

**MINISTRY OF INDUSTRY AND COMMERCE
DEPARTMENT OF SME PROMOTION**

**MSME ACCESS TO FINANCE-EMERGENCY SUPPORT AND RECOVERY PROJECT
(MSME A2F-ESR PROJECT) IN LAO PDR [P174169]**

TERMS OF REFERENCE

NATIONAL PROCUREMENT CONSULTANT

(REF: LA-DOSMEP- 3.4.9.C-CS-INDV)

1. Background

The Government of Lao PDR received financing from the World Bank Group's International Development Association (IDA) for a proposed project to assist Micro, Small and Medium Enterprises (MSMEs) and the Financial Sector, specifically Participating Financial Institutions (PFIs). The proposed Project's development objective is to provide long-term funding sources for banks to provide long-term credit to MSMEs to overcome the impact of the COVID 19 Pandemic. Negative impacts of the global COVID-19 pandemic are expected to exacerbate Lao PDR's the weak fundamentals and lead to a deterioration in the macroeconomic situation, including the SME and Financial sectors. The proposed project's aims are to strengthen the capacity of financial institutions and MSMEs to sustain operations and recover from the COVID-19 emergency. The proposed project is expected to support the recovery and growth of privately-owned MSMEs by increasing the supply of long-term finance provided by commercial banks and by strengthening the capability of Department of SME Promotion (DOSMEP) to formulate and implement public policies that promote access to finance for MSMEs and strengthen the banking sector to recover from the effects of the COVID 19 Pandemic.

The proposed Project includes three components: (i) Emergency and Recovery Line of Credit to MSMEs; (ii) Strengthening BOL Capacity to Supervise PCG Facility; (iii) Technical Assistance and Project Management. **The required service is full-time National Consultant to be managed and selected by DOSMEP in accordance with the "World Bank Procurement Regulations for IPF Borrowers" dated July 2016, revised November 2017 and August 2018 edition**.

2. Objective of the Assignment

As part of the Component 3 above, DOSMEP looks for an experienced National Consultant for the position of National Procurement Consultant. The Consultant will assist the Project Manager (PM) to ensure that the project Procurement activities are in conformity with the objectives of the project and is carried out according to the terms of reference. The Consultant will liaise with key personnel of MoIC, World Bank Team and stakeholder as required to implement the project.

3. Scope of Work

- Assist the DOSMEP at all stages of Project procurement to ensure that the correct procedures are followed;
- Prepare procurement plans for all purchasing and procurement activities needed by the Project and update regularly for MoIC approval and for submission to the World Bank for review;
- Conduct and coordinate procurement activities in accordance with the WB's Procurement Regulations;
- Maintain an effective monitoring and recording system on procurement process, information and recording for document keeping; and use the systematic tracking of exchanges in procurement (STEP);

- Support DOSMEP in development of an action plan to strengthen transparency and accountability in the procurement process (including complaint-handling mechanism, integrity pacts and sanctions procedures as per procurement rules of the Lao PDR Prime Minister's Procurement Decree and the World Bank's Procurement Regulations) and also work with relevant divisions to enhance and systematic disclosure of procurement related documents in the MoIC website;
- Regularly upload procurement documents into STEP for WB's review and process related documentation on time; solve related problems with WB technical staff; print out procurement documents for the Projects' staff and management;
- Assist in develop and implement a streamlined Project Procurement Strategy for Development (PPSD), as required;
- Prepare (with input from DOSMEP's project team) bid advertisements, bidding documents, requests for proposals for consulting services, evaluation reports, draft contracts, and minutes of contract negotiations following procedures of the World Bank Procurement Regulations
- Liaise with the WB and other donor agencies for obtaining clearance on procurement activities;
- Conduct contract management by performing tasks such as monitoring progress of contracts implementation to ensure that it abides by the stipulated standards, procedures and planned procurement timetable;
- Prepare procurement reports and conduct reviews of procurement performance as needed;
- Assist the project team in preparing, updating and coordinating implementation of the project communication strategy including facilitating trainings, and change-management activities;
- Monitor project activities, while liaising with all relevant departments within and outside the DOSMEP, support contract management and in evaluating and reporting progress of Project Development Objectives (PDO) level and intermediary level indicators;
- Assist the project team to ensure adequate annual budget allocations for project activities;
- Assist the project team to prepare monthly/quarterly updates/reports as required by the Steering Committee, DOSMEP and WB;
- Conduct regular meetings with implementing departments, coordinate and lead the procurement functions, update the status of procurement packages and follow up for further actions
- Providing inputs in updating project Operations Manual and other project documents;
- Ensure continuous compliance of legal covenants of financing agreement between WB and GoL;
- Build capacity of the DOSMEP / MoIC assigned staff on procurement, including via hands-on training and formal training as requested;
- Keep accurate filing system for all procurement activities; and
- Any other project related activity assigned by the Project Manager.

4. Reporting and Duration of the Assignment

The Consultant will report to the Project Director and Project Manager for the duration of the assignment. The services are initially required for a period of 24 months (including the 6 months probations) starting November 2021 on a full-time basis working at DOSMEP, Vientiane Capital, Lao PDR, with possibility of extension over the duration of the project, depending on the needs, satisfactory performance and availability of funds. Contract extensions shall be subject to satisfactory performance.

5. Client's Input and Counterpart Personnel

DOSMEP will provide the selected Consultant with access to documents relevant to the assignment and will assist in facilitating meetings with key counterparts and selected PFIs, MSMEs, and other stakeholders and will work cooperatively with the consultant to ensure effective delivery of contract deliverables.

DOSMEP will also provide the selected Consultant with office space and furniture, including internet access for work purposes.

6. Performance Indicators

The following performance indicators shall be used for performance assessment:

- Positive progress and good performance of the entrusted procurement activities, as per as procurement plans;
- Timely production of procurement reports, prepare procurement plans and related documents, including updates to the PPSD as required;
- Positive evaluation of performance by WB during prior and ex- review;
- Timely monitoring, tracking and follow-up the project procurement plan;
- Regular update and download of documents through STEP, to avoid delays on procurement implementation;
- Efficient team work and coordination procurement activities;
- Build capacity of the DOSMEP / MoIC assigned staff on procurement, including via hands-on training and formal training as requested by assigning their procurement responsibilities and mentoring and training them;
- Accurate and regularly updated procurement filing system, in both hard and soft copies in STEP.

7. Confidentiality and Conflict of Interest

The consultant undertakes to comply with the World Bank's policies and rules with regard to corrupt and fraudulent practices, conflict of interest and confidentially. The consultant shall maintain confidentially on all sensitive information obtained during the assignment and shall not publish wholly or in part the findings or such information, without prior written consent by DOSMEP. Any draft reports and other documents produced by the consultant will be discussed and cleared with DOSMEP before their final issue.

8. Qualifications and Experience Requirements

- Preferably a Master degree in finance, management, business administration, engineering or a related field; a public procurement degree or specialized professional trainings in procurement will be an advantage;
- A minimum of 5 years of relevant work experience in public procurement profession, including a minimum of 3 years of procurement experience in the GOL or application of the of public procurement in Lao PDR and project management;
- A past similar assignment of same level and nature in a Government, Private Sector or ODA project is highly desirable; such knowledge and experience of World Bank (WB) or ADB current procurement regulation and procedures and system is a strong advantage;
- Familiarity with government and foreign aid project operations, management and excellent analytical and presentation skills;
- High degree of computer literacy, and intermediate to advanced knowledge of Microsoft Office Package (Excel, Word, and Power Point) and Internet; knowledge and experience using STEP (WB Projects) or similar software is a strong advantage;
- Excellent report writing and good command of both spoken and written English and Lao is required.

9. Payment Procedure

The client shall pay the Consultant for Services rendered at the rate(s) per man/month spent subject to a maximum of eight hours per day and standard twenty-two working-days per month in accordance with the rates agreed in the Contract.