems appropriate. TL or manager presents the case to OPRC unless exceptional circumstances require them to delegate this responsibility to</p>

²This ADM authority is pursuant to a delegation from the CPO to the SIP Director.

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
	<p>(ii) At or above OPRC thresholds (as further described in Annex I, Section 4.1, of this Procedure)</p> <p>TL: recommends</p> <p>APM: clears</p> <p>SIP Director: concurs</p> <p>LEG-PrA: advises</p> <p>CPO: decides on the procurement clearance</p>		<ul style="list-style-type: none"> - Within APM mandatory review thresholds: 10 Business Days from the TL's submission of the complete documentation. <p>(ii) At or above OPRC thresholds:</p> <p>10 Business Days from the TL's submission of the complete documentation.</p>	<p>another team member.</p> <p>TL maintains file of all procurement clearances related to the project, and of information and documentation that may be requested for internal controls and reviews, such as by the GIA or the Internal Evaluation Group.</p> <p>Procurement clearances are issued after technical and other analysis relevant to the procurement decision has been completed. TL makes arrangements for the review of non-procurement matters (technical, environmental specifications, etc.) related to the procurement activity in question in accordance with the applicable procedures and protocols.</p> <p>Upon receiving the procurement clearance, TL decides on issuing the Bank's no-objection.</p>
<p>HEIS proposals for operations under implementation</p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking APM's approval of a proposal for HEIS in an operation under implementation.</p> <p>The memorandum justifies the proposal, describing specific activities to be carried out by Staff, proposed risk mitigation measures and controls (taking into account HEIS Guidance)</p>	<p>TL: recommends</p> <p>OPCS Lead Specialist: advises</p> <p>CL: advises</p> <p>APM: clears</p> <p>CD: decides</p>	<p>Cc: TT, PM, SIP Director</p>		

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>discussion of this topic), and funding and staff resources required, and includes a draft notice to the Borrower communicating the Bank's decision to provide HEIS.</p> <p>This memorandum is supported by drafts of relevant project documents, including (i) the PPSD (for projects subject to the Procurement Regulations for Borrowers), (ii) the assessment of the Borrower's agency, (iii) a draft notice to the Borrower communicating the Bank's decision to provide HEIS, and (iv) other relevant documents/information.</p>				
<p><u>APA and HEIS implementation</u></p> <p>With support from APS/PAS, and based on the applicable operations and legal requirements, TL monitors and assists in the implementation of APA and HEIS.</p>	<p>See "Bank Procedure: Investment Project Financing Implementation Support to Project Completion" for instructions on approving ISR.</p>		<p>CPO and SIP Director provide comments to TL within 5 Business Days of their receipt of ISR or other information related to project implementation.</p>	<p>Through ISRs or other means, TL also informs CPO and SIP Director of the status of APA and HEIS.</p>
<p><u>Prior reviews, post reviews, and IPRs</u></p> <p>Mandatory thresholds for prior reviews are set out in Annex I of this Procedure.</p> <p>Post reviews and IPRs are carried out in accordance with the relevant Procurement Guidance.</p>				<p>Annual post review involves choosing from across the Bank's portfolio a sample of at least 10 percent of Bank-financed contracts that have not been subject to prior review by the Bank.</p>
<p><u>Procurement noncompliance</u></p>	<p>APS/PAS or APM: advises</p>	<p>From: APS/PAS or PM</p>		<p>See Noncompliance Guidance</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
A. Assessment As part of project procurement implementation support and monitoring, APS/PAS or APM assesses cases of potential procurement noncompliance, consults with TL and other relevant Staff (depending on the nature and scope of potential noncompliance), and, if necessary, consults with the Borrower (directly or through TL).		To: TL Cc: TT, PM		When assessing cases of potential procurement noncompliance in contracts at or above OPRC review threshold, APS/PAS or APM seeks advice from the OPCS Lead Specialist. At any stage, LEG-PrA reviews and provides advice at the request of either the APM or CL.
When procurement noncompliance is identified, APS/PAS or APM prepares a memorandum (see template) to TL describing the facts and findings and recommending action(s).				If TL decides that no action should be taken in response to procurement noncompliance, TL sends a memorandum to project files, copied to APS/PAS/ APM or APM/SIP Director/CPO (if the contract in question is at or above OPRC review thresholds) and PM, describing the facts, findings, and reasons for not taking action.
Based on this advice, TL makes a recommendation as described below.				
B. Actions upon procurement noncompliance (i) Not involving legal remedies When TL recommends an action that does not involve legal remedies/refunds, TL prepares a memorandum describing the facts, findings, and recommended action.	TL: recommends CL: advises APM: clears (but if the contract in question is at or above OPRC review thresholds, SIP Director concurs and CPO clears) CD: decides	Cc: TT, SIP Director, PM, CPO, OPCS Lead Specialist		The memorandum includes a draft of the formal notice informing the Borrower of the Bank's findings and action(s) to be taken by the Bank as a result of the non-compliance, including exercise of legal remedies and request for refund. The notice will also inform of the Borrower of any actions that the Borrower may be required to take.

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>refund, TL prepares a memorandum describing the facts, findings, and recommended action, and follows procedures described in this Procedure and other applicable P&P Documents.</p> <p>a. Cancellation following declaration of misprocurement</p> <p>See “Bank Procedure: Suspension, Cancellation and Placement of Bank Loans in Nonperforming Status”</p> <p>b. Suspension</p> <p>c. Request for refunds</p> <p>See “Investment Project Financing Implementation Support to Project Completion”</p>	<p>TL: recommends</p> <p>APM: clears (but if the noncompliance in question is related to any of the activities described in Section 4 of Annex I of this Procedure, CPO clears)</p> <p>CL: clears</p> <p>WFAFO FO: clears</p> <p>CD: concurs</p> <p>RVP: decides</p>	<p>Cc: CPO, SIP Director, PM, TT, OPCS Lead Specialist</p>		<p>OPSPF monitors actions involving legal remedies and reports on them to Senior Management and the Board.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>Procurement noncompliance that warrants Bank action under APA</u></p> <p>If the TL, with support from APS/PAS, determines that APA requirements are not being complied with and Bank action is warranted, TL prepares a memorandum explaining the analysis and recommending actions.</p>	<p>TL: recommends CL: clears APM: clears (only when CPO clears, as per below) CPO/SIP Director: clears (depending on whether APA refers to a Borrower's agency or a development agency or organization) CPO: advises (if the APA refers to a Borrower's agency) CD/RVP: decides (depending on whether the action upon procurement noncompliance involves legal remedies. See above procedural instructions and ADM framework to handle cases of procurement noncompliance)</p>	<p>Cc: PM, CD, TT, OPCS Lead Specialist</p>		<p>At any stage, LEG-PrA provides advice at the request of either the APM or CL. See subsection B ii above for cases in which Bank exercise of legal remedies is deemed to be required. See Related Documents Section for Noncompliance Procurement Guidance.</p>
<p>HEIS modification and termination</p> <p>The Bank may unilaterally substantially modify and/or terminate HEIS at any time during the implementation of an IPF operation.</p>	<p>TL: recommends OPCS Lead Specialist: advises</p>	<p>Cc: TT, PM, SIP Director</p>		<p>HEIS termination takes effect through a written notice to the Borrower.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>With support from APS/PAS, TL prepares a memorandum (see template) seeking CD's approval to terminate or substantially modify HEIS.</p> <p>The memorandum justifies the proposal, describing specific grounds for disengaging from HEIS, including proposed risk mitigation measures and controls, taking into account HEIS Guidance discussion of this topic.)</p>	<p>CL: advises APM: clears CD: decides</p>			
<p><u>Bank's review of Borrower's draft responses to procurement-related complaints when the contract is subject to prior review</u></p> <p>In accordance with Annex II of this Procedure, when the Bank reviews Borrower's draft responses to procurement-related complaints, the procurement clearance of these drafts is issued by either concerned APM or the CPO, depending on whether the contract is subject to OPRC review.</p>	<p>(i) <i>Complaints related to contracts not subject to OPRC review</i> TL: recommends LEG-PrA: advises OPCS Lead Specialist: advises APM: decides on the procurement clearance</p> <p>(ii) <i>Complaints related to contracts subject to OPRC review</i> TL: recommends</p>	<p>Cc: TT</p>		<p>TL makes arrangements for the review of non-procurement matters (technical, environmental specifications, etc.) related to the procurement activity in question, in accordance with existing procedures and protocols.</p> <p>Procurement clearances of Borrower's draft responses to procurement-related complaints are issued after technical and other analysis relevant to the procurement decision has been completed.</p> <p>LEG-PrA may provide advice on contractual and other legal matters related to the Procurement Framework.</p> <p>For complaints challenging the award of contracts not subject to OPRC review, OPCS Lead Specialist's advice to APMs relates to the application of the standstill</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
	APM: clears LEG-PrA: advises SIP Director: concurs CPO: decides on the procurement clearance			period. Upon receiving the procurement clearance, TL decides on issuing the Bank's no-objection.
Fraud and corruption See " Working Arrangements among the Practice Groups, the Regions, INT and OPCS Concerning Fraud and Corruption in Operations "				TL checks contract awards against the list of sanctioned firms and the Company Risk Profile Database . See Guidance to staff for using the Company Risk Profile Database.
Procurement clearance of request for amendment(s) of ongoing contracts involving sanctioned parties When the Bank is requested to issue a no-objection that involves an amendment or modification of an ongoing contract with a suspended or debarred firm or individual after the effective date of the suspension or debarment, TL seeks (i) determination from either the concerned APM or the CPO (for contracts at or above OPRC thresholds) on whether the proposed amendment or modification is non-material, and (ii) procurement clearance of such an amendment or modification. Upon receiving the procurement clearance, TL decides on issuing the Bank's no-objection.	(i) <i>Below OPRC thresholds</i> TL: recommends LEG-PrA: advises APM: decides (ii) <i>Above OPRC thresholds</i> TL: recommends LEG-PrA: advises	Cc: PM, TT, OPCS Lead Specialist		The Bank does not finance any amendment introducing a material modification to any existing contract, or any new contract with a suspended or debarred firm or individual on or after the effective date of suspension or debarment.

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
	APM: clears SIP Director: concurs CPO: decides			
<u>Inter-institutional operational conflict of interest</u> When, pursuant to Section III.F of the Procurement Directive, an actual, potential, or perceived inter-institutional operational conflict of interest is identified, TL prepares a memorandum seeking a resolution of this conflict, taking into account the " Inter-Institutional Operational Conflict of Interest Guidelines ."		Cc: TT, CPO, SIP Director, OPCS Lead Specialist		

III. Interpretation, Amendments/Revisions, and Waivers of the Procurement Framework

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><u>Formal interpretation of the Procurement Framework and the Procurement Guidelines</u></p> <p>Formal interpretation refers to written clarifications or explanations (responding to general or case-specific questions) of provisions in the Procurement Policy, the Procurement Directive, this Procedure, the Procurement Regulations for Borrowers, and Procurement Guidance. (see template)</p>	APM: advises CPO: decides	Cc: CPO/SIP Director, TT, OPCS Lead Specialist, LEG-PrA, others as appropriate	Normally within 5-10 Business Days of request	As necessary, CPO consults with LEG-PrA and other relevant parties.
<p><u>Amendment of the Procurement Policy, the Procurement Directive, and the Procurement Guidelines</u></p> <p>CPO, SIP Director, and LEG-PrA are involved in all proposals to amend the Procurement Policy, Procurement Directive, and Procurement Guidelines.</p>	OPCS Lead Specialist: recommends LEG-PrA: advises SIP Director: advises CPO: concurs			This section supplements and should be read in conjunction with the P&PF Policy, Directive, and Procedure.
<p><u>Amendment of this Procedure and the Procurement Regulations for Borrowers</u></p>	OPCS Lead Specialist: recommends SIP Director: advises LEG-PrA: clears or advises (see last column) CPO: decides			Other parties may propose amendments and waivers, but all such proposals need to be vetted by and go through the OPCS Lead Specialist. LEG-PrA clearance covers only contractual and other legal matters related to the Procurement Regulations for Borrowers. On other

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
				issues, LEG-PrA advises.
<u>Approving and issuing revisions of Procurement Guidance</u>	OPCS Lead Specialist: recommends CPO: decides			CPO may seek LEG-PrA and/or SIP Director advice as needed. See next row for a specific ADM framework for approving and issuing Procurement Guidance covering thresholds for procurement approaches and methods by country.
<u>Procurement Guidance: establishing thresholds for procurement approaches and methods by country</u>	APM: recommends SIP Director: concurs CPO: decides	Cc: CD, OPCS Lead Specialist		The appropriate APM identifies market thresholds, taking into account market characteristics for specific goods, works, non-consulting services, and consulting services.
<p><u>Requests for decreasing or increasing prior review mandatory thresholds</u></p> <p>In accordance with Annex I of this Procedure, APM prepares a memorandum seeking either (i) SIP Director's approval to decrease the Bank's prior review thresholds (see template); or (ii) CPO's approval to increase these prior review thresholds (see template).</p> <p>ADM roles set out in the previous paragraph also apply to requests for setting prior review thresholds for procurement activities in situations of urgent need of assistance because of a natural or man-made disaster or conflict regulated under paragraph 12 (i) of Section III of</p>	<p>(i) <i>Decrease prior review thresholds</i></p> <p>APM: recommends SIP Director: decides</p> <p>(ii) <i>Increase prior review thresholds</i></p> <p>APM: recommends CPO: decides</p>	Cc: SIP Director, CPO, CD, OPCS Lead Specialist		

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
the IPF Policy. <u>See Annex I, paragraph 2.3, of this Procedure.</u>				
<p><u>Requests for waivers of the Procurement Policy, the Procurement Directive, this Procedure, the Procurement Regulations for Borrowers, and Procurement Guidelines</u></p> <p>Such requests are processed in accordance with the Bank Policy “Operational Policy Waivers” and the Bank Procedure “Operational Policy Waivers and Waivers of Operational Requirements.”</p>				

IV. Operational Procurement Matters

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>Procurement accreditation</p> <p>CPO, with the advice from the PASP, develops accreditation standards and procedures.</p> <p>CPO decides on requests for procurement accreditation.</p>	<p>(i) <i>Requests from accredited managers and LEG-PrA</i></p> <p>APM, Accredited Managers not linked to the GGP or LEG-PrA: recommends</p> <p>PASP: concurs</p> <p>CPO: decides</p> <p>(ii) <i>Request from non-accredited managers</i></p> <p>PM/manager: recommends</p> <p>APM: clears</p> <p>PASP: concurs</p> <p>CPO: decides</p>			<p>Interim procedures for accreditation of staff and consultants to practice procurement-related activities, give advice, and take actions detailed in the new Procurement Framework, including exercising procurement fiduciary functions (e.g., ADM - procurement advice, clearances, decisions), are described in Annex IV of this Procedure.</p> <p>When disagreements arise between the hiring manager and an APM or the PASP about a decision on a clearance or concurrence, respectively, the request for accreditation can be brought to CPO for a final decision.</p>

V. Other Procedural Instructions

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>Sustainable procurement</p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking APM's approval to include Borrower's sustainability requirements (i.e., the application of social and economic criteria) in World Bank-financed procurement. Such requirements may include specific contracts, national procurement procedures, etc., described in paragraphs 5.3-5.6 of the Procurement Regulations for Borrowers.</p>	TL: recommends LEG-PrA: advises OPCS Lead Specialist: advises APM: decides	Cc: TT, PM, CD, SIP Director, CPO		According to Section V, paragraph 5.12, of the Procurement Regulations for Borrowers, "If agreed with the Bank, Borrowers may include additional sustainability requirements in the Procurement Process, including their own sustainable procurement policy requirements, if they are applied in ways that are consistent with the Bank's Core Procurement Principles. See Annex VII, Sustainable Procurement. "

VI. SEA/SH related matters

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>Decision on contractor disqualification for SEA/SH-related contractual non-compliance</p> <p>The Bank's SEA/SH contract disqualification mechanisms are part of Works SPDs, that are based on FIDIC GCs, for projects classified as high-risk for SEA/SH. These mechanisms apply to a Contractor, and any Sub-contractor/s awarded such Bank-financed Works contracts. These steps describe the process following:</p> <p>(a) a DAAB decision and/or an Emergency Arbitrator Order if any, that the Contractor (and/or Sub-contractor/s) is non-compliant with its contractual SEA/SH prevention and response obligation/s; and</p> <p>(b) any subsequent post-disqualification arbitral order (through ICC international Arbitration) that finds the Contractor/Sub-contractor was compliant with its contractual SEA/SH prevention and response obligation/s.</p> <p>A. DAAB decision: The TL prepares a memorandum (see template) to the CPO recommending: (a) OPRC undertakes a procedural review of the DAAB decision, and if the review is cleared by the CPO, (b) recommends the disqualification of the contractor and/or sub-contractor/s, which is decided by the OPSVP.</p> <p>B. <u>Post-disqualification arbitral order</u>: Having verified the arbitral order, the TL prepares a memorandum (see template) to the CPO recommending the contractor disqualification is revoked.</p>	<p>(i) <u>Procedural review of DAAB finding, or recommendation following a post-disqualification arbitral order:</u></p> <p>TL: recommends</p> <p>LEGOP (Associate General Counsel): advises</p> <p>CPO: clears</p> <p>(ii) <u>Decision to disqualify, or decision to revoke a disqualification:</u></p> <p>LEGPV (General Counsel): advises</p> <p>OPSVP: decides</p> <p>(iii) <u>Notification of outcome:</u></p> <p>CPO: notifies</p>	<p>Cc: TT, CD, APM, OPCS Lead Specialist, GD (Gender), GD (Social), CESSO, LEGOP (Associate General Counsel)</p>	<p>10 Business Days from the TL's submission of the complete documentation.</p>	<p>Upon receipt of the Borrower's notification of the DAAB decision or post-disqualification arbitral order the TL submits its recommendation (see template) to the CPO attaching all relevant documents. In relation to a DAAB decision the TL also includes any notification received for the appointment of an Emergency Arbitrator or a copy of an Emergency Arbitrator's Order.</p> <p>Following an OPSVP's decision to disqualify, or decision to revoke a disqualification, the CPO notifies the contractor and/or sub-contractor/s.</p> <p>The CPO also notifies the Chief of Procurement (SPA Corporate Procurement) of these decisions.</p> <p>The CPO maintains a file of decisions (including DAAB, OPRC etc.) reviewed by OPRC and information and documentation that may be requested for internal controls and reviews. This includes any decisions made by the OPSVP.</p>

<p><u>Amendments to contracts involving a disqualified Contractor/Sub-contractor</u></p> <p>Procurement decision of request for amendment(s) or modification(s) of ongoing contracts involving a firm disqualified for SEA/SH non-compliance.</p> <p>When the Bank is requested to issue a no-objection that involves an amendment or modification of an ongoing contract with a disqualified firm or individual after the effective date of the disqualification, the TL prepares a memorandum (see template) to the CPO seeking: (i) determination from the CPO on whether the proposed amendment or modification is material or non-material, and (ii) procurement clearance decision of such an amendment or modification. Upon receiving the procurement clearance, the TL decides on issuing the Bank's no-objection.</p>	<p>TL: recommends LEG-PrA: advises APM: clears CPO: decides</p>	<p>Cc: TT, APM, CD, OPCS Lead Specialist, GD (Gender), GD (Social), CESSO, others as appropriate</p>	<p>10 Business Days from the TL's submission of the complete documentation.</p>	<p>The Bank does not finance any amendment introducing a material modification to an existing contract with a firm disqualified for SEA/SH non-compliance on or after the effective date of disqualification.</p>
--	---	--	---	---

SECTION IV – WAIVER

The provisions of this Procedure may be waived in accordance with the Bank Policy “[Operational Policy Waivers](#)” and the Bank Procedure “[Operational Policy Waivers and Waivers of Operational Requirements](#).”

SECTION V – EFFECTIVE DATE

This Procedure is effective as of the date on its cover.

SECTION VI – TRANSITIONAL ARRANGEMENTS

None

SECTION VII – ISSUER

The issuer of this Procedure is the CPO, OPCS.

SECTION VIII– SPONSOR

The sponsor of this Procedure is the OPCS Lead Specialist.

SECTION IX – RELATED DOCUMENTS

Bank Policy, “[Procurement in IPF and Other Operational Procurement Matters](#).”

Bank Directive, “[Procurement in IPF and Other Procurement Operational Matters](#).”

Bank Guidance, “[Operations Procurement Review Committee](#).”

Bank Policy, “[Operational Policy Waivers](#).”

Bank Procedure, “[Operational Policy Waivers and Waivers of Operational Requirements](#).”

Bank Procedure, “[Working Arrangements among the Practice Groups, the Regions, INT and OPCS Concerning Fraud and Corruption](#).”

Board Paper, “[Procurement in World Bank Investment Project Financing Phase II: The New Procurement Framework](#),” R2015-0120, dated June 17, 2015.

“[Guidelines on Preventing and Combating Fraud and Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants](#).”

[“Bank Procedure: Investment Project Financing Implementation Support to Project Completion.”](#)

[“Bank Procedure: Preparation of Investment Project Financing.”](#)

[“Bank Procedure: Suspension, Cancellation and Placement of Bank Loans in Nonperforming Status.”](#)

[“World Bank Procurement Regulations for IPF Borrowers.”](#)

[WBG Sanctions Framework.](#)

SECTION X – REVISION HISTORY

November 1, 2017: This updates the Procurement Procedure issued on June 28, 2016 to reflect the new nomenclatures of (i) the IPF framework, retrofitted into the Bank Policy, Policy and Procedure Framework; and, (ii) SIP (formerly Public Integrity and Openness). It also updates the instructions to process requests for and handle APAs and HEIS during project implementation and sets out processing steps for approving requests to include Borrower's sustainability requirements in Bank-financed procurement. Finally, this updates the instructions to (i) handle Bank's prior review (Annex I); and (ii) process the review of procurement-related complaints under national procedures (Annex II).

August 1, 2018: This updates the Procurement Procedure issued on June 28, 2016 and revised on November 1, 2017 to reflect changes in the ADM for processing OPRC cases. Specifically, under the new ADM the SIP Director concurs OPRC packages, after the concerned APM has cleared them.

November 24, 2020: This update reflects the introduction of measures to improve contractors' SEA/SI performance. The ADM is amended to include:

- a. the steps for (i) procedural review of DAAB finding that the Contractor (and/or Sub-contractor/s) is non-compliant with its contractual SEA/SI prevention and response obligation/s, and (ii) decision to disqualify the Contractor and/or Sub-contractor/s from being awarded a Bank-financed contract for a period of two (2) years.
- b. the steps in relation to a request for amendment(s) or modification(s) of ongoing contracts involving a firm disqualified for SEA/SI non-compliance

Questions about this Procedure should be addressed to the CPO, OPCS.

Annex I

Mandatory Procurement Prior Review Thresholds

1. Purpose

This annex establishes procurement prior review thresholds (an ex-ante review by the Bank of planned procurement actions to be carried out by the Borrower) for Bank-financed contracts, and prior review thresholds for APS/PAS, APMs, and OPRC.

2. Bank's procurement prior review thresholds

- 2.1 Except as provided in paragraph 2.3 below, all Bank-financed contracts at or above the thresholds set out in table 1 are subject to the Bank's procurement prior review.

Table 1. Procurement Prior Review Thresholds (US\$ millions)

Type of procurement	High risk	Substantial risk	Moderate risk	Low risk
Works (including turnkey, supply & installation of plant and equipment, and PPP)	5	10	15	20
Goods, information technology, and non-consulting services	1.5	2	4	6
Consulting services: firms	0.5	1	2	4
Consulting services: individuals	0.2	0.3	0.4	0.5

Notes: These thresholds apply to all procurement activities regardless of their procurement/selection methods. There is no automatic requirement to undertake prior review for direct selection for value less than these thresholds. Consultant services covers a range of services that are of an advisory or professional nature.

- 2.2 In addition to the provisions of paragraph 2.1, and irrespective of the contract value, the following procurement activities are subject to the Bank's procurement prior review:
- procurement processes involving contract negotiations, as described in Section VI, paragraphs 6.34-36, of the Procurement Regulation for Borrowers;

- (b) competitive dialogue;
- (c) sustainable procurement;
- (d) selection of probity assurance providers, as described in Section III, paragraph 3.3 of the Procurement Regulations for Borrowers; and
- (e) best and final offer; and
- (f) any Works projects determined to be high-risk for SEA/SI that apply SPDs.

2.3 Exceptions to the provisions of paragraph 2.1:

- (a) Irrespective of the contract value, the Bank's procurement prior review does not apply to procurement activities in situations of urgent need of assistance because of a natural or man-made disaster or conflict regulated under Section III, paragraph 12 (i), of the IPF Policy, unless the SIP Director agrees otherwise, at the request of the APM.
- (b) Upon the SIP Director's approval, the APM may decrease the procurement prior review thresholds set out in table 1 of this annex, including specific thresholds for projects in situations of capacity constraints because of fragility or specific vulnerabilities regulated under Section III, paragraph 12, of the IPF Policy.
- (c) Upon the CPO's approval, the APM may increase the procurement prior review thresholds set out in table 1 of this annex.

2.4 The determination of whether a contract meets the procurement prior review threshold is based on the estimated value of the contract or the package -when the selection document contains more than one lot/slice-, including all taxes and duties payable under the contract.

2.5 Technical aspects of procurement documents, including technical specifications and non-legal terms of reference (TORs), are reviewed and cleared by the TL. Irrespective of the thresholds set out in table 1 of this annex, APS/PAS or APM clears all TORs and the proposed selection of consultants for project-related procurement activities. LEG-PrA clears all TORs and the proposed selection of consultants for legal procurement assignments, and the unit with the relevant expertise in the Legal Vice-Presidency clears for other legal services (e.g., LEGEN for environmental law).

3. Procurement clearance thresholds for APS/PAS, APM, and OPRC

Table 2. Procurement Prior Review Thresholds for APS/PAS, APM, and OPRC

		(US\$ millions)								
		APS/PAS thresholds	APM thresholds				OPRC thresholds			
Type of procurement activity	Estimated activity cost	Estimated activity cost				Estimated activity cost				
		Low	Moderate	Substantial	High	Low	Moderate	Substantial	High	
Works (including turnkey, supply & installation of plant and equipment, and PPP)	< 25	≥ 25 & < 200	≥ 25 & < 115	≥ 25 & < 75	≥ 25 & < 50	≥ 200	≥ 115	≥ 75	≥ 50	
Goods, information technology, and non-consulting services	< 10	≥ 10 & < 125	≥ 10 & < 75	≥ 10 & < 50	≥ 10 & < 30	≥ 125	≥ 75	≥ 50	≥ 30	
Consulting services: firms	< 6	≥ 6 & < 40	≥ 6 & < 30	≥ 6 & < 20	≥ 6 & < 15	≥ 40	≥ 30	≥ 20	≥ 15	
Direct selection of consulting services: firms	< 1	≥ 1 and upper thresholds as per the above thresholds for the consulting services category				As per the above thresholds for consulting services				
Consultants: individuals	< 0.5	≥ 0.5 and upper thresholds as per the above thresholds for consulting services				As per the above thresholds for consulting services				

3.1 Modifications/amendments of contracts as per Annex II, paragraph 10.1, of the Procurement Regulations for Borrowers, including variation orders, are reviewed as follows:

- (a) Procurement staff review any material modifications of contracts for which the revised contract amount falls within the applicable APS/PAS threshold.
- (b) The APM reviews and clears any material modifications of (i) contracts originally reviewed by the APM, even if the revised contract amount falls within the OPRC threshold at subsequent review stages; and (ii) contracts originally reviewed by OPRC based on the estimated or contract amount, for which the contract amount is less than

the applicable OPRC thresholds at subsequent review stages.

4. OPRC

- 4.1 The procurement clearance of activities within specified OPRC thresholds includes:
 - (a) nonstandard procurement documents related to OPRC cases;
 - (b) prequalification evaluation reports;
 - (c) bid/technical and/or financial evaluation reports at each applicable stage for the procurement of goods, works, non-consulting services, and consultant services;
 - (d) the justification of the award of a contract to a selected firm and the reasonableness of the proposed cost, for goods, works, and non-consulting and consulting services contracts proposed to be awarded on the basis of direct selection;
 - (e) the Bank's responses to procurement-related complaints and Bank debriefing as described in Annex II of this Procedure;
 - (f) progress reports on contract key performance indicators and /or contract management updated progress; and
 - (g) the cancellation of any bidding or selection process and/or re-inviting bids for all contracts above OPRC thresholds.
- 4.2 If OPRC initially reviewed a contract on the basis of the estimated or actual contract amount, but at subsequent review stages the actual contract amount is less than OPRC thresholds, the concerned APM reviews any procurement clearances. If a contract was initially reviewed by the APM, but the actual contract amount exceeds the applicable OPRC threshold at subsequent review stages, the APM continues to review and clear the contract and notifies the CPO. However, the APM may request the CPO to review such contracts when warranted by special circumstances, such as complexity, need for policy interpretation, or deviations from standard procedures.
- 4.3 At the request of LEG-PrA or an APM (acting on his/her own initiative or at the request of a TL), the CPO provides interpretation, clearances, and advice on issues relating to the procurement of contracts that are nonstandard or particularly complex, require policy interpretation, or are of a controversial or innovative nature, regardless of the value or risk of the contract.
- 4.4 For procurement at or above OPRC thresholds, TLs copy to the CPO and the SIP Director the PPSD and SPDs, including prequalification. The documents must be shared with sufficient time for the CPO and the SIP Director to comment before they are issued (at least 5 Business Days prior to issue/conclusion). The OPRC secretariat advises TLs if there are any comments from the CPO or the SIP Director on such documents.

SEA/SW Contractor Disqualification cases

- 4.5 For contracts, where the project has been classified as high-risk for SEA/SW, and SPDs are used, and where there has been a DAAB decision that the contractor/sub-contractor has breached its SEA/SW prevention and response obligation/s the case is referred to OPRC. (See Section III, ADM table VI "SEA/SW Related Matters").

Annex II

Procurement-Related Complaints

1. Purpose

This annex describes how procurement-related complaints are reviewed by the Bank. This annex is to be read in conjunction with the Procurement Regulations for Borrowers.

2. General provisions

- 2.1 Timely resolution of complaints is critical to avoid undue delay in and disruption to project implementation. The Bank requires Borrowers to make reasonable efforts to address procurement-related complaints promptly and fairly. Review of complaints also requires high-priority and prompt action by Staff.
- 2.2 As Annex III of the Procurement Regulations for Borrowers provides, complaints are to be submitted to the Borrower. Further, for contracts for which the use of Bank's SPDs is required, the Procurement Regulations for Borrowers (paragraphs 2.2-2.4) require that complaints be submitted to Borrowers in writing by "interested parties" within the prescribed timelines. Complainants are to state the alleged inconsistency with or violation of the applicable procurement rules. Complaints that do not meet these requirements should be addressed by the Borrower within a reasonable time.

3. Complaints on contracts subject to Bank's prior review

- 3.1 The Borrower promptly informs the Bank of any complaints received for contracts subject to prior review and provides for the Bank's review all pertinent information and documentation, including a draft response to the complaint.
- 3.2 The TL promptly acknowledges the receipt of the complaint and reminds the Borrower of its obligation not to proceed with the next stage/phase of the procurement, including award of contract, without receiving the Bank's confirmation that the complaint has been addressed satisfactorily.
- 3.3 The TL, together with the APS/PAS or APM, reviews the complaint expeditiously to enable the Borrower to respond to the complaint within the timelines established in the Procurement Regulations for Borrowers.
- 3.4 In reviewing the Borrower's draft response to a complaint, the TL, with the assistance of the PS/PAS or APM, ensures that the response appropriately includes the following elements set out in Annex III, paragraph 3.6, of the Procurement Regulations for Borrowers:
 - (a) Statement of issues: the issues raised by the complainant that need to be addressed.
 - (b) Facts and evidence: the facts and evidence that, in the Borrower's view, are relevant to the resolution of the complaint. These facts and evidence should be presented as a narrative, organized around the issues.
 - (c) Decision and rationale: the decision that has been made following the review. The response also includes the basis (rationale) for the decision—e.g., relevant provisions in the Procurement Regulations for Borrowers, SPD, or the contract in question. The

- response should be as precise as possible in referring to the rationale.
- (d) Analysis: an explanation of why the basis for the decision applied to the facts/issues raised by the complaint necessitates this particular decision. The analysis may be short, if it is clear and identifies each question that has to be answered to arrive at the final outcome.
 - (e) Conclusion: the resolution of the complaint, describing the next steps to be taken.

3.5 When reviewing complaints, Staff do not:

- (a) provide any details on the evaluation, while the complaint review process is under way;
- (b) disclose to the complainant any correspondence between the Bank and the Borrower or documents related to the evaluation process; or
- (c) issue a no-objection to an award recommendation before any outstanding complaints are addressed to the full satisfaction of the Bank; or reply to the complaint during the evaluation process (except to acknowledge receipt and request that the complaint be addressed to the Borrower), until the Borrower has issued the notice of intention to award the contract.

4. Complaints on contracts not subject to Bank's prior review

Complaints related to contracts subject to post review (either contracts for which the use of Bank's SPDs is required, or contracts procured by approaching the national market) are not subject to the Bank's review and confirmation that the Borrower has addressed them satisfactorily. When the Bank receives such complaints, it promptly transmits them to the Borrower for the Borrower's attention and resolution. The Borrower addresses these complaints, following either (a) the provisions of Annex III of the Procurement Regulations for Borrowers, when the Bank's SPDs are required, or (b) the agreed procurement procedures, in cases procured by approaching the national market.

5. Complaints under APA and national procurement procedures

- 5.1 Complaints other than those covered under Annex III of the Procurement Regulations are to be handled by the multilateral or bilateral agency or organization (in case of APAs) and the Borrower in accordance with the applicable complaint review rules and procedures agreed by the Bank.
- 5.2 If the Bank receives complaints on contracts procured under APAs or national procurement procedures under Section V of the Procurement Regulations, the TL promptly transmits them to the Borrower and the concerned multilateral or bilateral agency or organization (in case of APAs) to handle the complaint in accordance with the agreed complaints review rules and procedures.
- 5.3 The Bank may at any time follow up on whether and how the complaint(s) are addressed. In addition, the Bank carries out post reviews of these procurement activities undertaken by the Borrower to determine whether they comply with the requirements of the legal agreement. To that end, the Bank may use a third party such as a supreme audit institution, which carries out the reviews in accordance with the terms of reference (TOR) provided by the Bank.

6. Complaints submitted to the Bank directly by complainants and others

- 6.1 Upon receipt of a complaint, the TL sends the complainant a letter acknowledging receipt. For complaints under Annex III of the Procurement Regulations for Borrowers, the letter advises the complainant to submit the complaint directly to the Borrower to comply with the requirements set out under paragraphs 2.2-2.4 of Annex III of the Procurement Regulations for Borrowers. For all other complaints, unless the complaint is determined to warrant confidential treatment, the TL forwards the complaint to the Borrower (or APA agency) for review and resolution.
- 6.2 When a bidder or a consultant, through an Executive Director, raises a concern related to a procurement process, the TL is responsible for handling the matter in consultation with the APM. In handling communications from an Executive Director, TL and APM take into consideration the World Bank Group Procedure on “Communications with Executive Directors.”

7. Complaints alleging fraud and corruption

- 7.1 If a complaint warrants confidential treatment (whether or not it relates to alleged fraud or corruption), the TL consults with the APM (CPO for complaints related to contracts subject to OPRC review) on the most appropriate course of action. Communications involving allegations of fraud and corruption may warrant a different treatment because of their nature. In such cases, irrespective of whether the contract is subject to prior or post review, the Bank applies due care and discretion on the extent to which it shares information with the Borrower.
- 7.2 The TL or PS/PAS reports complaints alleging fraud or corruption to INT and the APM in accordance with the Bank Procedure “Working Arrangements among the Global Practices, the Regions, INT and OPCS concerning Fraud and Corruption.” The Bank may determine that such complaints should not be shared with the Borrower or that the communication should be limited to relevant extracts.

8. Debriefing by the Bank

- 8.1 If a bidder or a consultant is not satisfied with the way in which a Borrower has handled its complaint, the bidder/consultant may seek a meeting with the Bank by writing to the APM, who arranges a meeting at the appropriate level and with the relevant staff. For complaints on contracts subject to review by OPRC, the debriefing is conducted by the CPO and the SIP Director.

9. Complaints in connection with contracts under which the Bank provides HEIS

- 9.1 To ensure impartiality and independence, as well as to avoid any perception of conflict of interest on the part of the Staff providing HEIS, an APS/PAS providing HEIS to a particular Borrower or agency does not carry out the Bank's review of the Borrower's proposed response to complaints related to those contracts in which he/she has participated; the review is done by another APS/PAS.

10. Complaint database

- 10.1 All complaints and related documentation are recorded in the Bank's complaint database in accordance with the complaint user manual.

Annex III

Professional Accreditation & Standards Panel

1. Purpose

This annex describes how the Professional Accreditation & Standards Panel (PASP, or the Panel) sets up standards and core competences for procurement staff in support of the delivery of effective and efficient assurance and due diligence procurement functions in line with the Bank's rules for Bank-financed operations.

2. Roles and responsibilities

- 2.1 The Panel has the following roles and responsibilities:
- (a) Standards & core competencies: advising the CPO on developing and setting professional standards/core competencies for staff accreditation.
 - (b) Clearing shortlists for staff to be recruited for positions with due diligence functions. (To address this responsibility, OPSPF is part of selection panels for senior positions with procurement clearance functions.)
 - (c) Accreditation: reviewing and concurring on nominations for procurement accreditation.
 - (d) Accreditation and registers (supported by the PASP Secretariat): maintaining and publishing registers of accredited staff.
 - (e) Training: providing advice and guidance to the SIP Director on training for developing and maintaining core competencies and specializations.
 - (f) Monitoring: the adequacy of resources and capabilities to discharge due diligence and clearance functions.

3. Membership and Secretariat

- 3.1 **Chair:** The CPO chairs and the SIP Director acts as a deputy chair of the Panel. In the absence of the CPO, the designated alternate chairs.
- 3.2 **Members:** The CPO, SIP Director, APMs, OPCS Lead Specialists, and relevant Staff who have responsibility for staff of the professional field. Other Staff can be invited to be members of the Panel, as needed. Attendance is for principals only.
- 3.3 **Secretariat:** OPSPF provides secretariat support for the Panel, including scheduling Panel meetings and producing agendas and minutes.

4. Procedures

Meetings

- 4.1 The Panel holds:
- (a) **Quarterly meetings.** The purpose of these meetings is to discuss and advise on

accreditation standards, staff accreditation, and related issues. The meetings are expected to be no more than 2 hours long. Each such meeting is called through a notice that sets out the date, place, time, and agenda of the meeting.

- (b) **Special meetings.** Special meetings of the Panel may be convened as needed.
- (c) **Virtual meetings.** Virtual meetings may be held for decision making and clearances as needed.

Attendance

4.2 Attendance is for principals only; attendance can be delegated only to another Panel member. Other Staff can be invited to participate in meetings in an advisory role, as needed.

Disclosure

4.3 Meetings are not open, unless the Panel agrees to an open session. Similarly, the agenda and minutes are not disclosed unless specifically approved by the Panel. Decisions on the clearance for accreditation and core competencies and staff accreditation are disclosed, but the Panel's deliberations are confidential.

ADM

4.4 See Section III (Scope), subsection IV (Operational Procurement Matters), of this Procedure.

Annex IV

Accreditation

1. Purpose

This annex describes how the Bank objectively accredits Staff (including TLs, temporary staff, consultants, etc.) to practice procurement-related activities, provide advice, and take actions detailed in the Procurement Framework, including exercising procurement fiduciary functions (e.g., ADM - procurement advice, clearances, decisions) detailed in Section III of this Procedure and other operations rules.

2. Accreditation for Bank procurement activities

- 2.1 Accreditation indicates that a staff member (including managers, procurement specialists, TLs, and consultants) has been assessed as having the qualifications and knowledge necessary to provide procurement advice as a general procurement specialist, carrying out procurement actions and discharging certain procurement responsibilities in accordance with the Procurement Framework. Accreditation refers in particular to development of the PPSD, supporting Borrowers throughout the procurement process as specified, exercising fiduciary functions, and providing procurement clearance to Borrowers' requests for no-objections. The level of general procurement accreditation (partial or full) depends on the individual staff member's qualifications, knowledge, and experience.
- 2.2 General procurement specialists:
 - (a) work independently on procurement matters in the performance of the Bank's fiduciary and service functions, seeking guidance on complex projects/issues from senior procurement staff;
 - (b) use appropriate, proportional, fit-for-purpose methodologies for handling both simple and complex procurement tasks and issues;
 - (c) work across countries/practices;
 - (d) are responsible for reviewing and handling the technical, commercial, and legal aspects of procurement (in consultation with OPCS and LEG as necessary) at all stages of the project cycle, including analysis of systemic and other procurement issues; procurement planning, design, implementation, and management; and training; and
 - (e) provide operations advice to clients and Staff on concepts, policies, and procedures for international and local procurement.
- 2.3 In exercising fiduciary functions, general procurement specialists provide project preparation and implementation support and monitoring, including through the following activities:
 - (a) assisting Borrowers in preparing the PPSD;
 - (b) approving procurement plans and procurement arrangements for operations; and
 - (c) conducting prior and post reviews of procurement documentation and actions at key

steps in the procurement and contract implementation process to ensure that the actions undertaken are in compliance with the Procurement Regulations for Borrowers as stipulated in the project's Loan Agreements; and carrying out ADM functions specified in the Procurement Directive, this Procedure, or other operations rules.

- 2.4 The most common actions requiring accreditation are the following:
- (a) assisting Borrowers in preparing the PPSD;
 - (b) conducting the procurement risk assessment of implementing agencies;
 - (c) clearing the procurement plans submitted by the Borrower, including reviewing the PPSD;
 - (d) drafting the procurement section and annex of the PAD, summarizing the PPSD, and drafting the procurement plan;
 - (e) providing clearance to the Borrower's request for no-objections to prequalification and bidding documents, requests for proposals, bid and proposal evaluation reports, award recommendations, and contracts;
 - (f) leading/monitoring Independent Procurement Reviews and procurement post review missions, and clearing reports to make the determination of whether or not a procurement was carried out in accordance with the agreed procedures;
 - (g) assessing possible cases of noncompliance and proposing the appropriate actions;
 - (h) supporting TLs in supervising contract management (for procurements over OPRC thresholds); and
 - (i) ensuring overall compliance with the Procurement Framework and other Bank operations rules.

- 2.5 The critical competencies for general procurement specialists are thorough knowledge of:

- (a) Procurement Framework;
- (b) application of the PPSD;
- (c) financial analysis of procurement-related matters; and
- (d) contract management.

3. Qualifications, experience, and skills required for full accreditation

- 3.1 An advanced degree with a major in a relevant discipline—e.g., business administration, engineering, commerce, law, procurement (Chartered Institute of Purchasing and Supply, Institute of Supply Management, etc.)—is required.
- 3.2 Within the last three years, staff must have taken training relevant to procurement—e.g., PPSD, key changes.
- 3.3 The following are the standard requirements:
- (a) minimum of 5 years of directly relevant experience in successfully carrying out technical

- or managerial duties in procurement inside or outside the Bank;
- (b) in-depth knowledge and understanding of the institutional, technical, and commercial aspects of procurement at all phases of procurement/project development;
 - (c) good understanding of critical linkages and relationships among clients' business drivers, business operations and objectives, and procurement processes;
 - (d) proven integrity and strong conceptual, analytical, and evaluative skills in handling procurement issues; and
 - (e) ability to conduct independent research and analysis, identifying issues, formulating options, reaching conclusions, submitting recommendations, and persuading superiors and colleagues on outcomes.
- 3.4 In addition, accreditation candidates must demonstrate appropriate experience, application, skills, and knowledge in the following competencies:
- (a) thorough knowledge of the Procurement Framework (application of the procurement process);
 - (b) application of the PPSD;
 - (c) financial analysis of procurement-related matters;
 - (d) data analytics;
 - (e) supply chain/market analysis;
 - (f) stakeholder management;
 - (g) risk management;
 - (h) procurement strategy development;
 - (i) communications to varied stakeholders;
 - (j) capacity building;
 - (k) procurement technology;
 - (l) sustainability in procurement;
 - (m) procurement reform;
 - (n) project management;
 - (o) leadership and/or influencing skills;
 - (p) contract management; and
 - (q) governance.

4. **Procurement certification and accreditation process overview**

- 4.1 All staff accredited to support operations under the Procurement Framework (prior to July 1, 2016) retain their accreditation for activities under the Procurement Guidelines.
- 4.2 For all staff supporting procurement activities in operations under the Procurement Framework (effective July 1, 2016), a new accreditation is required as detailed below.

- 4.3 As a prerequisite for accreditation, staff are required to obtain certification of their general knowledge of the new Procurement Framework. Certification is given once a staff member has successfully completed a test of knowledge of the new Procurement Framework.
- 4.4 Once an applicant has been certified and meets the other experience and qualification requirements, the APM (or the Manager OPCS for OPCS procurement staff, or the LEG-PrA for Legal staff in LEGOP) prepares a recommendation to the PASP for conditional accreditation, confirming that the applicant has been certified. The PASP is asked to concur with the recommendation (positive majority of PASP members present constitutes concurrence), and the CPO decides. See Section III of this Procedure for the ADM framework for processing and deciding requests for accreditations.
- 4.5 For management, the level of conditional accreditation is decided by the CPO in dialogue with the SIP Director.
- 4.6 Under this process, all accreditations in the new Procurement Framework are conditional. The conditional approval allows for a probationary period of at least one year to assess the applicant's practical and successful use of the new Procurement Framework. For staff, this assessment is undertaken by the manager; for SIP managers it is undertaken by the SIP Director; for OPCS/LEG-PrA staff it is undertaken by the responsible line manager and LEG-PrA. During the probation period, the accredited staff is expected to perform as PAS/APS up to his/her accredited limits.
- 4.7 At the end of a staff member's probationary period, and subject to successful performance, the manager details the applicant's qualifications and experience and summarizes his/her track record in exercising procurement functions. The application is then presented to the PASP, which is asked to concur on the recommendation for unconditional accreditation (positive majority of PASP members present constitutes concurrence); the CPO then decides.
- 4.8 For management, unconditional accreditation is decided by the CPO in dialogue with the SIP Director.
- 4.9 Once any staff member directly reporting to the GGP-SIP or OPCS (OPSPF-Procurement), is accredited, the accreditation is valid for any Region, practice, or unit in the Bank.
- 4.10 As the Framework evolves, staff will receive support for continuous learning. Recertification may be required to ensure staff's knowledge about key changes to the Framework.
- 4.11 Each procurement-accredited TL should decide, for each project for which he/she is responsible, whether to exercise his/her procurement accreditation for that project or to rely on an APS assigned by the APM to provide fiduciary clearances for that project. A TL who

decides to act as APS is responsible for conducting all procurement reviews under the project, reporting to the APM as required, and consulting as needed, particularly for projects that are complex or non-standard or that require policy interpretation. If the TL relies on an APS/PAS, the APS/PAS conducts all procurement reviews for the project and the TL does not use his/her accreditation to overrule a decision by the APS/PAS.

5. Types of procurement accreditation

Technical leadership

CPO

- 5.1 The CPO holds the highest procurement accreditation in the Bank and controls the accreditation process for all staff undertaking procurement-related activities. Thus, the CPO holds full accreditation in general procurement activities. OPSVP determines the need for any training and testing of the CPO in procurement-related matters.

Management

APMs

- 5.2 APMs are expected to hold senior levels of accreditation in the Bank as they oversee procurement activities of their staff. Thus, an APM is expected to hold full accreditation in general procurement activities.

Staff (including consultants)

Full accreditation – general procurement activities

- 5.3 The CPO grants accreditation to staff to carry out general procurement activities, including procurement reviews leading to no-objection letters within the limits of their accreditation.
- 5.4 In cases of urgent need of assistance because of a natural or man-made disaster or conflict (described in Section III, paragraph 12, of the IPF Policy), the CPO may provisionally increase the accreditation thresholds granted to procurement staff. To enable a rapid response, this increase is not subject to the ADM framework set forth in Section III (Scope), subsection IV (Operational Procurement Matters), of the Procurement Procedure.

Partial accreditation – general procurement activities

- 5.5 The CPO may grant a partial accreditation to staff, including PAS, who have qualifications, experience, and professional competencies (as detailed in this annex) to carry out procurement reviews leading to no-objection letters within the limits of the accreditation granted to them. Partial accreditation for staff in this category is normally defined in terms of the value of contracts that the person is authorized to review and clear. The CPO must ensure that the scope of the partial accreditation does not exceed the assessed qualifications of the staff member.

Subject-specific accreditation

- 5.6 To ensure that appropriately trained and knowledgeable OPCS and GGP-SIP staff are assigned to support activities requiring subject-specific procurement knowledge, a supplementary level of procurement accreditation is required for the following activities:
- (a) competitive dialogue;
 - (b) negotiation described in paragraphs 6.34-36 of Section VII of the Procurement Regulation for Borrowers;
 - (c) public-private partnerships; and
 - (d) APA.
- 5.7 Staff supporting procurements using these subject-specific features must have successfully completed appropriate training courses approved by the SIP Director in dialogue with the CPO. As part of the ongoing development of the accreditation framework, specialized knowledge testing in these areas will be included in the required training course.

6. Accreditation, Mentoring and quality control procedures for non-procurement staff and consultants

- 6.1 Accreditation of non-procurement staff and consultants is granted for a two-year period, renewable for additional two-year periods following the procedural instructions and ADM framework set out in Section III (Scope), subsection IV (Operational Procurement Matters), of this Procedure.

Mentoring Procedures

- 6.2 The following are the procedures for mentoring non-procurement staff to prepare them for procurement accreditation:
- (a) On the basis of the GP's needs and of staff interest in and appreciation of procurement, the PM identifies candidates for accreditation and proposes them to the APM. Consultants may also be proposed, either by PMs or by APMs themselves.
 - (b) The APM assigns to each candidate a suitable mentor—an APS identified by the APM who is familiar with the portfolio of projects that the candidate works on. The duration of the mentorship ranges from 6 to 12 months, depending on the candidate's actual procurement knowledge and experience.
 - (c) The staff and the mentor should agree on working and review arrangements, and should develop a focused and brief work program that contains information on the following: staff time required for the mentorship, the account to which procurement communications are filed, the training courses that the staff must take, and the nature and frequency of reviews by the APM—or any senior or lead staff the APM delegates to—of the candidate's progress.
 - (d) In addition, the candidate keeps a logbook of all procurement reviews he/she undertakes, recording the relevant procurement categories on which he/she has worked.

(e) At the end of the mentoring period, the candidate submits an application for accreditation as non-procurement staff. The APM discusses the application with the PM and the mentor, taking into account the contents of the logbook and other supporting documents provided by the applicant. If necessary, the APM may seek the views of the procurement staff who have worked with the applicant and may organize an interview of the applicant with staff from his/her unit. See Section III of this Procedure for the ADM framework for processing and deciding requests for accreditations.

Quality control of PAS and consultants

- 6.3 The APM or the designated lead procurement specialist representing the CPO is responsible for monitoring the quality of the procurement work of an accredited non-procurement staff (PAS) or consultant and for intervening when necessary to maintain quality as long as the PAS or consultant remains in the same Region/Practice. If a PAS undertakes procurement work across Regions/Practices, the APM obtains feedback from APMs of the other Regions/Practices on the quality of the procurement work of the PAS or consultant. The APM carries out the following quality control measures, among others:
- (a) maintain a record of all PASs and all staff that are being mentored, their assigned mentor, and period of mentorship;
 - (b) with the PM or manager of the PAS or consultant, review his/her performance with respect to procurement during the Bank's annual performance review and submit comments for his/her OPE; and
 - (c) implement any other measure(s) that may enhance these quality control measures.
- 6.4 PAS should include "procurement performance" as a results agreement or part thereof in their OPE and should obtain feedback from the relevant APM or procurement staff.
- 6.5 If PAS are not exercising their procurement responsibility, or do not perform up to the standards, according to the OPE, they lose their accreditation in the subsequent fiscal year.

7. Expiry/termination of accreditation

- 7.1 Accreditation automatically expires for any staff that leaves the employment of the World Bank.
- 7.2 If there is evidence of deficient performance, conflict of interest, negligence in meeting obligations, or violation of the staff code of professional conduct, the CPO, with the concurrence of the Panel (positive majority of PASP members present constitutes concurrence), may terminate an individual's accreditation.