

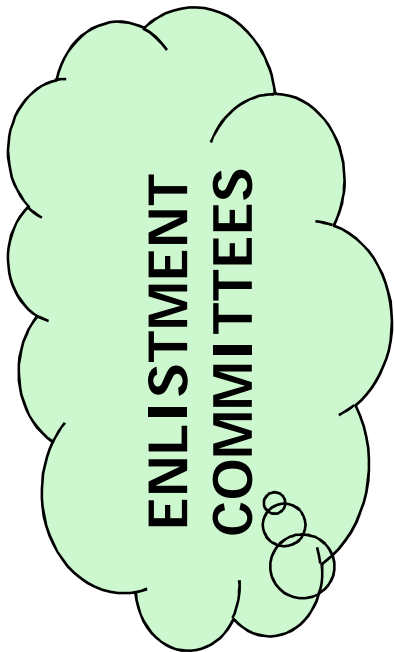
Act [Section– 6 & 7]

Public Procurement Committees

Rules[Rule-7,8,9,10 & 52]

Public Procurement Committees

Session: M1-9
Slide No:2/19



OCC

EC

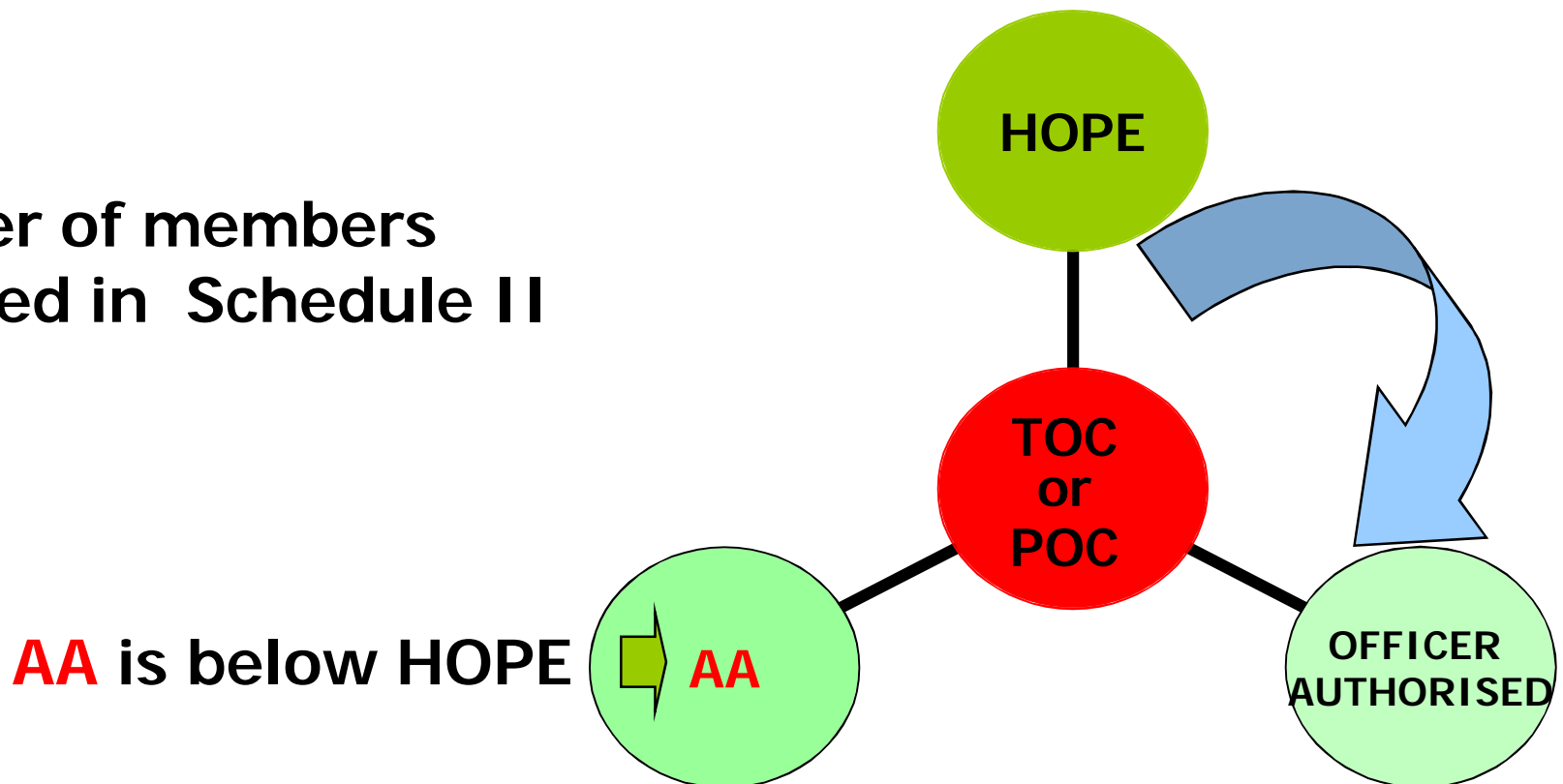


Constitution of TOC/POC

Session: M1-9
Slide No:3/19

Formed By

- Number of members specified in Schedule II



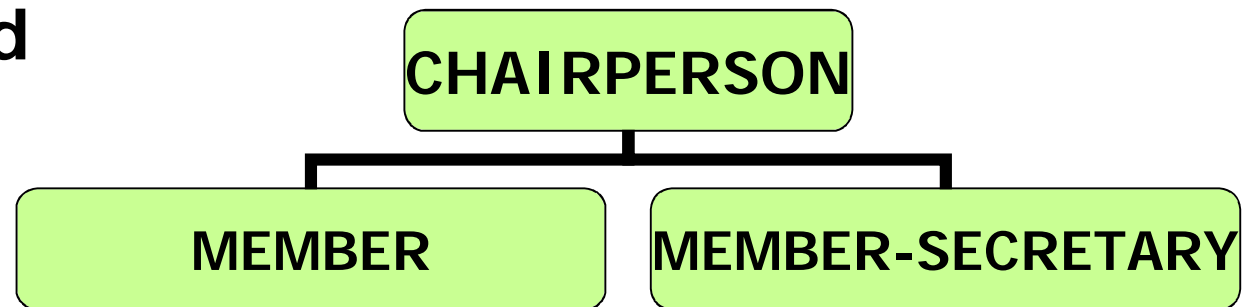
Slightly different when AA below HOPE

Constitution of TOC / POC

Session: M1-9
Slide No:4/19

Structure & Composition

- **1 - member** from the TEC / PEC and



- **2 - other members** from the concerned PE

Constitution of TEC / PEC

Session: M1-9
Slide No:5/19

Who Appoints TEC or PEC?

AA

- only 1, may be more than 1 or even separate for specific or particular requirement
- of members as specified in Schedule II
- prior to the invitation for Application, Tender or Proposal, but **must** be before the deadline for submission

in case **AA above** HOPE, approval of Chairperson of the BOARD or Secretary of the Ministry or Division required

Constitution of TEC / PEC

Session: M1-9
Slide No:6/19

TEC members selected from

- officers of concerned PE
- officers from line Ministry/Division/Agencies
- **officers from end-users or beneficiaries**
- officers or specialists from other

Ministry, Division, Agencies or
Universities
as **externals by designations**

all with knowledge & high integrity

Constitution of TEC / PEC

Session: M1-9
Slide No:7/19

General

- **Minimum 5 & normally not exceeds 7**
- **2 of whom** at least from outside the Ministry or Division or Agencies
- **Minimum 5 including 1** externals to attend the Evaluation & sign the Evaluation Report
- **All participating TEC members will mention their names with designations**

Relaxation follows

Constitution of TEC / PEC

Session: M1-9
Slide No:8/19

Low value procurement

- **Minimum 3** of whom **1** from another PE
- **Minimum 3** to attend the Evaluation and sign the ER
- **All participating** TEC members will mention their names with designations

**Within ceilings
stated in
Schedule II**

Constitution of TEC / PEC

Session: M1-9
Slide No:9/19

External members

General

External members not from within the units of the same PE, Ministry, Agency

but

from the Government, autonomous or semi-autonomous organisations, universities, or reputable professional bodies & eminent specialists

Externals are key members

Constitution of TEC / PEC

Session: M1-9
Slide No:10/19

Chairperson

General: AA shall **never chair**

- one immediate below AA, where AA is at the level of PD, PM or AO as per the DoFP at the regional, sub-regional, district or upazila level
- AA itself at the upazila or other levels, where there may be no class I officer below the AA
- one immediate below HOPE, where AA is at the level of a HOPE or of the CEO of a corporation, autonomous body or semi-autonomous body

AA may designate one member-secretary

Constitution of TEC / PEC

Session: M1-9
Slide No:11/19

Chairperson

- HOPE or CEO; where AA is at the level of a Board of Directors or of a Ministry or CCGP
- **one** immediate **below** HOPE or CEO, **if** for any reason they are **unable** to chair **any meeting** of EC
- **one** immediate **below** Secretary in Ministry's own procurement where the Secretary is the HOPE

Special circumstances

Constitution of TEC / PEC

Session: M1-9
Slide No:12/19

Chairperson

Companies registered under the **Companies Act, 1994 (Act No. 18 of 1994), using public funds follow their own administrative and financial delegations as applicable with regard to chairperson of TEC/ PEC**

Companies own procedures

Constitution of Enlistment Committee

Session: M1-9
Slide No:13/19

PE forms the **Enlistment Committee of 3 members**

for procurement under **LTM** with

- 1 from PE
- 1 from technical unit of PE
- 1 from outside the PE

- HOPE or AO approves the list of the potential Tenderers and PE updates on annual basis

Updates also need approval

Evaluation by TEC/PEC

Session: M1-9
Slide No:14/19

Validity of EC Meetings

TEC / PEC meetings considered **valid** only
when minimum number of members present

Rule 8(8) new: Presence of at least 3 members is
needed to make a meeting of the evaluation
committee valid

Minimum Numbers are in Schedule II

Evaluation by TEC/PEC

Session: M1-9
Slide No:15/19

TEC / PEC members **themselves on their own:**

- **examines & evaluates**
- **prepares the ER with recommendations; and**
- **submits the ER directly to the AA in prescribed manner [Rule- 36]**

NEVER DELEGATES

Evaluation by TEC/PEC

Session: M1-9
Slide No:16/19

TEC/PEC Members removed only by AA on grounds includes

- does not disclose links/connection with Applicant or Tenderer
- remains absent in **2 consecutive** meetings
- in direct breach of **Section 64 of the Act**
- transfer, death or absence from the country

Keep records

Evaluation by TEC/PEC

Session: M1-9
Slide No:17/19

Declaration of Impartialities

Each TEC/PEC member signs the declaration of impartiality in a manner as specified in **Rule -8(13)**

Follow specified format

Evaluation by TEC/PEC

Session: M1-9
Slide No:18/19

Technical Sub Committee (TSC)

HOPE/Authorised Officer may appoint a TSC with maximum 3 members or include other experts in the EC **subject to the number-limitation in TEC / PEC, if a particular Tender or Proposal requires such technical assistance**

TSC is procurement specific

Honorarium

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Honorarium for Committee members **per meeting per person**

- **Maximum Tk. 1,500**
for procurements above Tk.10 cr.
- **Maximum Tk. 1000**
for procurements above Tk. 1 cr. up to Tk.10 cr.
- **Maximum Tk. 500**
for procurements between Tk. 10 lakh and Tk. 1 cr.
- **Maximum Tk. 300**
for procurements up to Tk. 10 lakh
- The inviting PE shall pay the honorarium to all members.

Applicable
for
TOC/POC/TEC/TSC
members
Maximum for
total evaluation
of that
procurement
in
Schedule II

**Necessary provisions required in Revenue or
Development Budgets**