



# Bank Procedure

## Procurement in IPF and Other Operational Procurement Matters

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### **Content**

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

### **Applicable to**

IBRD,IDA

### **Issuer**

Chief Procurement Officer, Operations Policy and Country Services Procurement

### **Sponsor**

Lead Procurement Specialist, Operations Policy and Country Services Procurement

## SECTION I – PURPOSE AND APPLICATION

1. This Procedure sets out the instructions related to procurement in IPF and other operational procurement matters.
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. **AI Directive/Procedure:** Bank Directive/Procedure: “Access to Information Directive/Procedure”, October 18, 2019, Catalogue No. ECR4.01-DIR.123, or its successor thereof.
2. **AI Policy:** Bank Policy, “Access to Information Policy”, July 1, 2015, Catalogue No. EXC4.01-POL.01, or its successor thereof.
3. **AMS 6.21A:** “Bank’s Information Classification and Control Policy”.
4. **APS:** Accredited Procurement Specialist. A procurement specialist accredited to undertake procurement functions described in the Procurement Policy, Procurement Directive, this Procedure, or other operational rules.
5. **Appraisal:** a stage of project preparation for IPF operations set out in paragraph 27 of Section III of the IPF Directive, as the Directive may be amended from time to time.
6. **Borrower’s Representative:** for purposes of BFP, means the representative for signing minutes of negotiations, or the legal agreement, or another authorized representative of the Borrower, as advised by the country/project lawyer.
7. **Business Day:** a day when the World Bank’s Washington, DC office is officially open for business.
8. **CD:** Country Director.
9. **CESSO:** Chief Environmental and Social Standards Officer, OPCS.
10. **CL:** country/project lawyer.
11. **CPO:** Chief Procurement Officer, OPCS.
12. **Decision Review:** Management’s decision on whether to appraise an IPF operation as described in paragraph 25 of Section III of the IPF Directive, as the Directive may be amended from time to time.
13. **DSO:** Director, Strategy and Operations.
14. **EFI:** Equitable Growth, Finance, and Institutions, Practice Group.
15. **Eoi:** Expressions of Interest.
16. **FMS:** Financial Management Specialist.
17. **GD(s):** Practice Group Global Director(s).

18. **GGD:** Global Governance Director, EFI.
19. **GP(s):** Global Practice(s), Practice Group.
20. **GPN:** General Procurement Notice.
21. **IPR:** Independent Procurement Review.
22. **ISR:** Implementation Status and Results report or any successor thereto.
23. **KPI:** Key Performance Indicator.
24. **LEGEN:** Environmental and International Law, LEG.
25. **LEGOP:** Operations and Policy unit, LEG.
26. **LEG-PrA:** Legal Procurement Advisor, LEGOP.
27. **Level One project restructuring:** type of project restructuring described in paragraph 23 of Section III of the IPF Policy.
28. **MAPS:** Methodology for Assessing Procurement Systems.
29. **MDO:** World Bank Managing Director Operations.
30. **OPCS Lead Specialist, (OPCS-LS 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.
31. **OPE:** Overall Performance Evaluation, or any successor thereto.
32. **Operational Procurement:** Procurement in IPF and other Operational Procurement Matters.
33. **PAD:** Project Appraisal Document.
34. **PAS:** Procurement-Accredited Staff: Non-procurement Staff accredited to undertake procurement functions described in the Procurement Policy, Procurement Directive, this Procedure, or other operational rules.
35. **PASP:** Professional Accreditation & Standards Panel.
36. **PGVP:** Practice Group Vice President.
37. **PM:** Practice Manager.
38. **P&PF:** Policy and Procedure Framework.
39. **PPP:** public-private partnerships and concessions described in Annex XIV of the Procurement Regulations for Borrowers.
40. **PQ:** Pre-qualification.
41. **P-RAMS:** Procurement Risk Assessment and Management System.
42. **Procurement Directive:** Bank Directive, "Procurement in IPF and Other Procurement Operational Matters."
43. **RDPG:** Regional Director Practice Group.
44. **REoI:** Request for Expressions of Interest.
45. **Restructuring Package:** documents supporting project restructuring described in the Bank Procedure, "Investment Project Financing Implementation Support to Project Completion."
46. **RVP:** Regional Vice President.

47. **SEA/SH:** Sexual Exploitation and Abuse/Sexual Harassment.
48. **SPDs:** Bank Standard Procurement Documents.
49. **SPN:** Specific Procurement Notice.
50. **TT:** Task Team (headed by TL, and including CL, FMS, APS/PAS, others as appropriate.)
51. **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.
52. **UN Agency (ies):** refers to the United Nations departments, specialized agencies, and their regional offices, funds, and programs.
53. **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 documents, including document requirements, such as templates) applicable to IPF operations.
2. Staff involved in Bank-financed procurement, including the TL, LEG, APS/PAS, APM 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. The following table and related annexes set out the processing steps and ADM roles related to IPF procurement and other operational procurement matters.

**Procurement Guidance and templates:** Procurement Guidance notes and templates referenced in this Procurement Procedure are available at OPSPF-Procurement website.

## ACCOUNTABILITY AND DECISION MAKING

### Roles in the Decision-Making Process

4. The terminology is in accordance with the Bank's "Guidance on the Accountability and Decision-Making Framework." The roles of different actors are detailed below and may be assigned to participants in business decisions under specific delegations.
  - a. **Recommendation Role (Recommender)**: A staff member performing the recommendation role is responsible for gathering facts, analyzing information, and preparing a proposal for the decision-maker. In developing a proposal, the Recommender obtains the required advice, clearances, and concurrences, addresses different views, and approaches, and evaluates options.
  - b. **Advisory Role (Advisor)**: A staff member in the advisory role is responsible for rendering relevant and current advice with respect to the portion of the proposal that is within their specialty. An Advisor's input should be given as early in the process as possible when it is likely to have the most impact. The Recommender considers the advice but determines whether the advice should be taken or not, subject to the resolution of differences as provided below. Advisory services are provided no later than 7 Business Days from the submission of the request.
  - c. **Clearance Role (Clearer)**: A staff member in the clearance role is responsible for attesting that the proposal complies with essential requirements in their specialty. A Clearer's input should be given as early in the process as possible when it is likely to have the most impact. A Clearer is also responsible for providing advice. As is the case with other advice, the Recommender must consider it, but determines whether the advice should be taken or not, subject to the resolution of differences as provided below. A Clearer must specify whether their contributions fall into the clearance or the advisory categories to inform the Recommender and the team about the nature of the input.
  - d. **Concurrence Role (Concurren)**: A staff member in the concurrence role is responsible for reviewing the entire proposal. Without an agreement from the Concurren, the proposal cannot be forwarded to the Decider. The Concurren is responsible for engaging with the Recommender to test all aspects of the proposal and understand the risks and trade-offs.
  - e. **Decision Role (Decider)**: A staff member performing this role is responsible for considering the entire proposal and making a decision. The Decider has the authority and responsibility for all aspects of the decision and commits the organization to action.
  - f. **Resolving differences of views between ADM actors**: The Recommender is responsible for resolving substantive disagreements on advice received.
    - i. If the disagreement is: (a) material to the proposal; and (b) cannot be resolved at that level, the Recommender discusses the matter with the Concurren.
    - ii. If there is no Concurren, or if the Concurren is unable to resolve the matter, the Recommender initiates a discussion with the Decider.
    - iii. The Decider either resolves the matter or escalates it further up the management chain.

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## I. Procurement During Preparation

### A. Alternative Procurement Arrangements

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>A.1 APA proposal for Borrower’s agency</u></b></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</p> <p>APM: concurs</p> <p>LEG-PrA: advises</p> <p>CPO: decides</p>	<p>Cc: CD, RD, PM, TT, OPCS-LS, CL</p>	<p>No later than 7 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, TT, LEG-PrA; and the assigned OPCS-LS.</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>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>A.2 APA proposal for bilateral or multilateral agency or organization (e.g., multilateral development bank)</u></b></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 bilateral or multilateral agency or organization.</p> <p>Where an established APA agreement with a bilateral or multilateral agency/organization has been issued by the CPO, requests to incorporate into the decision to appraise a new APA with a bilateral or multilateral agency or organization are decided by the APM.</p> <p>In both cases, 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>TL: recommends  APM: concurs  LEG-PrA: advises  CPO/APM: decides</p>	<p>Cc: CD; RD, PM, TT, OPCS-LS, CL</p>	<p>No later than 7 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 or APM, as the case may be, in writing (see template) as early as possible about the forthcoming APA proposal, copying the CD, APM, and PM; TT; LEG-PrA; and the assigned OPCS-LS.</p> <p>TL consults with CL on the draft agreement with the development agency or organization for the use of APA. The TL informs the CPO on the APM's decision.</p> <p>Upon approval by CPO or APM, as the case may be, the APA proposal is incorporated into the Decision Review or Appraisal package. The chair of the Decision Review or of the Appraisal decision or Track 1 operations ultimately decides whether the APA proposal is included in the project design.</p>

## B. HEIS

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>With support from APS/PAS, TL prepares a memorandum (see template) seeking the approval for the HEIS proposal to be provided during project preparation or during implementation.</p> <p>The memorandum justifies the HEIS proposal, describing specific activities to be carried out under HEIS proposed risk mitigation measures and controls (taking into account Procurement Guidance on HEIS), and funding and staff resources required.</p> <p>The memorandum is supported by drafts of relevant project documents, including (i) the PPSD as available, (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</p> <p>CL: advises</p> <p>APM: clears</p> <p>CD: decides</p>	<p>Cc: TT, PM, OPCS-LS</p>	<p>No later than 7 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 CD, the proposal to provide HEIS during project preparation, is included as part of the project documents.</p> <p>For HEIS to be provided during project implementation, upon clearance 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 2 of Section VI of the Procurement Directive), the TL, with support from APS/PAS, prepares a memorandum (see <i>template</i>) 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, RD</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 2 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

### A. Alternative Procurement Arrangement

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>A.1 APA proposal for operations under implementation involving a Borrower’s agency</u></b></p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking CPO approval to incorporate into 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, RD, PM, TT, OPCS-LS, CL</p>	<p>No later than 7 Business Days before the submission of the Restructuring Package to the CD or RVP for decision.</p>	<p>It is desirable for TL to alert CPO in writing (see template) as early as possible about the forthcoming APA proposal, copying CD, APM, and PM; LEG-PrA; and the assigned OPC-LS.</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><b><u>A.2 APA proposal for operations under implementation involving a bilateral or multilateral agency or organization (e.g., multilateral development bank)</u></b></p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking CPO approval to incorporate into the Restructuring Package a proposal to use the procurement arrangements of a bilateral or multilateral agency or organization.</p> <p>Where an established APA agreement with a bilateral or multilateral agency/organization has been issued by the CPO, requests to incorporate into the Restructuring Package a new APA with a</p>	<p>TL: recommends APM: concurs LEG-PrA: advises CPO/APM: decides</p>	<p>Cc: CD; RD, PM, TT, OPCS-LS, CL</p>	<p>No later than 7 Business Days before the submission of the Restructuring Package to the CD or RVP for decision.</p>	<p>It is desirable for TL to alert CPO in writing (see template) as early as possible about the forthcoming APA proposal, copying RD, CD, APM, and PM; TT; LEG-PrA; and the assigned OPCS-LS.</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 CPO or the APM, as the case may be, the APA proposal is incorporated into</p>

<p>bilateral or multilateral agency or organization are decided by the APM.</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, as available, 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>				<p>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>
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## B. HEIS

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>B.1 HEIS proposals for operations under implementation</u></b></p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking CD's approval of a HEIS proposal in an operation under implementation.</p> <p>The memorandum justifies the proposal, describing specific activities to be carried out under HEIS, proposed risk mitigation measures and controls (taking into account Procurement Guidance on HEIS discussion of this topic), and funding and staff resources required.</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>TL: recommends</p> <p>CL: advises</p> <p>APM: clears</p> <p>CD: decides</p>	<p>Cc: TT, PM, OPCS-LS</p>		<p>Requests for HEIS extensions are decided by the APM. The TL informs the CPO and the CD about the APM's decision and records it as part of the project documents.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>B.2 HEIS modification and termination</u></b></p> <p>The Bank may unilaterally modify and/or terminate HEIS at any time during the implementation of an IPF operation.</p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking CD's approval to terminate or modify HEIS.</p> <p>The memorandum justifies the proposal, describing specific grounds for disengaging from HEIS, including proposed risk mitigation measures and controls, and draft notice to the Borrower, taking into account Procurement Guidance on HEIS discussion of this topic.</p>	<p>TL: recommends</p> <p>CL: advises</p> <p>APM: clears</p> <p>CD: decides</p>	<p>Cc: TT, PM, RD, OPCS-LS</p>		<p>HEIS modification or termination takes effect upon transmission of written notice to the Borrower.</p>



### C. Procurement Clearance

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>Procurement clearance</u></b></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> <p><i>(ii) At or above OPRC thresholds (as further described in Annex I, Section 4.1, of this Procedure)</i></p> <p>TL: recommends</p> <p>APM: clears</p> <p>LEG-PrA: advises</p> <p>CPO: decides on the procurement clearance</p>	<p>Cc: TT and OPCS-LS (for OPRC activities)</p>	<p><i>(i) Below OPRC thresholds:</i></p> <p>Within APS/PAS mandatory review thresholds: 7 Business Days from TL's submission of the complete documentation.</p> <p>Within APM mandatory review thresholds: 7 Business Days from the TL's submission of the complete documentation.</p> <p><i>(ii) At or above OPRC thresholds:</i></p> <p>7 Business Days from TL's submission of the complete documentation to the OPRC.</p>	<p>Given the nature, complexity, and value of contracts reviewed by OPRC, the CPO, LEG-PrA and APM (or representatives) participate in the OPRC meeting.</p> <p>TL or manager presents the case to OPRC unless exceptional circumstances require them to delegate this responsibility to another team member.</p> <p>If the CPO decides to provide procurement clearance for cases at the pre-OPRC meeting, the CPO informs the TL of any decisions at the pre-OPRC, and the case is removed from the next OPRC agenda.</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 Group Internal Audit 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</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
				procurement activity in question in accordance with the applicable procedures and protocols. Upon receiving the procurement clearance, TL decides on issuing the Bank's no-objection. Please review the Procurement Guidance on OPRC for further details on Procurement Clearance at OPRC level.

#### D. Prior Reviews, Post Reviews, and IPRs

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
Mandatory thresholds for prior reviews are set out in Annex I of this Procedure. Post reviews and IPRs are carried out in accordance with the relevant Procurement Guidance.				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.



Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b>(ii) Involving legal remedies and/or requests for refund</b></p> <p>When TL recommends an action that involves exercise of a legal remedy and/or a request for refund, TL prepares a memorandum (see template) describing the facts, findings, and recommended action, and follows procedures described in this Procedure and other applicable P&amp;P Documents.</p> <p><b>a. Cancellation following declaration of misprocurement</b></p> <p><b>b. Suspension</b></p> <p>See Bank Procedure, “Suspension, Cancellation and Placement of Bank Loans in Nonperforming Status.”</p> <p><b>c. Request for refunds</b></p> <p>See “Investment Project Financing Implementation Support to Project Completion.”</p>	<p>TL: recommends</p> <p>APM: clears (but if the noncompliance 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, RD, PM, TT, OPCS-LS</p>		<p>The TL informs the CPO, through a written notice, of the decision to take a procurement action involving legal remedies/or request for refund. The CPO 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><b><u>E.2. Procurement noncompliance that warrants Bank action under APA</u></b></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: advises            CPO: clears            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, RD, TT, OPCS-LS</p>		<p>At any stage, LEG-PrA provides advice at the request of either the APM or CL.</p> <p>See subsection B ii above for cases in which Bank exercise of legal remedies is deemed to be required.</p> <p>See Procurement Guidance on Noncompliance.</p>

## F. Procurement-related Complaint

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>Bank's review of Borrower's draft responses to procurement-related complaints when the contract is subject to prior review</u></b></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 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></p> <p>TL: recommends LEG-PrA: advises APM: decides on the procurement clearance</p> <p><i>(ii) Complaints related to contracts subject to OPRC review</i></p> <p>TL: recommends APM: clears LEG-PrA: advises CPO: decides on the procurement clearance</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. 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>Upon receiving the procurement clearance, TL decides on issuing the Bank's no-objection.</p>

## G. Fraud and Corruption and Sanctions

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>G.1 Fraud and corruption</u></b></p> <p>See Procedure , “Working Arrangements among the Practice Groups, the Regions, INT and OPCSConcerning Fraud and Corruption in Operations.”</p>				<p>TL checks contract awards against the list of sanctioned firms and the Company Risk Profile Database.</p>
<p><b><u>G.2 Procurement clearance of request for amendment(s) of ongoing contracts involving sanctioned parties</u></b></p> <p>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 procurement clearance of the proposed amendment or modification. The TL recommendation attaches the GP PM decision that the (i) proposed amendment or modification is non- material, and (ii) benefits of the amendment of a contract with a debarred or suspended firm outweigh the associated risks.</p> <p>Upon receiving the procurement clearance, TL decides on issuing the Bank’s no-objection.</p>	<p><i>(i) Below OPRC thresholds</i></p> <p>TL: recommends LEG-PrA: advises APM: decides</p> <p><i>(ii) Above OPRC thresholds</i></p> <p>TL: recommends LEG-PrA: advises APM: clears CPO: decides</p>	<p>Cc: PM, TT, RD, OPC-LS</p>		<p>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.</p>

**G. Inter-institutional operational conflict of interest**

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p>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 Guidelines, “Inter-Institutional Operational Conflict of Interest.”</p>		<p>Cc: TT, CPO, RD, OPCS-LS</p>		



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

#### A. Interpretation, Amendments/Revisions

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>A.1 Formal interpretation of the Procurement Framework and the Procurement Guidelines</u></b></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>	<p>APM: advises CPO: decides</p>	<p>Cc: CPO, TT, OPCS-LS, LEG-PrA, others as appropriate</p>	<p>Normally within 5-10 Business Days of request.</p>	<p>As necessary, CPO consults with LEG-PrA and other relevant parties.</p>
<p><b><u>A.2 Amendment of the Procurement Policy, the Procurement Directive, and the Procurement Guidelines</u></b></p> <p>CPO, and LEG-PrA are involved in all proposals to amend the Procurement Policy, Procurement Directive, and Procurement Guidelines.</p>	<p>OPCS-LS: recommends LEG-PrA: advises CPO: concurs</p>			<p>This section supplements and should be read in conjunction with the P&amp;PF Policy, Directive, and Procedure.</p>
<p><b><u>A.3 Amendment of this Procedure and the Procurement Regulations for Borrowers</u></b></p>	<p>OPCS-LS: recommends LEG-PrA: clears or advises (see last column) CPO: decides</p>			<p>Other parties may propose amendments and waivers, but all such proposals need to be vetted by and go through the OPCS-LS. LEG-PrA clearance covers only contractual and other legal matters related to the Procurement Regulations for Borrowers. On other issues, LEG-PrA advises.</p>

## B. Procurement Guidance

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>B.1 Procurement Guidance: approving, issuing and revisions</u></b></p>	<p>OPCS-LS: recommends CPO: decides</p>			<p>CPO may seek LEG-PrA 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.</p>
<p><b><u>B.2 Procurement Guidance: establishing thresholds for procurement approaches and methods by country</u></b></p>	<p>APM: recommends CPO: decides</p>	<p>Cc: CD, RD, OPCS-LS</p>		<p>The appropriate APM identifies market thresholds, taking into account market characteristics for specific goods, works, non-consulting services, and consulting services.</p>
<p><b><u>B.3 Requests for decreasing or increasing priorreview mandatory thresholds</u></b></p> <p>In accordance with Annex I of this Procedure, APM prepares a memorandum seeking CPO's approval to decrease or increase the Bank's 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 the IPF Policy. See Annex I, paragraph 2.3, of this Procedure.</p>	<p>APM: recommends CPO: decides</p>	<p>Cc: CD, RD OPCS-LS</p>		

### C. Waivers of the Procurement Framework

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>Requests for waivers of the Procurement Policy, the Procurement Directive, this Procedure, the Procurement Regulations for Borrowers, and Procurement Guidelines</u></b></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

### A. Procurement Accreditation

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>Procurement accreditation</u></b></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, other Accredited Managers 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>Procedures for accreditation of Staff 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. 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>

## B. SEA/SH related matters

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>B.1 Decision on contractor disqualification for SEA/SH-related contractual non-compliance</u></b></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 <b>DAAB decision</b> 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 <b>post-disqualification arbitral order</b> (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. <u>DAAB decision</u>: 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>LEGVP (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-LS, GD (Gender), GD (Social), CESSO, LEGOP (Associate General Counsel)</p>	<p>7 Business Days from 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 the two templates in column one) 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 OPSVP.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>B.2 Amendments to contracts involving a disqualified Contractor/Sub-contractor</u></b></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</p> <p>LEG-PrA: advises</p> <p>APM: clears</p> <p>CPO: decides</p>	<p>Cc: TT, APM, CD, OPCS-LS, GD (Gender), GD (Social), CESSO, others as appropriate.</p>	<p>7 Business Days from 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>
<p><b><u>B.3 Use of Procurement Documents that do not include Bank's SEA/SH contract disqualification mechanisms in works procurements classified as high SEA/SH risk that are subject to international competition</u></b></p> <p>If the TL in consultation with the APS/PAS determines that use of a Procurement Document that does not include the Bank's SEA/SH contract disqualification mechanisms is justified, the TL prepares a memorandum (see template) seeking the CPO's approval.</p> <p>The memorandum justifies the proposal and describes the Procurement Document proposed to be used and the measures to mitigate the associated risk.</p>	<p>TL: recommends</p> <p>APM: concur</p> <p>CPO: decides</p>	<p>Cc: TT, OPCS-LS, GD (Gender), GD (Social), CESSO, others as appropriate</p>	<p>The request is submitted as early as possible, at the latest prior to issuance of the Bank's No Objection to the draft Procurement Document.</p>	<p>CPO may seek LEG-PrA advice.</p>

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>B.4 Use of Procurement Documents that do not include Bank’s SEA/SH contract disqualification mechanisms in works procurements classified as high SEA/SH risk that are not subject to international competition</u></b></p> <p>If the TL in consultation with the APS/PAS determines that use of a Procurement Document that does not include the Bank’s SEA/SH contract disqualification mechanisms is justified for procurement that is not subject to international competition, the TL seeks the CPO’s advice. The TL prepares a memorandum (see template) seeking the CPO’s advice.</p> <p>The memorandum justifies the proposal and describes the Procurement Document proposed to be used and the measures to mitigate the associated risk.</p>	<p>TL: recommends CPO: advises APM: clears</p>	<p>Cc: TT, OPCS-LS, GD (Gender), GD (Social), CESSO, others as appropriate</p>	<p>The request is submitted as early as possible, at the latest prior to issuance of the Bank’s No Objection to the draft Procurement Document.</p>	<p>CPO may seek LEG-PrA advice.</p>

### C. Access to Information

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>Bank's Prerogative of the Access to Information Policy (AI Policy) to Restrict Access to Operational Procurement information.</u></b></p> <p>With support from APS, the TL prepares a memorandum (see template) seeking CPO's approval to exercise the AI Policy Prerogative to Restrict Access to Operational Procurement information.</p> <p>The memorandum provides justifications for the request, including a description of how information [normally disclosed by the Bank], if disclosed, is likely to cause harm that outweighs the benefits of the disclosure. It is supported by relevant documents/information, including (i) a copy of the request to access Operational Procurement information, (ii) information to be restricted, and (iii) other relevant documents/information.</p>	<p>TL: recommends</p> <p>APM: clears</p> <p>CPO: decides</p>	<p>Cc: TT, PM(s), RD(s), and CDs</p>		<p>Procedural instructions to implement the AI Policy and AI Directive/Procedure with respect to Operational Procurement information are detailed in Annex V of this Procedure.</p>



## D. Bank-Facilitated Procurement

Processing Steps	ADM Roles	Distribution	Timing	Additional Requirements
<p><b><u>D.1 Establishing a BFP</u></b></p> <p><b>A. <u>Global BFP</u></b></p> <p>Where a BFP is warranted to support multiple countries across more than one region to address a BFP Triggering Event, the PGVP seeks the MDO’s approval to authorize the CPO to establish a Global BFP (see template.)</p> <p><b>B. <u>Regional BFP</u></b></p> <p>Where BFP is warranted to support one or multiple countries in one region to address a BFP Triggering Event, the RDPG seeks the RVP’s approval to authorize the CPO to establish a Regional BFP (see template.)</p> <p>The PGVP or RDPG prepares a BFP memorandum, that includes the findings of the assessment on the need to establish a Global or Regional BFP respectively. To the extent available, the BFP memorandum covers the scope of BFP and its proposed application, specifies any pertinent risks and the corresponding mitigating measures, and describes the funding and staff resources required to establish a BFP. See Procurement Guidance on BFP for a list of aspects to be considered when assessing the need to establish a BFP.</p>	<p>PGVP: recommends CPO: advises LEGOP Chief Counsel: advises OPSVP: concurs MDO: decides</p> <p>RDPG: recommends Regional Chief Counsel, APM, CPO: advises OPSVP: concurs RVP: decides</p>	<p>Cc: Global DSO, PGVP, BPS Director (Operations)</p> <p>Cc: Regional DSO, Regional Chief Administrative Officer</p>		<p>Upon approval by the MDO or RVP, as the case may be, the CPO is authorized to establish a Global or Regional BFP, respectively. The level of response and structure of BFP will depend on the nature of the BFP Triggering Event. See Procurement Guidance on BFP for the scope of and detailed procedures for establishing a BFP.</p> <p>The Task Team can use only Established BFP set up in accordance with this Procedure and further outlined in Procurement Guidance on BFP.</p> <p>Information about Established BFPs will be accessible through the OPSPF-Procurement website.</p> <p>The duration of the BFP will be determined by the CPO on a case-by-case basis.</p> <p>The CPO reports on material modifications, performance, and continued need of BFPs to MDO or RVP, depending on whether the BFP is Global or Regional.</p>

<p><b><u>D.2 Project-specific use of BFP</u></b></p> <p>With support from APS/PAS, TL prepares a memorandum seeking the approval for the BFP proposal to be provided during project preparation (see template) or during implementation (see template.)</p> <p>The BFP memorandum provides justification that the BFP is the most appropriate procurement approach to meet project development objectives and outcomes, considering the context and the risk, value, and complexity of the procurement. To the extent available, the BFP memorandum covers the scope of BFP and its proposed application, specifies any pertinent risks and the corresponding mitigating measures, outlines the specific arrangements for oversight and implementation support, and describes the funding and staff resources required. The BFP memorandum is supported, as available, by drafts of relevant project procurement documents, including (i) an updated PPSD (for projects subject to the Procurement Regulations for Borrowers), (ii) the assessment of the borrower agency's capacity and readiness to use BFP, (iii) the Borrower's Representative's BFP request, (iv) Bank draft notice informing the borrower on the CD decision to provide BFP (Bank's BFP notification), and (v) other relevant documents/ information.</p>	<p>TL: recommends</p> <p>CL: advises</p> <p>APM: clears</p> <p>CD: decides</p>	<p>Cc: TT, PM, OPCS-LS, CL</p>	<p>For projects under preparation, upon APM's clearance, the BFP proposal is incorporated into the Decision Review or Appraisal package. The chair of the Decision Review or the Appraisal decision for Track 1 operations ultimately decides whether the BFP proposal is included in the project design.</p> <p>For operations under implementation, the TL seeks CD's approval of a proposal to use BFP in the operation.</p> <p>Upon approval by the CD, the proposal to provide BFP during project preparation, is included as part of the project documents.</p> <p>When a Borrower's Representative requests a BFP, the Bank prepares and signs a BFP Letter, which is countersigned by the Borrower's Representative. The Bank's BFP Letter to the borrower outlines in general terms the proposed scope of the BFP and confirms the borrower's continued responsibility for making decisions and implementing the project.</p> <p>Task Teams (headed by TLs and including procurement-accredited Staff) are responsible and accountable for project-level procurement support and</p>
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<p><b><u>D.3 BFP modification and termination</u></b></p> <p>The Bank may unilaterally modify, and/or terminate the use of BFP at any time during the implementation of an IPF operation.</p> <p>With support from APS/PAS, TL prepares a memorandum (see template) seeking CD's approval to terminate or modify, the use of BFP.</p> <p>The memorandum justifies the proposal, describing specific grounds and strategy for modifying or disengaging from using an Established BFP, taking into account Procurement Guidance on BFP discussion of this topic.</p>	<p>TL: recommends  CL: advises  APM: clears  CD: decides</p>	<p>Cc: TT, PM, RD,  OPCS-LS</p>	<p>monitoring activities (see Procurement Directive, Section III.E.6), including BFP. See Procurement Guidance on BFP for further details on Task Team responsibilities for project-specific use of a BFP, among other tasks, assessing borrower's readiness to use BFP, providing implementation support to enhance borrower's capacity to use BFP, supervise and monitoring BFP execution.</p> <p>Modifications or the termination of an Established BFP are communicated to the Borrower's Representative through a written notice. This termination or modification does not affect existing contractual obligations between the borrower and BFP providers/suppliers.</p>
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## 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.

Bank Directive “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 System.

“Procurement Guidelines” and “Consultants Guidelines.”

World Bank Policy, “Access to Information.”

World Bank Directive/Procedure, “Access to Information.”

“Administrative Manual Statement (AMS) 6.21A” Information Classification and Control Policy.

AMS 10.11, “Management of Records.”

## 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 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 APM has cleared them.

November 24, 2020: This update reflects the introduction of measures to improve contractors’ SEA/SH 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/SH 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/SH non-compliance.

June 11, 2021: Changes to reflect the Bank’s revised management structure including, (i) line management of APMs by RDs; (ii) removal of the SIP Director role; (iii) the revised role of the CPO; (iv) the revised role of the regional APMs; (v) revised scope of PASP; and (vi) update on accreditation. The ADM is also updated on SEA/SH related matters, APM clearance of procurements involving demining services, and Bank’s Prerogative of the Access to Information Policy (AI Policy) to Restrict Access to Operational Procurement information.

February 7, 2022: Changes to incorporate a new Annex V to cover implementation of the Bank’s Access to Information Policy for documents pertinent to Operational Procurement.

January 18, 2024: Changes to paragraph 2.2 of Annex I “Mandatory Procurement Prior Review” requiring Prior Review of all contracts with UN Agencies described in Sections VI and Section VII of the Procurement Regulations for Borrower; updates to reflect the revised nomenclatures of the IPF Directive; the timing for procurement reviews.

March 2024: Update to reflect simplified processes for processing of APA with bilateral or multilateral agencies/organizations and HEIS during project preparation and during implementation; set out procedural instructions and ADM roles to establish BFP, its use at project level, as well as modification and termination of Established BFP and/or use of Established BFP in a specific project; update paragraph 2.2 of Annex I, “Mandatory Procurement Prior Review” requiring Bank procurement Prior Review of the procurement process involving BFP contracts.

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
<b>Works (including turnkey, supply &amp; installation of plant and equipment, and PPP)</b>	5	10	15	20
<b>Goods, information technology, and non-consulting services</b>	1.5	2	4	6
<b>Consulting services: firms</b>	0.5	1	2	4
<b>Consulting services: individuals</b>	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:
- (a) procurement processes involving contract negotiations, as described in Section VI, paragraphs 6.34-36, of the Procurement Regulation for Borrowers;
  - (b) Competitive Dialogue, as described in Section VI, paragraphs 6.39-6.41 of the Procurement Regulation for Borrowers;
  - (c) selection of UN Agencies, as described in Section VI, paragraphs 6.47-6.48 and

- Section VII, paragraphs 7.27-7.28 of the Procurement Regulations for Borrowers;
- (d) selection of probity assurance providers, as described in Section III, paragraph 3.3 of the Procurement Regulations for Borrowers;
  - (e) best and final offer, as described in Section VI, paragraphs 6.32-6.33 of the Procurement Regulations for Borrowers;
  - (f) any Works contracts under projects determined to be high-risk for SEA/SH that apply SPDs; and
  - (g) Procurement process involving BFP contracts, including amendments irrespective of the contract value.

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 CPO agrees otherwise, at the request of the APM.
- (b) Upon the CPO's approval, the APM may decrease or increase 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.

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<sup>2</sup>, and**

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

<sup>2</sup> Procurement arrangements for contracts below OPRC thresholds that include demining services are subject to APM clearance.

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/initial selection evaluation reports;
  - (c) bid/proposal technical and/or financial/combined 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) the cancellation (after applications, bids or proposals are submitted), of any prequalification, initial selection, bidding, or request for proposals (goods, works, non-consulting or consulting services) process and/or re-inviting applications/bids/proposals, for all contracts above OPRC, and/or;
  - (g) material modifications of contracts originally reviewed by the OPRC, if the revised contract amount (resulting from the modifications) also falls within the applicable OPRC threshold.
- 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 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 their own initiative or at the request of a TL,) or a TL directly (to maintain agility if there are delays in gaining clearance) 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 send to the CPO for review of the PPSD. The document is shared with sufficient time for the CPO to comment before it is concluded (at least 5 Business Days prior to conclusion.)
- 4.5 For procurement at or above OPRC thresholds, TLs submit to the CPO for review: (i) contract management plan and key performance indicators; and (ii) quarterly reports on contract key performance indicators, or an annual progress report on contract management/implementation progress. The CPO advises TLs if there are any comments

on such documents. On a case-by-case basis, the CPO may carry out a meeting with a TL to discuss the contract management plan and key performance indicators and/or progress reports.

#### **SEA/SH Contractor Disqualification cases**

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

## **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 recording**

10.1 All complaints and related documentation are recorded in STEP.

## 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: coordinating 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 the Panel. In the absence of the CPO, the designated alternate chairs.
- 3.2 **Members:** The CPO and APMs. At the discretion of the Chair, other Staff can be invited to be members of the Panel, as needed. Attendance is for principals only.
- 3.3 **Secretariat:** OPCS provides secretariat support for the Panel, including scheduling Panel meetings and producing agendas and minutes.

### 4. Procedures

#### *Meetings*

4.1 The Panel holds:

- (a) **Monthly meetings.** The purpose of these meetings is to discuss and advise on



accreditation standards, Staff accreditation, corporate pipeline and portfolio risk reviews, procurement framework implementation/coordination, and other 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. At the discretion of the Chair, 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, and consultants) 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.

24 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.

25 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 have completed 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.
- 34 In addition, accreditation candidates 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 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.
- 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 APM it is undertaken by the CPO; 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 APS/PAS up to their accredited limits.
- 4.7 At the end of a Staff's probationary period, and subject to successful performance, the manager details the applicant's qualifications and experience and summarizes their 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.
- 4.9 Once any Staff directly reporting to APM, RD or OPCS (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 they are responsible, whether to exercise their procurement accreditation for that project or to rely on an APS/PAS assigned by the APM to provide fiduciary clearances for that project. A TL who decides to act as PAS 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 their 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

#### 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 ensures that the scope of the partial accreditation does not exceed the assessed qualifications of the Staff.

## 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**

- 62 The following are the procedures for mentoring non-procurement Staff to prepare them for procurement accreditation:
- (a) On the basis of operations 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 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 and whether this was under the previous Guidelines or new Procurement Framework.
  - (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 their unit. See Section III of this Procedure for the ADM framework for processing and deciding requests for accreditations.

## **Quality control of PAS and consultants**

- 63 The APM or the designated lead procurement specialist representing the CPO is responsible for monitoring the quality of the procurement work of an accredited PAS Staff 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 their performance with respect to procurement during the Bank's annual performance review and submit comments for their OPE; and
  - (c) implement any other measure(s) that may enhance these quality control measures.

- 64 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.
- 65 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 Bank.
- 7.2 If there is evidence of deficient performance, conflict of interest, negligence in meeting obligations, the CPO, with the concurrence of the Panel (positive majority of PASP members present constitutes concurrence), may terminate an individual’s accreditation.



## Annex V

### Access to Information

#### 1. Purpose and Application

This annex establishes procedural instructions to implement the AI Policy and the AI Directive/Procedure with respect to Operational Procurement information.

#### 2. Scope

- 2.1 **Disclosure of Operational Procurement information by Borrowers.** The Procurement Regulations for Borrowers and the Procurement Guidelines govern the Borrower's disclosure of Operational Procurement information. Both the Procurement Regulations for Borrowers and the Procurement Guidelines require proactive disclosure of certain Operational Procurement information by the Borrower to be published or posted on an external website as a condition for doing business with the Bank. These disclosure requirements of the Procurement Regulations for Borrowers and the Procurement Guidelines supersede the AI Policy and remain in effect.
- 2.2 **AI Policy.** The AI Policy provides that the Bank allows access to any information in its possession that is not on a list of exceptions or that is not restricted by the Bank's exercise of the prerogative to restrict. Information in the Bank's possession that is not disclosed pursuant to the Procurement Regulations for Borrowers and the Procurement Guidelines is restricted from public access pursuant to the AI Policy and this Procedure.
- 2.3 **Handling of Operational Procurement information by the Bank.** Operational Procurement information created or received by the Bank in the course of conducting official business may contain or refer to information restricted by one or more of the AI Policy exceptions or be restricted by the Bank's exercise of the prerogative to restrict pursuant to the AI Policy. As such, except in those specific cases where Borrowers provide Operational Procurement information to the Bank with the understanding that the Bank makes them available to the public, Operational Procurement information is restricted from public access pursuant to the AI Policy and is assigned a security classification of "Official Use Only," "Confidential," or "Strictly Confidential" in accordance with Information Classification and Control Policy, AMS 6.21A. Any Operational Procurement information issued by Borrowers or third parties, unless otherwise assigned a security classification of "Confidential," or "Strictly Confidential", should be classified as "Official Use Only" and is eligible for declassification after 20 years if "Deliberative Information" only.
- 2.4 **Prerogative to Restrict Access.** Certain Operational Procurement information is restricted by the Bank's exercise of prerogative to restrict access pursuant to the AI Policy, i.e., if there are exceptional circumstances and disclosure is likely to cause harm that outweighs the benefits of disclosure. Pursuant to the AI Policy, the authority to exercise such prerogative with respect to Operational Procurement information rests with the director concerned, i.e., the CPO.
- 2.5 **Transmitting Operational Procurement information created by the Bank in the course of conducting official World Bank business.** The confidentiality of Operational Procurement information is a bedrock of the Bank's Procurement Framework and is highlighted as paramount in the Procurement Regulations for Borrowers and Procurement Guidelines and bidding documents. Therefore, any Operational Procurement information

issued by the Bank, including emails and other form of communications, to Borrowers and third parties is restricted from public access and assigned a security classification. Unless classified as "Strictly Confidential," by default, such restricted information is classified as "Official Use Only" or "Confidential" pursuant to AMS 6.21A. Staff clearly assigns such security classification and conveys how the information is to be treated by the recipient with respect to public disclosure. For example, staff selects the appropriate security classification for emails and state a notice, such as, "This email and its content are restricted from public access and not to be shared or disclosed with any third party without the World Bank's written consent" or otherwise conveys such instructions on the body of the written communication to be issued by the Bank.

- 2.6 **Operational Procurement information created or received by the Bank, including those filed in the Bank's procurement planning and tracking tool.** Unless otherwise agreed with the Bank in the Legal Agreement, the Borrower uses the Bank's online procurement planning and tracking tool "Systematic Tracking of Exchanges in Procurement (STEP)" to record all procurement actions under IPF operations. Operational Procurement information recorded in STEP is appropriately marked with the AI Policy exception(s), as applicable, according to this Procedure.
- 2.7 **Routine Operational Procurement information.** The table below summarizes how routine Operational Procurement information is expected to be treated in light of the AI Policy and the Procurement Framework.

**Part 1. Procurement in IPF**

<b>Type of Procurement Information</b>	<b>Classification (assigned by the creator)</b>	<b>Applicable Exception(s)</b>	<b>Important to note</b>
<p>1. <b>Procurement Capacity/Risk Assessment</b> of implementing agency (or procuring entity.)</p> <p>(a) Related correspondences.</p>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
<p>(b) Drafts and final versions.</p>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
<p>2. <b>Project Procurement Strategy for Development (PPSD)</b>, including correspondences, drafts, and final versions.</p>	Official Use Only, or Confidential depending on the content and findings of the review.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
<p>3. <b>Procurement Plan</b></p> <p>(a) Working versions/drafts, correspondences.</p>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
<p>(b) An agreed initial ("original") Procurement Plan (referenced in PAD and Legal Agreement), including in STEP or similar web-based database, and updates of Procurement Plan, including in STEP or similar web-based database.</p>	Public.	Not applicable.	
<p>4. <b>PAD</b> (incl. Procurement section) and Legal Agreement:</p> <p>(a) Drafts, working correspondences.</p>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.

<b>Type of Procurement Information</b>	<b>Classification (assigned by the creator)</b>	<b>Applicable Exception(s)</b>	<b>Important to note</b>
(b) Final version.	Public.	Not applicable.	
5. GPN/SPN/REoI.  (a) Drafts, working correspondences.	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
(b) Final version.	Public.	Not applicable.	
6. <b>Procurement Documents</b> (Procurement Regulations for Borrowers), <b>Bidding documents/ Request for Proposals, PQ, etc.</b> (Procurement Guidelines), including Bank's revisions comments and related correspondences; and Borrower's correspondences, communications, drafts, final versions, and amendments.	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
7. <b>Terms of Reference.</b>  (a) Open Competition.  (a.1) Drafts, working correspondences.  (a.2) Final versions.	(a.1) Official Use Only.          (a.2) Public.	(a.1) Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.          (a.2) Not applicable.	(a.1) Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
(b) Limited Competition or Direct Selection, including drafts, working correspondences, and final versions.	Official Use Only.	Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.

<b>Type of Procurement Information</b>	<b>Classification (assigned by the creator)</b>	<b>Applicable Exception(s)</b>	<b>Important to note</b>
8. <b>Eols, Applications, Proposals, Bids.</b>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
9. <b>Borrower's request for Bank's no objection</b> (including attached documents to which no objection is requested.)	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
10. <b>Procurement Clearance</b> When the Bank is requested to issue a no-objection to a Borrower's decision that requires Procurement Clearance, including correspondences and communications with the Borrower and third parties, and ADM review process and decisions.	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
11. <b>Minutes of public opening.</b>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
12. <b>Shortlist, Initial Selection, Prequalification</b> itself, including correspondences, drafts, and final version.	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.

<b>Type of Procurement Information</b>	<b>Classification (assigned by the creator)</b>	<b>Applicable Exception(s)</b>	<b>Important to note</b>
13. <b>Evaluation reports</b> , including correspondences, drafts, and final version of recommendation for award (including reports from the probity assurance providers/auditors in specific procurement methods.)	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
14. <b>Notification of Intention to Award a contract</b> , including correspondences, drafts, and final version.	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
15. <b>Notification of Contract Award.</b>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
(a) Drafts, working correspondences.			
(b) Final version.	Public.	Not applicable.	
16. <b>Contracts and amendments</b>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
(a) Drafts, working correspondences.			
(b) Final version, including signed contracts or amendments.	Official Use Only.	Exercise of the Bank's Prerogative to Restrict Access.	Not eligible for declassification.
17. <b>Contract management documents</b> , including plans, reports and KPI.	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.

<b>Type of Procurement Information</b>	<b>Classification (assigned by the creator)</b>	<b>Applicable Exception(s)</b>	<b>Important to note</b>
		Confidence.	
18. <b>Bank's debriefing.</b> Requests for the Bank's debrief and related correspondences and minutes of the meeting(s).	Official Use Only, or Confidential or Strictly Confidential depending on the content.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence or Information Restricted Under Separate Disclosure Regimes and Other Investigative Information.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence or Information Restricted Under Separate Disclosure Regimes or Other Investigative Information.
19. <b>Procurement supervision reports</b> (in any form, including as input in Aide Memoire.)	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
20. <b>Procurement Post Reviews (PPRs), Independent Procurement Reviews (IPRs), Procurement (or Fiduciary) Portfolio Reviews</b> , and related databases.	Official Use Only, or Confidential or Strictly Confidential depending on the content and findings of the review.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence or Information Restricted Under Separate Disclosure Regimes and Other Investigative Information.	Not eligible for declassification as Information Provided by Member Countries or Third Parties in Confidence, or Information Restricted Under Separate Disclosure Regimes or Other Investigative Information.
21. <b>Procurement related Complaints</b> , including correspondences and communications with the Borrower and third parties, supporting documents, and ADM review process and decisions.	Official Use Only or Confidential or Strictly Confidential depending on the content and findings of the review.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence or Information Restricted Under Separate Disclosure Regimes and	Not eligible for declassification as Information Provided by Member Countries or Third Parties in Confidence, or Information Restricted Under Separate Disclosure Regimes or Other Investigative Information.

<b>Type of Procurement Information</b>	<b>Classification (assigned by the creator)</b>	<b>Applicable Exception(s)</b>	<b>Important to note</b>
		Other Investigative Information.	
<b>22. Bank reports of Operational Procurement data</b> recorded in STEP, PRAM, WB Docs, SharePoint and other applications and systems developed by the Bank.	Official Use Only or Confidential or Strictly Confidential depending on the content and findings of the review.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence or Information Restricted Under Separate Disclosure Regimes and Other Investigative Information.	Not eligible for declassification as Information Provided by Member Countries or Third Parties in Confidence, or Information Restricted Under Separate Disclosure Regimes or Other Investigative Information.
<b>23. Procurement Noncompliance:</b> (i) <u>Assessment</u> of the Procurement Noncompliance by the Bank, including correspondences and communications with the Borrower and third parties, and ADM review process and decisions. It also includes (ii) <u>Actions</u> (including internal correspondences, drafts, and final memorandum, and communications of the action to the Borrower) upon procurement noncompliance.	Official Use Only or Confidential or Strictly Confidential.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence or Information Restricted Under Separate Disclosure Regimes and Other Investigative Information.	Not eligible for declassification as Information Provided by Member Countries or Third Parties in Confidence, or Information Restricted Under Separate Disclosure Regimes and Other Investigative Information.
<b>24. APA</b> , including Borrower's request, related communications, documents, and information provided by the Borrower or third parties. Also, Bank's assessments and ADM review process and decisions, including drafts and final reports.	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
<b>25. HEIS.</b> Borrower's requests and related correspondences and documents, and Bank's assessments and ADM review process and decisions,	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.



<b>Type of Procurement Information</b>	<b>Classification (assigned by the creator)</b>	<b>Applicable Exception(s)</b>	<b>Important to note</b>
including drafts and final reports, and Bank's HEIS response to the Borrower.		Confidence.	
<b>26. BFP.</b>			
(a) <u>BFP Establishment</u> , including, (i) correspondences, Bank's assessments, (iii) ADM review, (iv) decisions.	Official Use Only or Confidential or Strictly Confidential.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.
(b) <u>Project-specific use of BFP</u> , including, for example, (i) Borrower's BFP requests, (ii) correspondences, (iii) Bank's assessments, (iv) ADM review process, (v) decisions, (vi) Bank's BFP response to the Borrower.	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as restricted by Information Provided by Member Countries or Third Parties in Confidence.

## **Part 2 Operational Procurement Matters**

<b>Type of Procurement Information</b>	<b>Classification (assigned by the creator)</b>	<b>Applicable Exceptions</b>	<b>Important to note</b>
<b>1. Industry Engagement Program</b> , including correspondences, drafts, and final reports.	Official Use Only or Confidential or Strictly Confidential depending on the content and findings of the review.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification as Information Provided by Member Countries or Third Parties in Confidence.
<b>2. Country Procurement Assessment Reports (CPAR), MAPS, benchmarking, other procurement sector assessments</b>	Official Use Only.	Deliberative Information and Information Provided by Member Countries or Third Parties in Confidence.	Not eligible for declassification if restricted by Information Provided by Member Countries or Third Parties in Confidence.

Type of Procurement Information	Classification (assigned by the creator)	Applicable Exceptions	Important to note
(a) Correspondences, draft reports, etc.			
(b) Final Reports.	(b.1) Public.  (b.2) Official Use Only.	(b.1) Not applicable.  (b.2) Deliberative and Information Provided by Member Countries or Third Parties in Confidence.	(b.1) Final CPAR, MAPS reports are filed as Public after the government has provided its consent to disclose.  (b.2) When the government does not agree to the findings of the report and it is not finalized for publication, such reports are restricted as Information Provided by Member Countries or Third Parties in Confidence.
3. <b>Professional Accreditation and Standards Panel (PASP) and Procurement Talent Board</b> , including, correspondences, drafts and final minutes of meetings, and ADM review process and decisions.	Confidential or Strictly Confidential.	Deliberative Information or Personal Information.	Eligible for declassification after 20 years if solely Deliberative Information. Not eligible for declassification if Personal Information applies.
4. <b>Correspondence with Legal Department.</b>	Lawyer to determine the security classification level.	Attorney-Client Privilege.	Not eligible for declassification.