**COVID 19 EMERGENCY RESPONSE**

**SUMMARY of KEY FEATURES**

**GOODS- RFQ and DIRECT PROCUREMENT DOCUMENTS- March 2020**

| **No.** | **Subject** | **Description key features** | | **Risk and mitigation** |
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| **Request for Quotation** | **Direct Contracting** |
| 1. | Scope | * Items required for the emergency response operations. | | **Risk:** impact of less rigorous competitive method  **Mitigation:** enhanced provisions compared to conventional request for quotations such as:   * Risk of including an unqualified supplier/manufacturer is expected to be managed prior to requesting quotations i.e. when the list of firms to be requested to submit quotations is established * Quality control: reference to WHO recommended specifications and standards; * manufacturer’s authorization required for non-manufacturers * Electronic submission of quotations in the form of un-editable scanned files * Suppliers may request clarifications on why they are not successful; to be addressed by the Purchaser within a reasonable time (no pause). * Publication of contract award within 15 days or as soon as practicable thereafter (noting the emergency nature) * Advance payment guarantees for advances normally exceeding 10% * Provisions such as dispute settlement, force majeure, termination, F&C and Bank’s auditing rights included. |
| * Streamlined competitive process: expected to be used irrespective of value | * expected to be used for values irrespective of value |
| 2. | **Simplified Procurement Process** | * Electronic issuance of RFQ and submission of Quotations | * Electronic issuance of invitation for direct contracting and submission of offers |
| * Electronic communications including (e-procurement systems, email and fax) as primary form of communications between Purchaser and Suppliers; * any meetings-virtual (audio/video) | |
| * No Public opening of quotations | N/A |
| * No Bid Security | N/A |
| * performance security normally not required; in exceptional circumstances performance security may be requested (risk based) | |
| * Option: Delivery Period from a specified milestone (if there are urgencies short delivery periods could be specified) | |
| * Option: Delivery may or may not include inland transportation costs depending on circumstances (to minimize risk perception of foreign suppliers; allow flexibility) | |
| * Option: for partial and/or phased delivery (flexibility) | |
| * Option: CIP/FCA for Goods from abroad to fit the purpose- negotiable | |
| * Option: evaluation could be for the whole items, item-wise or item-wise corresponding to partial delivery (flexibility) | * Evaluation done item-wise |
| * simplified evaluation and contract awarded based on least evaluated cost after confirming technical compliance- *see negotiations tips* in finalizing the contract. * single foreign currency of supplier’s choice (to simplify evaluation while managing supplier’s risk perception) | * Offer negotiated and contract concluded (this could happen virtually in a short period of time)- a number of provisions are negotiable- *see negotiations tips*. |
| * Suppliers may request clarifications on the award/complain. Purchaser addresses within a reasonable time. | |
| * Templates for including requirements (items, quantities etc.), quotation form etc. (to make it easier for both parties) | |
| 3. | **Technical Specifications** | * Link provided to the WHO recommended list, technical specs and standards | |
| Standardized approach allows for quick review and contract award decision | * Standardized approach allows for quick review, negotiations and contract award decision |
| 4. | **Contract Form** | * A single contract template i.e. No GCC and SCC * Options provided as appropriate e.g. payment terms are negotiable to fit the purpose. * To minimize risk perceptions of suppliers in the absence of L/C (which does not seem to be a feasible option here) advance payment as high as 40% to be provided for supply from abroad (10% without guarantee and 30% with guarantee)- this is negotiable * Performance security clearly highlighted as normally not required i.e. only in exceptional circumstances (just to enable it only) * Bonus payment provision included to encourage suppliers to accelerate delivery * mode of international cargo transport: air to the extent practicable * Contract award: electronic. Use of electronic signature such as DocuSign whenever possible * Contract notices: electronic; any contract-related meetings (could be virtual) | |