

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

মঙ্গলবার, ফেব্রুয়ারি ১৫, ২০১১

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
পরিকল্পনা মন্ত্রণালয়
বাস্তবায়ন পরিবীক্ষণ ও মূল্যায়ন বিভাগ (আইএমইডি)
সেন্ট্রাল প্রকিউরমেন্ট টেকনিক্যাল ইউনিট (সিপিটিইউ)

প্রজ্ঞাপন

তারিখ, ১ ফেব্রুয়ারি ২০১১

নং ২১.৩৮০.০২২.০০.০০.১২৭.২০০৯-১৬৬—বাংলাদেশে ইলেক্ট্রনিক প্রকিউরমেন্ট কার্যক্রম (e-GP) বাস্তবায়নের লক্ষ্যে পাবলিক প্রকিউরমেন্ট আইন, ২০০৬ এর ৬৫(২) ধারার ক্ষমতাবলে সরকার নিম্নরূপ Bangladesh e-Government Procurement (e-GP) Guidelines প্রণয়ন করিল, যথাঃ—

I. BACKGROUND

1.1 Introduction

This document provides principle guidelines of Electronic Government Procurement (e-GP) system of Bangladesh as provisioned under Section 65 of Public Procurement Act, 2006 and Rule 128 of Public Procurement Rules, 2008, for the use of the e-GP System. The guidelines provide general guidance on e-GP related technical issues, and set out the initial view on e-GP related working assumptions. The guidelines are prepared also in consistent with the prevailing ICT Act 2009, Right to Information (RTI) 2009 and international practices on e-Government Procurement (e-GP). These guidelines demonstrate Government's commitment to achieve greater openness and accountability in government procurement process.

(১৯৭৩)

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The objective of the e-GP is to enhance the efficiency and ensure transparency in public procurement through the implementation of a comprehensive e-GP solution to be used by any or all government organizations in the Country.

The e-GP system will be a single web portal, from where and through which procuring agencies and entities will perform their procurement related activities, i.e. to publish Annual Procurement Plans, Invitation for Tender (IFT), Request for Proposal (RFP), Request for Quotation (RFQ), Tender/ Application/ Proposals submission, Opening, Evaluation, Contract Award Notices, Contract management, Payments, Procurement Management Information System with Key Procurement Performance Indicator Reports and other procurement related information as required by the PPA 2006 and PPR, 2008, using a dedicated secured web based dashboard. The e-GP System will be hosted in e-GP Data Center at CPTU, and e-GP web portal will be accessible for their use to procuring agencies and entities through web access. The system will be implemented in all the procuring entities of the government of Bangladesh.

All the stakeholders including general public, tenderers/applicants/consultants, procuring entities, payment service providers, development partners, media, e-GP System administrators and auditors get access to e-GP system and information as specified in the Terms and conditions of use, and Disclaimer and Privacy Policy.

These guidelines provide e-GP general technical operational guidance only; no attempt is made to provide a guide to the Procurement, ICT Act, R2I Act itself, or to the associated Code of Practice, which are already available elsewhere. However, the aspects of those Acts relevant to the e-GP System that are most likely to affect general users have been discussed.

These guidelines represent the Government's view of the application of the e-GP System for carrying out public procurement activities online. However, the public entities shall remain responsible for making their own judgments in individual cases.

The e-GP System and its guiding principles are not intended to be static, and shall be revised as necessary in the light of experience being gathered during the system run.

1.2. Short title and commencement

- 1.2.1 These Guidelines shall be called e-Government Procurement (e-GP) Guidelines.
- 1.2.2 These guidelines shall be effective immediately and shall be applicable for e-GP System in any form of implementation pilot, roll-out or open for all.

1.3 Definitions

The key terms as used in guidelines shall have the following meanings provided as follows unless otherwise noted

“Act” means The Public Procurement Act, 2006 (Act no. 24 of 2006) along with the subsequent amendments;

“Advertisement” means an advertisement published under Section 40 of the Act in newspapers, websites or any other mass media for the purposes of wide publicity;

“Approval Procedures” means the approval procedures of a Tender or a Proposal as detailed in Rule 36 of PPR 2008;

“Auditors” means the Comptroller and Auditor General of Bangladesh and its representative(s), or any external, internal and information technology auditors recognized by national and international professional bodies or Government of Bangladesh and assigned for the purpose of audit;

“CAPTCHA (Completely Automated Public Turing test to tell Computers and Humans Apart)” is a spam prevention system, displayed as random words or letters in distorted fashion that cannot be deciphered by people, but only by software, to ensure that a human is making an online transaction rather than a computer;

“Centralized registration system” means the single place for all e-GP users to register and provide credential documents for verification for authenticity for conducting different activities by utilizing tools provided by the e-GP system;

“Certification Authority (CA)” means a trusted organization (or server) that maintains and issues digital certificates;

“Consultant” means a Person under contract with a Procuring Entity for providing intellectual and professional services.;

“Contractor” means a Person under contract with a Procuring Entity for the execution of any Works;

“Contract Price” is the price stated in the Notification of Award and thereafter as adjusted in accordance with the provisions of the Contract;

“CPTU” means the Central Procurement Technical Unit, established by the government in the Implementation Monitoring and Evaluation Division of the Ministry of Planning, for carrying out the purposes of the act and the rules;

“Dashboard” means an interactive user interface that organizes and presents information and links to the different relevant functions into a unified display in a way that is easy to access, track and transact;

“Days” means calendar days unless otherwise specified as working days;

“Date & Time” means e-GP Data Center Time stamping server date and server time hosted by CPTU/IMED in its premises in Dhaka, Bangladesh;

“Delegation of Financial Powers” means the instructions with regard to the delegation of financial authority, issued from time to time, relating to the conduct of public procurement or sub-delegation of financial powers under such delegation;

“Digital Signature” means an electronic signature used through asymmetric cryptography that can be used to authenticate the identity of the sender of a message or the signer of a document, and possibly to ensure that the original content of the message or document that has been sent is unchanged;

“Electronic” means any electrical, digital, magnetic, optical, electromagnetic, Internet, wireless or other form of technology that entails capabilities similar to these technologies;

“Electronic Signature” or “e-Signature” means a signature in electronic form attached to or logically associated with an electronic record, in the form of electronic symbol or a process attached to or logically associated with documents, and executed, adopted or agreed upon by a person with the intent to sign the documents;

“Evaluation Committee” means a Tender or a Proposal Evaluation Committee constituted under Section 7 of the PPA-2006, and number of members as provisioned these guidelines;

“Evaluation Report” means the report prepared after the evaluation of Tenders, Quotations, Expressions of Interest or Proposals;

“e-Advertisement” means advertisement through e-GP portal;

“e-Contract Management System” means the processes involved between the issuance of a work order and completion of the work handled electronically with the tools available e-GP System;

“e-GP” means procurement by a Procuring Entity using the Electronic Government Procurement (e-GP) System developed, hosted and operated by the Government of Bangladesh through CPTU/IMED, Ministry of Planning under the e-GP guidelines;

“e-Lodgment” means submitting tender documents through the e-GP system to participate in a tender, and legally binds the tenderer with the particular tender as authentic tender participant;

“e-Payment System” means electronic payment methods available, and the processing of transactions and their application within e-GP users and payment service providers of the e-GP system;

“e-Publishing” means publish documents by utilizing the e-GP system;

“Form” means a form, also include format, prepared in e-GP System with necessary modifications in compliance with the forms and formats appended to PPR-2008, and to the standard Documents issued there under and also means the those forms converted into digital form;

“Goods” means raw materials, products and equipment and objects in solid, liquid or gaseous form, electricity, and related Services provided that the value of such Services does not exceed that of the Goods themselves;

“Head of the Procuring Entity (HOPE)” means the Secretary of a Ministry or a Division, the Head of a Government Department or Directorate; or the Divisional Commissioner, Deputy Commissioner, District Judges, or the Chief Executive, by whatever designation it may be called, of a local Government agency, an autonomous or semi-autonomous body or a corporation, or a corporate body established under the Companies Act;

“Intellectual and Professional Services” means Services performed by Consultants with outputs of advisory, design, supervision or transfer of expertise;

“Invitation For Tenders (IFT)” means all documents, including those either attached or incorporated by reference, used for soliciting tenders;

“Opening Committee” means a Tender Opening Committee (TOC) or a Proposal Opening Committee (POC) constituted under Section 6 of the PPA-2006, and number as provisioned in these guidelines;

“Performance Security” means security provided by a contractor solely for the protection of the purchasing agency or user agency receiving the materials, services, or construction, conditioned upon the faithful performance of the contract in accordance with plans, specifications, and conditions of the contract;

“Person” means and includes an individual, body of individuals, sole proprietorship, partnership, company, association or cooperative society that wishes to participate in Procurement proceedings;

“Procurement” means the purchasing or hiring of Goods, or acquisition of Goods through purchasing and hiring, and/or the execution of Works, and / or performance of Services by any contractual means;

“Procuring Entity” means an entity having administrative and financial powers to undertake Procurement of Goods, Works or Services using public funds;

“Project Manager” is the person named in the Contract or any other competent person lawfully appointed by the Procuring Entity and notified to the Contractor, who is responsible for supervising the execution of the Works and administering the Contract;

“Public funds” means any funds allocated to a Procuring Entity under a Government budget, or loan, grants and credits placed at the disposal of a Procuring Entity through the Government by the development partners or foreign states or organizations;

“Public Procurement” means Procurement using public funds;

“Quotation” means the price offer received e-GP System from Tenderers for the supply of readily available standardized Goods, Works or physical Services subject to the financial limitation as prescribed by the Rules;

“Related Services” means services relating to the contracts of the supply of goods;

“Request for Proposals (RFP)” means all documents, including those either attached or incorporated by reference, utilized for soliciting proposals;

“Responsive” means qualified for consideration on the basis of evaluation criteria so declared and specified in the Tender Document or in the Request for Proposal Document;

“Services” means goods related Services, physical Services, or intellectual and professional Services;

“Short-List” means a list of applicants deemed suitable to be invited to submit proposals for intellectuals and professional services following the evaluation of Expression of Interest;

“Scheduled Bank” means a bank for the time being included in the list of banks maintained under sub-clause (a) of clause (2) of Article 37 of Bangladesh Bank order 1972.

“Signature” means a distinctive mark or characteristic indicating identity;

“Sub-consultant” means any person or entity to whom/which the Consultants subcontract any part of the contracted Services;

“Sub-contractor” is a person or corporate body who has a Contract with the Contractor to carry out a part of the work in the Contract, which includes work on the Site;

“Supplier” means a Person under contract with a Procuring Entity for the supply of Goods and related Services under the Contract;

“Tender or Proposal” depending on the context, means a tender or a proposal submitted by a tenderer or a consultant for delivery of goods, works or services to a procuring entity in response to an invitation for tender or a request for proposal; and for the purpose of the act, tender also includes quotation;

“Tenderer” means a person that submits a tender in response to an invitation for tenders;

“Tender Security” means an acceptable form of security, either in the form of bank guarantee, or pay order or bank draft;

“Tender Document or Request for Proposal Document” means the document provided by a Procuring Entity to a Tenderer or a Consultant as a basis for preparation of its Tender or Proposal through the e-GP System;

“Workflow management system” means a system of overseeing the process of passing information, documents, and tasks from one employee or machine within a business to another;

“Works” means all Works associated with the construction, reconstruction, site preparation, demolition, repair, maintenance or renovation of railways, roads, highways or a building, an infrastructure or structure or an installation or any construction work relating to excavation, installation of equipment and materials, decoration, as well as physical Services ancillary to Works, if the value of those Services does not exceed that of the Works themselves;

2. SCOPE AND APPLICATION OF THE GOVERNING PRINCIPLES

2.1 Scope and Application

The e-GP system shall be used by the procuring entities and other public entities spending public fund for the purposes of applying the procurement process using these guidelines in case of procuring goods, works and Services using e-GP System.

The scope of this system is to maintain complete and up-to-date Public Procurement activities of all public agencies as well as provide tender opportunities to all potential tenderers/Applicants/Consultants from Bangladesh and abroad. Initially this will apply to four selected target agencies namely Bangladesh Water Development Board (BWDB), Rural Electrification Board (REB), Roads and Highways Department (RHD) and Local Government Engineering Department (LGED). Gradually the e-GP system will be rolled out to all procuring entities using public funds.

The e-GP System is a web based system which must encompass the total procurement lifecycle and record all procurement activities and information. All public procurement activities undertaken by the government shall be channeled through the e-GP infrastructure and implemented in a phased manner. Efficiency in carrying out public procurement by government organizations shall be enhanced through automation and process reengineering. The system shall enable the government to maintain a clear picture and comprehend of its procurement activities on a real-time basis. By engaging in e-GP, the government catalyzes the supplier community to participate in e-business.

The e-GP system shall be based on a workflow based collaborative government procurement platform. All the stakeholders/actors of the procurement process will have appropriate access points and will have access to working dashboards with authorized access to relevant functions in the e-GP System.

These guidelines covers all classes of information related to e-GP, including the Operation, Maintenance and management, (which comprises the long-term outsourcing of the e-GP System and e-GP data center operation, maintenance and management for the sustainability of the system).

2.2 Major Modules in Bangladesh e-GP System

E-Government Procurement (e-GP) system in Bangladesh shall consist of several modules that are interlinked sub-systems, such as:

1. Centralized Registration System (Contractors/Applicants/Consultants, Procuring Entities and other actors of e-GP);
2. Workflow management System;
3. e-Tendering (e-Publishing/e-Advertisement, e-Lodgment, e-Evaluation, e-Contract award) System;
4. e-Contract Management System (e-CMS);
5. e-Payment System;
6. Procurement Management Information System (PROMIS);
7. System and Security Administration;
8. Handling Errors and Exceptions;
9. Application Usability & Help.

More modules, sub-systems and features (i.e. e-Catalogue/e-Purchase, e-Auctions, e-Reverse Auction, integration to supply chain and others) may be added, removed or updated as demanded by the prevailing Acts, rules, government instructions and demand from procurement community.

2.3 Categories of e-GP Stakeholders/Actors

The e-GP system shall support the following user categories for stakeholders/actors initially, and provides them the secured access to related functionalities of the e-GP system through dashboards:

1. Ordinary Citizen/Public for procurement related general information
2. Tenderers/Contractors/Applicants/Consultants
3. Procuring Agencies/Entities
4. Payment Service Providers (Scheduled banks and other payment service providers)
5. Development Partners
6. e-GP System Administrators (CPTU and PE administrators) and Auditors
7. Operation & Maintenance partners
8. Evaluation Committees
9. Media community for updates, announcements, news releases etc.

2.4 Composition of the Guidelines

The e-GP Guidelines include this document and four following Appendices that constitute as the integral part of the guidelines:

Appendix 1: Use of Payment Systems

Appendix 2: Business Process Re-engineering (BPR) of PPR-2008 under e-Government Procurement (e-GP) system

Appendix 3: Changes in Schedule –II, PPR 2008 for e-GP system,

Appendix 4: Terms and Conditions of use

Appendix 5: Disclaimer and Privacy Policy.

3. e-GP SYSTEM FEATURES

3.1. e-GP Portal

3.1.1. Access to Public Procurement Information

3.1.1.1 General public, registered and non-registered users of the e-GP System shall access to public records and information to the fullest extent through the e-GP Portal (i.e. <http://www.eprocure.gov.bd> owned by CPTU/IMED) of e-GP System consistent with laws, acts, rules and government instructions applicable in Bangladesh. Applicable laws and regulations include the Public Procurement Act 2006 and the Public Procurement Rules 2008 along with subsequent amendments, and also address CPTU/IMED, procuring entities, Tenderers, Applicants, Contractors, Consultants and Suppliers have duties and statutory obligations to protect the interests and rights of the concerned stakeholders.

3.1.2. Access to e-GP System features

3.1.2.1 All the e-GP System users must accept the terms and conditions of using the e-GP system on the registration page before submitting registration information. CPTU/IMED shall have the right to modify clauses of the terms and conditions without prior notice.

3.1.2.2 To access the e-GP System securely, users should use appropriate web browsers and their associated security settings. However because of the rapid development of new browsers and new security measures come up frequently, users need to update or install new components and configuration settings as and when these come into effect.

3.1.2.3 The user must provide/use appropriate form of authentic signature (e-Signature or digital Signature whichever accepted by the e-GP System) for the authentication of the digital documents, which may be post-verified with due diligence to confirm the authenticity. If the e-Signature found not be authentic, necessary action shall be taken according to the law of land. Users are responsible for maintaining the confidentiality of their password and are fully responsible for all activities that occur using their account (email ID and password as their eSignature). Use of any form of signature should comply with the requirements of the prevailing IT Act of Bangladesh.

3.1.2.4 The efforts required for acquiring, maintaining security, management, and all applicable cost for acquiring signatures (e-Signature or digital signature) are the responsibility of users. CPTU/IMED does not bear any responsibility of misuse, loss, stealing by anybody of those signatures of the users.

3.1.3. Disclaimer and Privacy policy

3.1.3.1 CPTU/IMED reserves the right, in its sole discretion, to correct any errors or omissions in any part of the e-GP System and to make changes to the e-GP System and to the materials, products, programs, services or prices described in the e-GP portal at any time without prior notice.

3.1.3.2 In no event shall CPTU/IMED and/or third parties be liable for any damages including, but not limited to, direct or indirect or consequential damages or any damages including, but not limited to, errors or omissions, delays or incomplete transactions, planned or unplanned e-GP Portal downtime or inaccessibility of the e-GP Portal, insufficient time to submit tender, lost user identities, session outages or accidental page closures, indirect or consequential damages or any damages whatsoever arising from use, loss of user data, whether in action of transaction, negligence or other action, arising out of or in connection with the use of the e-GP System.

3.1.3.3 The information and other materials included on the e-GP portal and system may contain inaccuracies and typographical errors. CPTU/IMED does not warrant the accuracy or completeness of the information and materials or the reliability of any statement or other information displayed or distributed by the procuring entities through the e-GP System.

- 3.1.3.4 CPTU/IMED does not warrant that the functions contained in the e-GP system shall be uninterrupted or error free or that those defects shall be corrected or that this e-GP System or the server that makes it available shall be free of viruses or bugs. CPTU/IMED does not warrant full functionality, accuracy or reliability of any material. CPTU/IMED may terminate, change, suspend or discontinue any aspect of the e-GP System, including the availability of any features of the system, at any time without notice or liability.
- 3.1.3.5 CPTU/IMED shall not share or sell the personal or Business identifiable information with any other persons or organizations without the prior consent of the owner, unless required by the e-GP System to carry out its defined functions or required by the law of land.
- 3.1.3.6 Use of the e-GP System shall only be used for lawful purposes that do not infringe the rights of or restrict or inhibit the use of the system by any third party. Such restriction or inhibition includes, but is not limited to, conduct which is intended to mislead, or is defamatory, or which may harass, cause distress or inconvenience to any person and the transmission of obscene or offensive content or interruption of the normal flow of content within the e-GP System.
- 3.1.3.7 The e-GP System shall use the e-GP Data Center server time as the reference time for all time-bound activities of procurement processes.
- 3.1.3.8 The e-GP System Administrator may notify users by displaying notices, alerts and statements about the scheduled maintenance and possible interruption of the e-GP System.
- 3.1.3.9 The e-GP System may send e-GP System related promotional information to its users.
- 3.1.3.10 The e-GP System keeps all private information of its users in encrypted form in database and shall not be accessible to any user without sufficient authority and access permissions.

3.2. Centralized Registration

3.2.1 Common Registration Guidelines

- 3.2.1.1 All users (stakeholders/actors) must be registered in the e-GP System under an appropriate user category of procurement process in order to have appropriate access points and to get working dashboards with authorized functions in e-GP System.

- 3.2.1.2 Registration shall be done through the online registration page of the e-GP System followed by due diligent post verification if CPTU considers it finds it necessary. The intended user must provide all required information, digital documents, and accept the terms and conditions of e-GP System use and should be aware of the disclaimer and privacy policy of the e-GP System. If any misinformation is identified or any document submitted found false, and the user does not correct that information, the user account shall be cancelled or suspended and appropriate action shall be taken according to the law of land. Original hard copy credential verification will be carried out by CPTU/IMED for e-GP system until the facility of online verification of credentials for authentication is available in Bangladesh.
- 3.2.1.3 Any registration may be cancelled at anytime due to violation of any of the clauses of Terms and Conditions of e-GP System.
- 3.2.1.4 Users should choose a unique User ID (Email ID) and corresponding Password, acceptable to the System, to gain subsequent access to the e-GP System
- 3.2.1.5 Users should upload mandatory documents in electronic form (scanned documents in the form of popular formats supported by e-GP System like PDF, Word, JPG, GIF, PNG) and provide information required in those documents online to establish their identity, qualification and related experiences as required in PPR-2008 along with subsequent amendments. This information shall be stored in private and secured space provided to the user by the e-GP system.
- 3.2.1.6 Users may be charged and/or waived specified amount of money for different categories of use including Registration, transactions, Subscription and periodic renewal, additional storage space, facilities to use specific features/modules of the e-GP System and different services from the Operation, maintenance and management entity. CPTU/IMED shall have the rights to set reasonable charges or waiver to promote the use of the e-GP System and sustainability of the system in long run.
- 3.2.1.7 Users must comply with the terms & conditions, privacy policy, and disclaimer. Users need to read the terms and conditions, privacy policy and disclaimers and the "Accept" during the registration application process.
- 3.2.1.8 Users may fill-in the non-mandatory information provided in the registration form at the time of registration or any time later after primary registration.

- 3.2.1.9 The e-GP System may use any additional reliable and secured human verification methods or security codes, (e.g. CAPTCHA) to protect from unsolicited spamming and automated registrations.
- 3.2.1.10 Membership for using the e-GP System shall be completed, when the user responds to the e-mail link sent to the respective e-mail of successful registrants as notified by the system after post verification.
- 3.2.1.11 The concept of single sign-on shall apply and the same/updated information provided at registration can be used across all procurement activities until its validity expires. Users may sign-on again to enter confidential and sensitive information such as payment information. The users shall be automatically logged out by the system if the user remains idle for specific period of time.
- 3.2.1.12 Users should properly logout from the e-GP System after using the system.
- 3.2.1.13 The users may update their profile details with authenticated information anytime through the dashboard in secured environment. User ID and username cannot be changed.
- 3.2.1.14 Users may cancel their registration provided that they have no obligations pending to any party while using e-GP System.
- 3.2.2 Tenderer/Applicant/Consultant Registration**
- 3.2.2.1 Tenderers, Applicants and Consultants may register as a single entity or in Joint Venture (JV) or association with sub-Contractors or sub-Consultants in compliance with the Public Procurement Rules 2008 along with subsequent amendments, and applicable procurement guidelines, filling in an application form provided by the System for registration before using the e-GP System.
- 3.2.2.2 Tenderers, Applicants and Consultants may visit CPTU/IMED 'e-GP Users Registration Desk' with the original credential documents used during online registration process or send the documents via registered post or courier service for the post-verification for authenticity. Tenderers, Applicants and Consultants also must include envelope return address written or typed, and with required postal stamp or bank draft in the name of Director General, Central Procurement Technical Unit (CPTU).
- 3.2.2.3 Tenderers/Applicants/Consultants registered into the e-GP System will have access to the procurement opportunities of public agencies, participate in the tendering/proposal submission processes, track contract awards and manage the contract and deliverables etc.

3.2.3 Procuring Agency (PA)/Procuring Entity (PE) Registration.

- 3.2.3.1 PA/PEs should seek approval from the CPTU to create a Procuring Agency account with authentic PA/PE identity information.
- 3.2.3.2 PA/PEs should register in the e-GP System to access different facilities and activities of procurement processes, annual procurement planning, procurement document preparation, evaluation, contract award, contract management, internal procurement process workflow management, tracking payments, deliverables, etc, through the available features and modules of the e-GP System.
- 3.2.3.3 PA/PEs should provide entity details, and other required information in order to complete the Registration Form, but the CPTU reserves the right to make any changes in fields of the Registration Form, if required.
- 3.2.3.4 The e-GP System will generate a unique application number and the Procuring Agency should refer to the unique number while seeking assistance from CPTU.
- 3.2.3.5 A secured Dashboard provides PA/PEs with the capacity to create as many internal users as required for the procurement process of the procuring entity. Procuring entity reserves the right to define the number of users for the procurement process to use e-GP System.

3.2.4 Scheduled Bank (SB) Registration

- 3.2.4.1 Financial Institutions/Banks authorized by the Bangladesh Bank are allowed to register for collecting fees for selling of procurement documents and other applicable fees, providing Bank Guarantees, tracking, and processing payments or both (*Refer to Appendix 1*).
- 3.2.4.2 Scheduled Banks should seek approval from the CPTU to create any such service provider account.
- 3.2.4.3 Secured Dashboard provides banks to create as many internal users as required for using the e-GP System. Scheduled bank reserves the right to define the number of users for the banking process to use e-GP System.

3.2.5 Development Partner Registration

- 3.2.5.1 Prior approval from the CPTU is required to create any such Development partners' account (i.e. The World Bank, ADB, JICA, DFID, etc.).
- 3.2.5.2 Development partners may be provided with facilities to upload their Procurement guidelines, review the progress of development partner funded projects and others.
- 3.2.5.3 Secured Dashboard provides DPs to create as many internal users as required for using e-GP System.

3.2.6 Opening & Evaluation Committee and Approval Authorities Registration

- 3.2.6.1 Prior permission from relevant Procuring Agency or Procuring Entity is required to register any such Committee member (*Refer to Appendix 2*). Committee is allowed to register as:
- (i) Tender/ Application/ Proposal Opening Committee (TOC/POC)
 - (ii) Tender/ Application/ Proposal Evaluation Committee (TEC/PEC)
- 3.2.6.2 Opening and Evaluation Committees get access to the e-GP System only for specified and restricted times for specific procurements defined by the procuring agencies/entities for submitting evaluation results and reports and should fully comply with the requirements of the Public Procurement Rules 2008 along with subsequent amendments and other guidelines if any.
- 3.2.6.3 Procuring Agencies/Entities will register the required Approving Authorities as provisioned in the PPR – 2008 and subsequent amendments, related to the procurement for the completion of procurement process, and map the roles in procurement workflow of e-GP System.

3.2.7 e-GP System Administrators and Auditors Registration

- 3.2.7.1 Prior permission from the CPTU/IMED is required to register any such e-GP System Administrators and Auditors. CPTU shall define the e-GP System Administrators and Auditors qualifications.
- 3.2.7.2 e-GP System administrators get access to the e-GP System tools for e-GP Portal configuration, user management, creating and updating the standard procurement template library, data import and export, report generations from PROMIS, updating of content in the e-GP system, and managing unregistered Procuring entities and other users.

3.2.8 e-GP System Operation, Maintenance Management (OM&M) Entity Registration

- 3.2.8.1 Prior permission from the CPTU/IMED is required for any such e-GP System OM&M registration
- 3.2.8.2 Prior permission from the CPTU/IMED is required for e-GP OM&M users get access to the e-GP System tools for e-GP Portal configuration, workflow set up for Procuring entities, data entry, call center facility, user registration, management, verification of credential, and access to other features delegated by CPTU/IMED!

3.2.8.3 Prior permission from the CPTU/IMED is required for access for creating and updating the standard procurement template library, data import and export, report generations from PROMIS, update and moderation of contents in e-GP system, managing unregistered Procuring entities and other users.

3.2.9 Media Registration

3.2.9.1 Prior permission from the CPTU/IMED is required for any such Media registration

3.2.9.2 The Media users get access the e-GP System tools for obtaining procurement related information, updates, news announcement and press releases.

3.3 Annual Procurement Plan (APP) Preparation and Publication

3.3.1 Procuring agencies/entities should prepare their annual procurement plan (*Refer to Appendix 3*) in the format prepared by the CPTU through the e-GP dashboard as required by the PPA 2006 and PPR-2008 along with the subsequent amendments in Act and Rules. The APP must be prepared and published in the e-GP System to carryout any procurement activities by procuring agencies/entities through e-GP System. The e-GP system will guide the agencies/procuring entities with online support tools and forms for providing draft, update of APP and publishing facilities. The e-GP System provides facility to procuring agencies and entities to revise and update the Annual Procurement Plan through appropriate approval from the authority.

3.4 Electronic Tender Document Preparation (ETDP)

3.4.1 Dynamic Forms Library

3.4.1.1 Dynamic Forms for preparing electronic tender documents and for other activities of the procurement process shall be prepared and updated only by the CPTU or the entity authorized by the CPTU. Procuring entities may change and update only the specific sections of the template and its contents. For example, General Condition of Contract clauses can be modified only through Special/Particular Conditions of Contract, adding rows for additional items, or removing unrelated forms or other items as appropriate and with expert sign-off in compliance with PPA and PPR.

3.4.1.2 Procuring entities get access to all the available standard procurement document templates for preparing Invitation to Tender, Proposal and documents for procurement of goods, works and services.

- 3.4.1.3 Procurement Agencies/procuring entities may get online help to select the appropriate online tender document, or template for preparing the tender document, for the intended procurement.
- 3.4.1.4 e-GP portal should provide library of online tender document sections with templates forms for online submission counterpart to the Standard Tender Documents (STDs) available now in CPTU website.
- 3.4.1.5 CPTU shall provide forms to be selected by the PE and the tenderers/ Applicants/ Consultants will be able to download and complete the forms online electronically.
- 3.4.1.6 Procuring Entities shall provide guidance and safeguards, assure the validity of the online forms so that the system can guide users to find the correct form and prevent them from filling incorrect forms. Agencies also shall provide clear instructions.
- 3.4.1.7 PE shall make sure the tender documents are complete and correct before publishing finally on the e-GP portal.
- 3.4.2 Tender/Application/Proposal Preparation**
- 3.4.2.1 The Tenderers/Applicants/Consultants must prepare their Tenders/proposals online, and documents required to be uploaded within the time specified in the Invitation for Tenders/Proposals after signing of the same with the e-Signature or Digital Signature, whichever applicable, by their authorized representative.
- 3.4.2.2 Tenderers/Applicants/Consultants should allocate sufficient time to read the document thoroughly to understand what is being asked for and preparing and submitting the Tender/ Application/ Proposal online. Submission must be completed before the deadline of submission time.
- 3.4.2.3 Tenderers/Applicants/Consultants should ensure that all the forms have been completed correctly and sufficiently for which Tender/ Application/ Proposal is being prepared.
- 3.4.2.4 Tenderers/Applicants/Consultants should ensure that all questions and matters raised in the Tender document have been addressed.
- 3.4.2.5 Tenderers/Applicants/Consultants should adequately address all selection criteria, making sure to demonstrate ability to meet the requirements stipulated in the Tender/Application/ Proposal documents.
- 3.4.2.6 Tenderers/Applicants/Consultants should keep track of any amendments issued during the tender period and ensure that these are included in the tender/Application/proposal response.

3.4.2.7 Tenderers/Applicants/Consultants must submit their tender response before the closing time. Late tenders/ applications/ proposals, even if a few seconds late, are ineligible for consideration. The e-GP System shall automatically reject such late tenders/Proposals.

3.4.2.8 All sort of documents kept in the tenderer's/Applicant's/Consultant's briefcase (virtual web space allocated to tenderer/Applicant/Consultant in e-GP system) will remain unless the allocated size exceeds.

3.5. e-Tendering

3.5.1 e-Advertisement

3.5.1.1 Procuring Entities should prepare Invitation for Tenders/Proposals using the online template available from their secured Dashboard. The detailed description of the Goods/Works/Services, time-schedule, conditions etc. including the tender documents/RFPs for e-Tendering shall be made available on the procurement opportunities section of the e-GP System and shall be available to all interested users to search and read the e-advertisement.

3.5.1.2 The Invitation for Tender/Application/Proposal shall be published in the e-GP Portal by proper authority from the procuring entity.

3.5.1.3 Notice shall be published in newspapers and commercial tender portal according to ICT Policy action No. 82.

3.5.1.4 The date of tender notice published in the e-GP system shall be treated as the start date of Tender/ Application/ Proposal.

3.5.2 Online Entry/Uploading Tender Document

3.5.2.1 Tenderers/Applicants/Consultants must submit their Tenders /proposals with documentation online, to be uploaded by the time specified in the Invitation for Tenders/Proposals after signing of the same with the e-Signature or Digital Signature, whichever is applicable, by their authorized representative.

3.5.2.2 The Tender/ Application/ Proposal of only those Tenderers/ Applicants/ Consultants, who have submitted their Tender/ Application/ Proposal within the stipulated time, as per the tender time schedule, will be accepted by the e-GP system. The System will not allow submitting any document for the particular procurement after Tender/ Application/ Proposal submission deadline.

3.5.2.3 The Tenderers/Applicants/ Consultants are responsible to plan their time sufficient to complete the documents upload, third party transactions like Tender security preparation and submission through

banks, verify completeness of tender, and final submission of tenders documents for the specific tenders. Before final submission, the tenderer/Applicant/ Consultant may upload documents, fill-in required online forms, modify and verify the documents, and complete other activities part by part. But attempt to submit incomplete tender will not be allowed by the e-GP System.

3.5.2.3 System will provide acknowledgement of successful Tender/ Application/ Proposal submission.

3.5.3 Pre-Tender/ Application/ Proposal Meeting

3.5.3.1 e-GP system carries out online Pre-Tender/ Application/ Proposal meetings on the date, time and venue, if required, as stipulated in the tender notice/documents.

3.5.3.2 Responses/clarifications of the queries relating to the Tender or RFP document should be posted by Tenderers/Applicants/Consultants online before or during pre-Tender/ Application/ Proposal meeting. Details of the pre-tender meetings are given in the Business Process Reengineering (BPR) document (*Refer to Appendix 2*).

3.5.4 Tender/ Application/ Proposal Amendment

3.5.4.1 To the extent permissible under the procurement rules the Procurement Agencies may amend the tender documents at any time prior to the deadline for receipt of tenders.

3.5.4.2 Procuring entities shall issue an addendum and publish in the related section of the e-GP System and also send via an automated electronic means (i.e. email, sms) and make available online in the e-GP System for the information of the public and the prospective Tenderers/Applicants/ Consultants who have received the tender/Application document or RFP.

3.5.5 e-Lodgment

3.5.5.1 A tender/application/proposal lodged electronically is deemed for all purposes to be the true and legal version, duly authorized and duly executed by the Tenderer/Applicant/Consultant and intended to have binding legal effect. E-Signatures / Digital signatures are necessary due to the security system for identity and authentication purposes. Identity of the Tenderer/Applicant/Consultant may be verified with a follow-up due diligence process.

3.5.5.2 Tender/Application/Proposal submitted via the e-GP System must be received in full prior to the closing time. The Tenderers/ Applicants/ Consultants acknowledge the receipt of Tender/Application/Proposal amendment through the system.

- 3.5.5.3 If the electronic records entered online and files containing the Tender/ Application/ Proposal are corrupt, contain a virus, or are unreadable for any reason, the tender will not be considered. It is strictly the responsibility of the tenderer/applicant/Consultant to ensure the integrity, completeness and authenticity of the Tender /Proposal.
- 3.5.5.4 Prior to submitting a tender/application/proposal electronically the Tenderer/Applicant/Consultant must ensure that all electronic records and files making up the Tender/ Application/ Proposal are completely viruses free using virus checking software, though e-GP system server also will check the uploaded files to ensure the files are completely virus free and will give alert to the user if any virus found.
- 3.5.5.5 Tenderers/Applicants/Consultants acknowledge and accept, in respect of electronically transmitted tenders/proposals, that:
- 3.5.5.5.1 Lodgment of large electronic files may take time and as such sufficient time must be allowed to fully transmit all files prior to the closing time. Files should be compressed into zip format for making size smaller.
- 3.5.5.5.2 Procuring entities or the CPTU shall not be liable or responsible for the loss, damage, destruction or corruption of any Tender/ Application/ Proposal, however caused.
- 3.5.5.5.3 Agencies/procuring entities, until after the Tender/ Application/ Proposal opening, may not discover corruption or unreadable files submitted via the e-GP System.
- 3.5.5.5.4 Faults in the Tenderer's/Applicant's/Consultant's computer system are not the responsibility of the Procuring Entities or the CPTU and no extension to the closing time will be made because of the system faults of this kind.
- 3.5.5.5.5 None of the users of e-GP system including Procuring Entity users and e-GP Administrators get to know the name of the tenderers/ applicants/consultants who purchased the documents and also lodged the tender/application/proposal until the tenders/applicants/proposals are opened on the designated date and time of opening. Authorized PE user may know only the count of tender/applicant/proposal lodged.
- 3.5.5.6 CPTU provides the online learning tools for tenderers/applicants/ consultants, but the providing trainings to the tenderers/ applicants/ consultants to use the system effectively are the responsibility of procuring entities. Procuring entities should prepare the trainers on e-GP system through the Training for Trainers (TOT) from CPTU. Operation, maintenance and management entity, when established, may conduct the training to tenderers/Applicants/Consultants/PE users and other users on agreed terms and conditions (*Refer to Appendix 4*), and Disclaimer and Privacy Policy (*Refer to Appendix 5*).

3.5.6 Tender/ Application/ Proposal Opening

- 3.5.6.1 The Procuring Entities receiving the tenders/Proposals should form a Tender Opening Committee (TOC)/Proposal Opening Committee (POC). Formation of TOC/POC is described in Business Process Reengineering (BPR) document (*Appendix -2*).
- 3.5.6.2 Access to the Dashboard for the TOC/POC shall be available only after the specified Tender/ Application/ Proposal opening date/time. The Committee members should fill out the Tender/ Application/ Proposal Opening Sheet generated by the system as per PPR-2008 requirements. Access to the technical and/or financial proposals to TOC/POC shall be available only at the specified date and time configured in the e-GP System by the Procuring entities according to opening date and time stipulated in the Tender/RFP documents. Tenderers/Applicants/Consultants may physically be present at the Tender/ Application/ Proposal opening; otherwise Tenderer/ Consultants may choose to participate online during the Tender/ Application/ Proposal live opening session, where the TOC/POC may post the tender opening records.
- 3.5.6.3 Tender/ Application/ Proposal opening information shall be posted under the specific tender/RFP section of the Dashboard of Tenderers and Consultants, and also may be sent through email alerts, if preferred by the Tenderers/Consultants.
- 3.5.6.4 Online Tender/ Application/ Proposal opening schedule and specific web address for the Tenderers/Applicants/ Consultants to participate in the online Tender/ Application/ Proposal opening meeting/conference shall be specified in the Invitation to Tender/RFP issued by the procuring entities.

3.6. e-Evaluation

3.6.1 Formation of Evaluation Committees

- 3.6.1.1 The Procuring Entities receiving the Tenders/ Applications/ Proposals should form a Tender Evaluation Committee (TEC)/ Proposal Evaluation Committee (PEC). Formation of TEC/PEC is described in Business Process Reengineering (BPR) document.
- 3.6.1.2 Procuring Entities should ensure that the so formed Committees have sufficient knowledge and are conversant with the available tools offered by the e-GP system, i.e. the way to enter, view, update scoring criteria and weightings, automated analysis of Tenders/Proposals, audit trails and reporting etc.

- 3.6.1.3 Procuring Entities should make the e-GP systems available to evaluation committee members with the applicable features that support workflow and evaluation processes.
- 3.6.1.4 Members of the evaluation committee members also may receive the auto-notification (via email or SMS as configured in preference for auto-notification) from the e-GP System as soon as the user is created.
- 3.6.2 Use of e-GP system by evaluators**
- 3.6.2.1 Access to the Dashboard for the Evaluation Committee shall be available only after the specified date/time and the e-GP system has been configured by the Procuring Entities. At the outset, the Committee members should fill out and sign the declaration individually before evaluation and joint certification after evaluation provided online by the system as per PPR-2008 requirements. Access to the technical and/or financial proposals to TEC/PEC shall be available only at the specified date and time configured in the e-GP System by the Procuring entities.
- 3.6.2.2 Evaluators should follow the predefined workflow set-up by the Procuring Entity to evaluate Tender/ Application/ Proposal documents.
- 3.6.2.3 e-GP system will automatically generate draft results of the evaluation to assist the evaluators. Evaluators should review the auto-generated reports, update and complete the entire required evaluation matrix based on the stipulated criteria and sought facts in tender/RFP documents to complete the evaluation.
- 3.6.2.4 e-GP System shall not allow the Evaluators to alter any data provided by the Tenderers/Applicants/Consultants and agreed final report by the committee that may determine the winner Tenders/ Applications/ Proposals after submission of the final data to the e-GP system.
- 3.6.2.5 TEC/PEC members may conduct the negotiation online or offline, if negotiation is applicable to specific procurement type as per PPR-2008 along with the subsequent amendments, and upload the negotiated report to e-GP System.
- 3.6.2.6 If any modification required, evaluators may seek permission from the proper authority to update the value in the evaluation record matrix. The system will record any such alterations.
- 3.7. Approval, Notification of Award (NOA) and Contract Signing**
- 3.7.1 Approval of the Evaluation Report will be routed in e-GP system through the workflow to appropriate Approving Authority as stipulated in PPR-2008 along with subsequent amendments.

- 3.7.2 Procuring entity will issue NOA to successful evaluated tenderer/applicant/ consultant online (i.e. via tenderer/applicant/consultant dashboard, email, SMS as configured in preference settings).
- 3.7.3 Tenderer/Applicant/Consultant must acknowledge the receipt of the NOA and carry out the necessary formalities as indicated in the NOA and tender/application/RFP documents.
- 3.7.4 e-GP system provides the facility to sign the contract online between Procuring Entity and the tenderer/applicant/consultant, but may also choose to sign offline in compliance with the PPR-2008 along with the subsequent amendments. In case of offline contract signing, PE must enter the contract details, contract documents, and schedules of deliveries, contract execution plan in e-GP system.
- 3.7.5 The e-GP system will publish the Contract award information on e-GP Portal as and when Contract is signed and system is updated by the Procuring entity.
- 3.8. e-Contract Management**
- 3.8.1 Contract progress monitoring and control**
- 3.8.1.1 The Procuring Entities should nominate individuals for managing contracts, shall have the required knowledge, skills, and abilities to effectively carry out their responsibilities by using the Dashboard provided in the e-GP system.
- 3.8.1.2 E-GP System provides the standard forms and entry spaces to record the different activities and events of the Contract execution under e-Contract Management System. Procuring entities should keep updated contract with the project schedules, deliverables, Service Level Agreements if any, specifications, amendments and other information in the e-GP system.
- 3.8.1.3 Procuring Entity (PE) or a person nominated by PE must measure time and cost against the budget and contract specifications. The projected time required to complete the contract will also be assessed to detect deviations from the plan through the e-GP system dashboard. The performance of the work must be checked to ensure that the targets are being met and accordingly update the data in the e-GP system to reflect the actual status of the contract.
- 3.8.1.4 The designated official(s) should upload inspection reports, photographs and other documents that may be appropriate in relevance to the contract.

3.8.2 Certification and payment processing

- 3.8.2.1 The e-GP System provides the standard forms for issuing different types of certifications such as acceptance certificates, quality certificates, etc. The designated officer(s) responsible for evaluating performance of the contract must carefully review the contractor's requests submitted online for payments to verify the accuracy of all charges and work performed, as e-GP system does not have automated tools to verify the physical performance in the field.
- 3.8.2.2 The designated officer(s) must verify receipt of goods and performance of services and works in accordance with the contract prior to authorizing payment of invoices online.
- 3.8.2.3 Contract management will be fully based on the workflow process configured for the specific procuring entity.

3.8.3 Contract agreement administration

- 3.8.3.1 The e-GP System also provides a tracking mechanism for all contract agreements.
- 3.8.3.2 The designated officials should check contract status; contracted parties, contract period, goods, works and services covered and contract points to make any decision during contract agreement administration.
- 3.8.3.3 If any contract needs to be amended the e-GP System brings up the auto alerts for required actions. The designated official must record appropriate reason before any such extensions.

3.9. General

3.9.1 Workflow Configuration and Management

3.9.1.1 Authority Register

- 3.9.1.1.1 The e-GP System is based on the procurement process workflow, which is based on the delegation of financial power (DoFP). The e-GP system workflow verifies the Authority Register stored in the system for each procuring entity to carry out the procurement transactions in compliance with the DoFP and process defined in the PPR-2008.
- 3.9.1.1.2 e-GP System should provide a data entry form available for the procuring entities to capture detailed personal information, and department/ section information, role and responsibility information, e-Signature/digital signature (whichever is applicable), detailed contact information and the authorization level of the user to make part of the procurement workflow process.
- 3.9.1.1.3 Procuring Entity must determine the different authorization levels for each user to perform certain activities.

3.9.1.2 Workflow Mapping

- 3.9.1.2.1 The Procuring Entity should create workflow from its Dashboard for centralized, distributed and/or hybrid kinds of procurement management hierarchies to complete procurement transaction cycles to accomplish any procurement activity involving all required resources and transparent roles/authorities.
- 3.9.1.2.2 The Procuring Entity should create its own workflow mapping to provide flow for each procurement process indicating specific department, designation/role, rights and permissions to perform and automate necessary tasks.
- 3.9.1.2.3 The Procuring Entity may have rights to change the workflow mapping during the procurement process, as and when required with the permission from the appropriate authority in PE.

3.9.2 Common Instrument Numbering

3.9.2.1 Instrument Numbering Process

- 3.9.2.1.1 Procuring Entity should ensure that each contract or any other agreement is uniquely numbered in order to facilitate MIS on spend analysis, Contractor/Supplier/Consultant's performance or/and any other such analysis. The e-GP system also provides its internal number for each transactions and items.

3.9.2.2 Records and References

- 3.9.2.2.1 The Procuring Entity should accept the system guided format to create any reference, record or modification of an existing record or reference number.

3.9.3 Personalization/Customization/Configuration

3.9.3.1 e-GP system Configuration

- 3.9.3.1.1 The Procuring Entity should configure the e-GP System to fit with the existing procurement practice as per PPA-2006 and PPR-2008 along with subsequent amendment and the Business Process Reengineering (BPR) of this guideline.

3.9.3.2 Agency specific Workflow configuration

- 3.9.3.2.1 The Procuring Entity should configure the workflow on the e-GP System to fit with their procurement workflow.
- 3.9.3.2.2 Workflow mapping must be done at the time of initial configuration of e-GP system before carrying out any functional transactions in e-GP System.

3.9.3.3 Major Actors Specific Dashboard and User Interface

3.9.3.3.1 The Procuring Entity should ensure that an actor-specific User Interface and Dashboard have been created to perform activities as per the user's permission, and facilitated by necessary tools including fonts & pdf writer to complete activities.

3.9.3.4 Auto Alerts

3.9.3.4.1 e-GP System shall provide the auto alerting systems (via email, RSS feed or SMS) for the users (opted for preference to receive such alters) to get the required message alert on specific events in the procurement process.

3.9.4 Storage of records and documents

3.9.4.1 Storage Formats

3.9.4.1.1 The e-GP System has the ability to store records (name data) in either or both of the two languages (Bangla and English), where applicable in e-GP System.

3.9.4.2 Archival requirements

3.9.4.2.1 The Procuring Entity should ensure that all the completed documents have been archived by the system. A competent person should be assigned by the procuring entity to oversee the archival documentation and to do it manually in the case of system failure.

3.9.4.3 Confidentiality of records in e-GP system

3.9.4.3.1 Any record, labeled as confidential or sensitive by the system, shall not be published or shared with any third party without written permission from the owner.

3.9.4.3.2 e-GP system must have adequate measures to ensure that no users, including those with highest level of authorization (i.e. e-GP System Administrator), are able to view / retrieve sensitive information. Any such access must be recorded in audit trail record log for possible subsequent review.

3.9.5 Procurement Management Information System

3.9.5.1 Monitoring and evaluation of procurement process

3.9.5.1.1 The Procuring Entity shall provide necessary procurement-related information to the system to generate various reports to be used for compliance monitoring with procurement Acts and rules, and procurement performance evaluation purposes.

3.9.5.1.2 The Procuring Entity should comply with the key procurement performance indicators to fulfill the requirement of PPR-2008 along with subsequent amendments.

3.9.6 Security and dispute resolution

3.9.6.1 Audit logs

3.9.6.1.1 The e-GP System should guarantee that all user and system activities related to “write” events and access to sensitive data through the e-GP System are captured in the audit trail for future auditing purposes.

3.9.6.1.2 Only authorized auditors with specific permission may access the audit logs in presence of CPTU authorized representative.

3.9.6.1.3 e-GP System should not allow access to modify the Audit trails.

3.9.6.1.4 All the activities of each and every user from login to logout for any sessions shall be recorded along with the identity of the user, date and time.

3.9.6.1.5 The information recorded in Audit trail database shall serve as sufficient evidence of action of any user in e-GP System.

3.9.6.2 Data Encryption

3.9.6.2.1 The e-GP System keeps all private information of its users in encrypted form in database and shall not be accessible to any user without sufficient authority and access permissions.

3.9.6.2.2 The e-GP System keeps all draft and final procurement documents submitted to e-GP System in encrypted form and shall not be accessible to any user without sufficient authority and access permissions.

3.9.6.2.3 All data transmitted through the computing device (i.e. Computers, Mobiles, and any other devices which can be used to do transactions with e-GP system) of authorized users to e-GP System, and from e-GP System to users' web browser shall be encrypted through Secured Socket Layer (SSL) encryption.

3.9.6.2.4 CPTU shall keep its e-GP Data center and its data protected through external access using highly secured firewalls, intrusion detection technologies, etc.

3.9.6.2.4 The methods and algorithm of data encryption used in e-GP System shall be approved by CPTU, and may be revealed if the disclosure is required and requested to reveal for the resolution of any disputes.

3.9.6.3 Dispute Resolution

3.9.6.3.1 Dispute resolution in case of information theft, misuse, hacking, spamming, disclosure, misrepresentation etc. will be handled through the provisions made in prevailing procurement Acts and rules, Right to Information Act, IT Act and other relevant laws of land.

3.9.7 Subscriber Services

3.9.7.1 Subscription Administration

3.9.7.1.1 CPTU/IMED reserves the right to Setup, Configure and Administer the subscription of registered e-GP System users.

3.9.7.1.2 CPTU/IMED may charge fees from its users for the use of e-GP system and its different services by taking approval from the competent authority.

3.9.7.2 Charges/Fees

3.9.7.2.1 CPTU/IMED may charge fees for user registration, verification of credentials, renewal of validity, training, providing procurement information, and other approved services for fees.

3.9.7.2.2 CPTU/IMED may charge fees to third-party website or application for specialized service of providing public information available in the e-GP System through web services or any other appropriate content delivery services.

3.9.7.2.3 CPTU/IMED may introduce new fees for different procurement events, and review any fees structure for the e-GP system users, and subscribers.

3.10. Operation, Maintenance and Management Services

3.10.1 Operation, Maintenance and Management Arrangements

3.10.1.1 The CPTU/IMED reserves the right to outsource operation, maintenance and management services of e-GP Data center, e-GP system and other related services to any third party for agreed period through adopting appropriate business model.

3.10.1.2 The users of e-GP system are to be obliging such any agreement with any outsourced firm/company.

3.10.2 Service Standards

3.10.2.1 The CPTU/IMED shall monitor, supervise and recommend the expected service standard provide by the outsourced firm/company to the stakeholders and e-GP system users.

3.10.3 Services Limitations

3.10.3.1 The CPTU/IMED shall determine the access level to e-GP System and data center, quality of services, indicators for performance monitoring, and service limitations to the outsourced partners through a Service Level Agreement (SLA) for the sustainability of e-GP System in Bangladesh.

3.11. Future Extensions

3.11.1 The CPTU/IMED reserves the right to bring any changes to the system, service and or management structure at anytime at any condition based on the experience to comply with any changes in Acts, rules and other directives or to make the system compatible with new technology, user friendly and useful to the intended users.

3.12. Translation and Publication of Documents

3.12.1 No person shall without the prior approval of Government, be permitted to publish or translate this guideline issued under the PPA 2006 and PPR-2008.

Appendix 1: Use of Payment Systems

a. Payment arrangements

- i. CPTU reserves the right to take the payment service of Banks, payment service providers, mobile networks, and other reliable and authorized online service providers through Memorandum of Understandings (MOU) with SLA or Agreements for the e-GP Online Payment Network.
- ii. Procuring Entities should ensure that Tenderers/Applicants/ Consultants are given proper guidelines on billing and payment options and they are to choose from the options of payment recommended by the CPTU.
- iii. The e-GP System has offered option to use the service of scheduled banks. Scheduled banks and other payment service providers get secured access to the e-GP System with their own dedicated and secured Dashboard, from where the banks can carry out the financial transactions related to public procurement collecting fees and charges, providing guarantees, tracking the guarantees, making payment transactions etc. Scheduled Banks may charge an amount from the Tenderers /Applicants /Consultants for their services as per their rules. The CPTU shall not be responsible for the transactions made by banks with the Tenderers/Applicants/Consultants.

- iv. Procuring Entities should ensure that the payment options are opened through Schedule Banks or any other popular and accessible payment network recommended by the CPTU. The CPTU will integrate the online payment system as and when it becomes available in Bangladesh.
- v. Procuring Entities may make necessary arrangements with authorized banks or payment service providers to disburse the contract amounts to Tenderers/ Applicants/ contractors / Consultants or any such party when the sum is due.
- vi. The CPTU shall open and operate Master Bank Accounts in the banks for centrally collecting and managing the fees for documents, guarantees, securities and charges applicable in e-GP system, etc.
- vii. Procuring entities are responsible for updating e-GP system and notifying CPTU about the forfeiture of Guarantees and Securities of the Tenderers/Applicants, and request issuing bank for releasing and crediting the Central account with the forfeited amount opened by CPTU.
- viii. In case of International tenderers/ applicants/ consultants, payments should be made to the Master Bank Account opened by CPTU through Bank Wire transfer or any other method clearly mentioning the purpose of payment.
- ix. International Tenderers/Applicants/Consultants must communicate with the Banks of e-GP Online Payment Network for updating their payment details in e-GP System. Any charges incurred for payment transfer, communication or any currency conversion should be paid by the Tenderers/Applicants/Consultants themselves.
- x. In case of Bank Guarantee, securities issues by International banks must be endorsed by the local scheduled bank in Bangladesh and the bank must be member of e-GP Online Payment Network in Bangladesh.
- xi. International payments can be directed/credited to Master Bank Account opened by CPTU as and when International payment gateway is integrated with the e-GP System.

b. Integration with International payment system

- i. The CPTU may integrate any third party International Payment System that meets the required standard and security requirement and approved by the Bangladesh Bank to provide such service to be integrated with the e-GP System;

- ii. Payment System Operator and Payment Service Provider must meet the requirements of all relevant laws, compliance with Anti-Money Laundering/Counter Financing of Terrorism (AML/CFT) procedures, as well as regulations and guidelines prescribed for them by Bangladesh Bank.
- iii. The third party payment System should enable a receiver of an electronic copy of the document to navigate the link to a third party vendor's payment web site, where the receiver makes payment arrangements.

Appendix 2: Business Process Re-engineering (BPR) of PPR-2008 under e-Government Procurement (e-GP) system

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
1.	4.1	Documents needed for Pre-Qualifications, Tenders and Proposals shall be prepared by the Procuring Entity following the Standard Documents issued by the CPTU listed in Schedule I	<ul style="list-style-type: none"> • The Procuring Entity will prepare the tender documents needed for pre-qualifications, tenders and proposals following the STD available in online library. • Online library of Standard Tender Documents (STD) and corresponding forms templates will be maintained in e-GP Portal for preparing the Tender Documents. • Documents will also be available in e-GP Portal in widely accepted PDF or MS Word formats as the reference for the users.
2.	6. 94	<p>Maintaining Records Relating to Issue of Procurement Related Documents</p> <p>The Procuring Entity shall record the following information when issuing the Pre-Qualification, or</p>	<ul style="list-style-type: none"> • Procuring Entities (PE) will only know the total number of tender documents that have been downloaded, but will not get to know the Tenderer's/ Applicant's/ Consultant's identity. Identity of the tenderer/

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		<p>Tender or RFP Documents to a Person, namely—</p> <p>(a) reference number relating to the issuance of a procurement related document;</p> <p>(b) name and mailing address;</p> <p>(c) telephone and facsimile numbers and electronic mail address, if applicable;</p> <p>(d) Any other information that is considered necessary by the Procuring Entity.</p> <p>(3) The Procuring Entity shall record all Persons to whom Tender Documents have been issued and such records shall have a reference number and include full contact details, such as ID or personal details, mailing address, telephone and facsimile numbers and electronic mail address, if applicable.</p>	<p>Applicant/ Proposal will not be revealed until the tender opening time.</p> <ul style="list-style-type: none"> • Document fees (if applicable) will be paid through e-GP member Bank network using e-GP payment module, and in an online manner using debit/ credit cards and other online payment options after the integration of payment gateway in e-GP System. • Identity of the tenderer/ Applicant/ Consultant will be recorded in e-GP system as soon as they make payments through Bank or other payment service providers recommended by CPTU for the document download.
3.	7	<p>The Head of the Procuring Entity or an officer authorised by him or her or the Approving Authority, while the Approving Authority is below the level of HOPE, as the case may be, shall form a Tender or Proposal Opening Committee</p>	<ul style="list-style-type: none"> • The e-GP Tender/ Application/ Proposal Opening Sheet (TOS) will be generated by e-GP System, and hence 3 members committee is not required, just TWO (2) members TOC/POC should be formed.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP:
		comprising of members as specified in Schedule II.	Among two (2) members one must be from the procuring entity, and he/she also must be a member of Tender Evaluation Committee (TEC)/Proposal Evaluation Committee (POC) to satisfy the PE authentication requirements of the e-GP System.
4.	8	Tender Evaluation Committee (TEC) or Proposal Evaluation Committee (PEC) shall be formed comprising of members, as specified in Schedule II, prior to the invitation for Application, Tender or Proposal has been issued, but certainly must be formed before the deadline for submission of applications, Tenders or Proposals.	<ul style="list-style-type: none"> • Tender Evaluation Committee (TEC)/ Proposal Evaluation Committee (PEC) shall be formed comprising of maximum upto three (3) members. Among them TWO (2) must be from procuring entity to satisfy the PE authentication requirement in e-GP System.
5.	16.1 16.8	<p>(1) Preparation of a Procurement Plan shall be mandatory for all Procuring entities.</p> <p>(8) In the case of preparation of total Procurement Plan, updated Annual Procurement Plan for Development Project or Program and Annual Procurement Plan for Revenue Budgets the</p>	<ul style="list-style-type: none"> • Annual Procurement Plan (APP) is mandatory in case of all online procurement packages. • All revisions in APP packages will need approvals from appropriate authority. • All approvals will have to go through the workflow process.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		formats prescribed in Part A, Part B, Part C, Part D, and Part E as applicable of Schedule V shall be followed.	
6.	18.1	<p>(b) arrange a pre-Tender meeting at which potential Tenderers may meet with the Procuring Entity's representatives to ask questions and seek clarifications for Works or complex supply Contracts, particularly for those requiring refurbishing existing Works or equipment.</p> <p>c) Provide minutes of the meeting, if one is convened under Sub-rule 18 (b), in a timely manner as specified in Schedule II, to all prospective Tenderers who have purchased the Tender Documents and to even those who did not attend the meeting.</p> <p>(d) Circulate any additional information or correction of errors in the Tender Documents to all Tenderers in the form of an Addendum as specified in Rule 95.</p>	<ul style="list-style-type: none"> • Pre-tender or pre-proposal meeting will be held online on the date and time as stipulated in the tender/ Application/ proposal documents. During the pre-Tender/ Application/ Proposal meetings, clarifications to the queries of the Tenderers/ Applicants/Consultants will be made online, and also responses will be shared through email, and also Dashboard of the Tenderers/ Applicants/ Consultants, who purchased the documents. • Name of Tenderers/ Applicants/ Consultants who participated in Pre-Tender/ Application/ Proposal meeting will not be shared with other Tenderers / Applicants/ consultants by the e-GP System and procuring entities. • Name of Tenderers/ Applicants/ Consultants who have posted queries will not be shared with Procuring Entity.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
			<ul style="list-style-type: none"> • Questions can be posted till last date and during the pre-Tender/ Application/ Proposal meeting. • No question should be allowed to be posted, once pre-tender meeting is concluded. • Queries must be posted via e-GP Online channel through dashboard. Queries posted via Fax/Post/Email will not be entertained.
7.	22.1 24.1	<p>22.(1) To discourage the submission of Tenders with ill motive, a Procuring Entity may include in the Tender Documents a condition that Tenders must be accompanied by a security in form of, at Tenderer's option, a bank draft, pay order, or bank guarantee using the standard format attached to the Tender documents, issued by a scheduled bank of Bangladesh.</p> <p>24.(1) The authenticity of Tender security submitted by a Tenderer shall be verified by the Tender Evaluation Committee in writing from the Bank issuing the security, prior to the finalization of the Evaluation Report.</p>	<ul style="list-style-type: none"> • In e-GP System, the Tender Security will be prepared by bank using the template provided in the e-GP system upon request by the tenderer, retained by the bank and transaction information will be updated in the e-GP system. • In case Tender security is required to be forfeited, PE will instruct the bank & Bank in turn will credit the amount in the PE's bank account or any other account designated by the government. • As banks will be issuing the tender securities, additional verification from PE for authentication may not be required.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
8.	27.1 102.10	<p>(1) A Performance Security shall be furnished by the successful Tenderer in the amount specified in the TDS following the threshold specified in Schedule II.</p> <p>(10) Before signing the Contract, the Procuring Entity may verify the authenticity of the Performance Security submitted by a Tenderer by sending a written request to the branch of the bank issuing the bank draft or irrevocable bank guarantee.</p>	<ul style="list-style-type: none"> • Performance securities will be issued by the bank on the request of the successful Tenderer applying the bank rules. But the Bank shall update the transaction information in e-GP System. • Upon instruction from the PE, the Performance guarantee will be credited in the PE's bank account or any other account designated by the government. • Verification of the Authenticity of Performance Security by PE is not required, as the same will be issued by authorized Banks.
9.	36.3.a. 1(i)	<p>the Evaluation Committee shall, having completed the evaluation in accordance with the Act and these Rules, submit the Evaluation Report, and the recommendation for award of Contract, but not the Tenders or Proposals, in a sealed envelope directly to the Head of the Procuring Entity or the Project Director, Project Manager, or the authorised officer for approval, as the case may be;</p>	<ul style="list-style-type: none"> • In e-GP system, technical evaluation report will be sent through system following the procurement workflow of the PE, and hence no physical correspondence is required.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
10.	38.4. (a)	(4) The main elements of contract administration and management may include – (a) review and approval of the work plan;	<ul style="list-style-type: none"> • The work plan must be submitted with the tender submission in the e-GP System. • Review and approval of work plan can be done at the time of negotiation, contract signing, and during the contract execution.
11.	38.4(c)	(e) Organisation and management of documentation related to contract implementation, and preparation of periodic reports on the implementation of Contract.	<ul style="list-style-type: none"> • Standard Progress Report format will be used to track progress of contract. • The periodic reports will be prepared by the Contractors/Consultants using e-GP contract management tools and will submit to PE. • Project Director (PD)/Manager will accept progress report in totality or partially as they deem fit.
12.	90.2	(a) Invitations shall be advertised in, at least one Bangla language national newspaper and one (1) English language national newspaper, both of which shall have a wide daily circulation within Bangladesh (1) the Procuring Entities shall send Invitations for Procurements where potential	<ul style="list-style-type: none"> • All the procurement related notices for e-Tendering should be published in the e-GP portal. The official website address of the e-GP System portal is http://www.eprocure.gov.bd • A new optimized form will be used in e-GP System for creating a tender notice. • New abridged Format of Tender Notice to be published in the newspaper is

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		<p>contract values are estimated to exceed the amounts specified in Schedule III.</p> <p>or as decide by the Government from time to time, for publication in the CPTU's website.</p>	<p>suggested here: 'This is an online Tender, where only e-Tenders will be accepted in e-GP Portal and no offline/hard copies will be accepted. To submit e-Tender please register on e-GP system (http://www.eprocure.gov.bd), for more details please contact Support desk contact numbers'.</p> <ul style="list-style-type: none"> • The e-GP system may send the procurement information via SMS, Dashboard Alerts & email Alerts based on the preferences set by the users in the e-GP system. • The forms given in Schedule X of PPR-2008 are converted into digital forms in e-GP System and integrated with the subsequent procurement processes. • Documents can be downloaded till deadline of Tender/ Application/ Proposal submission. But the Tenderer/ Applicant/ Consultant should feel the time is sufficient to prepare tender, submit all required documents, details, third party inputs can be completed, required payments done, Internet connectivity is readily available for completing all

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
			<p>online activities related to tender submission, and make sure tender can be submitted before the last date & time of tender.</p> <ul style="list-style-type: none"> • The tenderer can be asked to submit Tender security for each and every Lot. Before due date & time, tenderer can submit the Tender security through Bank. Tenderer should make sure the Tender security is ready & submitted to e-GP Portal before Tender submission. • Copy of Tender notice can be published in PE Website using the e-GP system web service for consistency in tender information. • Starting date for the Tender/ Application/ Proposal will be the date and time of the Tender notice /RFQ published in the e-GP System.
13.	95	(1) At any time prior to the deadline for the submission of Tenders, a Procuring Entity may, on its own initiative or in response to an inquiry by a Tenderer or as a result of a Pre-Tender meeting, modify the Tender Documents by issuing an addendum.	<ul style="list-style-type: none"> • Amendments (if any) will be published in e-GP system under the corresponding tenders, and will be an integral part of the tender, and also the same will be sent to Tenderers via email Alert / SMS alert if they preferred to receive.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		<p>(2) The addendum issued under Sub Rule (1) shall become an integral part of the Tender Document and shall have a date and an issue number and must be circulated by fax, mail or e-mail, to Tenderers who have purchased the Tender Documents within the time specified in Schedule II, to enable Tenderers to take appropriate action.</p>	<ul style="list-style-type: none"> • E-GP System will internally keep track of the acknowledgements by tenderers of amendment issued, but will not be disclosed to the PE until tender opening.
14.	96	<p>(8) Locked Tender boxes or cabinets may be used or when the Tenders are in large volumes or in envelopes that are large or thick, they may be directly received by an assigned officer of the Procuring Entity.</p> <p>(11) Tenders shall be received and opened in one location, but in exceptional cases, a Procuring Entity may allow 'multiple dropping' in which case the following guidelines shall apply:</p>	<ul style="list-style-type: none"> • The Tenders/Proposals will be submitted online in e-tender box and e-GP system will store in encrypted format. • Tenderers/Applicants/Consultants will submit the Tender /Proposal Documents and the related forms online. • The tenders/proposal must be signed by the tenderer using e-Signature or digital signature as prescribed by CPTU/IMED. • Tenderer/ Applicant/ Consultant can upload documents to their secured and private web space in e-GP referred as Common Document Library, which

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
			<ul style="list-style-type: none"> • will be accessible to Tenderers/ Applicants/ Consultants from their dashboard. Once uploaded, those documents can be used in various tenders/proposals as it is, or uploading new documents if Tenderers/Applicants/ Consultants feel that the validity and authenticity of the documents expired. • Tender/Proposal document available on website will be considered as full & final version. • Signing the documents (by e-Signature or digital signature) means that the Tenderers/Applicants/Consultants will sign the tender documents to state that they have read the tender documents in detail, and have understood the scope of work, terms & conditions, etc. • Multiple droppings concept is not applicable in case of e-GP system.
15.	97	(1) The Procuring Entity shall convene the meeting for the Tender opening; and Tenders shall be opened at the time and place specified in the IFT in presence of the Tenderers or his or her authorised representatives.	<ul style="list-style-type: none"> • Tender opening process will be done by the Decrypt Tender functionality as tenders will be stored in time stamped electronic tender box with encryption. • The TOC/POC shall open the tender within ONE hour after the deadline.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		<p>(2) The place where the Tenders shall be opened should be suitably equipped and reserved in advance for the purpose of the Tender opening.</p> <p>(3) The Tender Opening Committee (TOC) constituted in accordance with Rule 10 shall open, all Tenders received on or before the deadline for the submission of Tenders, in public and in only one place.</p> <p>(4) The Tender Opening Committee shall ensure that -</p> <p>(a) Except in case stated in Sub Rule 96(11), Tenders shall be opened immediately after the deadline for the submission of Tenders but no later than one hour after expiry of the submission deadline;</p> <p>(b) Tender Opening Sheet (TOS) is prepared containing the information relating to Tenders or Proposals announced at the opening in accordance with Sub Rule (4)(f);</p>	<ul style="list-style-type: none"> • If the tenderer logs into the e-GP system during the Tender/Application/Proposal opening time, then it will be marked as the Tenderer/ Consultant is present in tender opening. • Tender/Proposal Opening Sheet (TOS) will be generated by e-GP system. • Tender/Application/Proposal Opening Sheet (TOS) will be generated by e-GP system, and hence 3 members committee is not required, just two (2) members TOC/POC should be formed. Among two (2) members one must be from the procuring entity, and he/she also must be a member of Tender Evaluation Committee (TEC)/Proposal Evaluation Committee (POC) to satisfy the PE authentication requirements of the e-GP system.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		<p>(c) Persons not associated with the Tender are not allowed to attend the opening of Tenders;</p> <p>(d) The Tender opening is not delayed on the plea of absence of Tenderers or his or her representatives, as the presence of Tenderers or their authorised representatives is optional;</p> <p>(e) The Tenderers' representatives shall be duly authorised by the Tenderer;</p> <p>(f) The following information stated therein is read out from the Tenders after Tender opening which shall be recorded on a Tender Opening Sheet duly verified by the members of the Tender Opening Committee—</p> <p>(i) name and address of the Tenderer;</p> <p>(ii) withdrawal, substitution or modifications, if any;</p> <p>(iii) the Tender price;</p> <p>(iv) discounts, if any; and</p> <p>(v) Tender security, if required and information relating to its amount; and</p>	

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		<p>(g) The checklist with steps for Tender opening in Part D of Schedule IV shall be followed.</p> <p>(5) Tender modifications or discounts, which are not read out at the Tender opening or recorded on the TOS, shall not be considered in the evaluation of the concerned Tenders.</p> <p>(6) No Tender shall be rejected at Tender opening, but late Tenders or Tenders withdrawn shall be returned directly to the Tenderers unopened.</p> <p>(7) Upon completion of the Tender opening, all members of the TOC and the Tenderers or their representatives who attended the Tender opening shall sign the TOS, copies of which shall be issued to the Head of a Procuring Entity or an officer authorised by him or her and to all members of the TOC and any authorized Consultants employed in the project and to the Tenderers.</p>	

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		<p>(8) The Member-Secretary of the TOC will ensure that the procedure as per Sub-Rule (4) is carried out and will sign to certify that the Tender Documents have been sent to the Procuring Entity immediately after the Tender opening.</p> <p>(9) Upon completion of the Tender opening all Tenders and all related documents shall be kept in the safe custody of the Procuring Entity along with a copy of the TOS duly signed by all concerned.</p>	
16.	98.12	(12) The item quantified in the BOQ for which no rates or prices have been quoted shall be deemed covered by the amounts of other rates and prices in the contract and it shall not be a reason to change the Tender price.	<ul style="list-style-type: none"> • Arithmetic errors are not expected in e-GP system so far the figures and operators are correctly entered, and e-GP system does all the calculations including conversion of figures into words. • System will not allow half-filled Tenders. Tenderer/ Consultant will have to quote '0' (Zero) against the item to leave blank.
17.	102	(1) Prior to the expiry of the Tender validity period and within one (1) week of receipt of the approval of the award by the	<ul style="list-style-type: none"> • NOA will be issued online and the same will be signed (by e-Signature or digital signature).

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
		<p>Approving Authority, a Procuring Entity shall issue the Notification of Award (NOA) to the successful Tenderer.</p> <p>(3) The Notification of Award shall be accepted in writing by the successful Tenderer within the period specified in Schedule II.</p>	<ul style="list-style-type: none"> • Debarred Tenderer/ Applicant/ Consultant will be verified in e-GP system before issuing NOA. • Tenderer/Applicant/Consultant will accept the NOA online using e-Signature or digital signature (whichever is applicable)
18.	102.11	<p>(11) The duly authorised officer of the Procuring Entity and of the successful Tenderer shall sign the Contract within the period specified in Schedule II if the Performance Security submitted by the Tenderer is found to be genuine.</p>	<ul style="list-style-type: none"> • Contract will be digitally signed by both parties & details of contract award will be available in the e-GP Portal. • No need verify the genuineness of the Performance security as the information of the security is updated in e-GP system directly by Banks at the time of issuance of Performance security on behalf of the Tenderer.
19.	122.2	<p>(2) The Procuring Entity shall notify the successful Consultant that its Proposal has been accepted and shall set a date for the commencement of Contract negotiations so that the Contract can come into force before the prescribed Proposal validity date expires.</p>	<ul style="list-style-type: none"> • Negotiation provides in PPR-2008 can be carried out online and negotiation records will be recorded in the e-GP system.

SN	Rule/ Sub Rule	Text in PPR-2008	BPR for e-GP
20.	127.5.d	The Head of the Procuring Entity shall, having considered the recommendation of the Committee under Sub Rule (5) (c), make an appropriate decision and if a decision is taken to debar the concerned Person or firm, the procuring Entity shall issue a letter debarring the concerned person or firm and that letter shall be addressed to the concerned Person with a copy to the CPTU for inclusion in the list of debarred persons or firms and published on the CPTU website.	<ul style="list-style-type: none"> The debarment list will be updated and published in the e-GP Portal & the same will be published also in the CPTU website through web services.

Appendix 3: Changes in Schedule -II, PPR 2008 for e-GP system

Rule No. in PPR-2008	Process as per PPR-2008	Process in e-GP system
Times, Values, etc.		
7	<p>Constitution of Tender or Proposal Opening Committee</p> <p>1(one) member from the TEC or PEC and 2(two) other members from the concerned Procuring Entity and other agencies as below—</p> <p>(a) Chairperson;</p> <p>(b) Member;</p> <p>(c) Member-Secretary.</p>	<p>Constitution of Tender or Proposal Opening Committee</p> <p>TOC/POC shall comprise of TWO (2) Members. Among two (2) members one must be from the procuring entity, and he/she also must be a member of Tender</p>

		Evaluation Committee (TEC)/Proposal Evaluation Committee (POC) to satisfy the PE authentication requirements of the e-GP system.
8(1),(2) & (8)	<p>Tender or Proposal Evaluation Committee</p> <ul style="list-style-type: none"> • Minimum five (5) and normally not exceed seven (7) members • Two (2) of whom at least shall be from outside the Ministry or Division or Agencies under it, • At least five (5) members including two (2) outside members shall attend the Evaluation and sign the Evaluation Report. <p>Tender or Proposal Evaluation Committee for low value Procurement</p> <ul style="list-style-type: none"> • Minimum three (3) members of whom one (1) member may be selected from another agency or another Procuring Entity • At least three (3) members shall attend the Evaluation and sign the Evaluation Report <p>Value of Contracts when number of the Evaluation Committee members may be reduced:</p> <ul style="list-style-type: none"> • Tk. 1.5 (one and a half) million or below for Procurement of Goods and related Services • Tk 3 (three) million or below for procurement of Works and Physical Services • Up to Tk. 500,000 (five hundred thousand) for intellectual and professional Services 	<p>Tender or Proposal Evaluation Committee</p> <p>Tender Evaluation Committee (TEC)/Proposal Evaluation Committee (PEC) shall be formed, comprising of maximum upto three (3) members. Among them TWO (2) must be from procuring entity to satisfy the PE authentication requirement in e-GP system.</p>

16(11).	<p>Posting Procurement Plan on CPTU's website</p> <ul style="list-style-type: none"> • For Tk 10 (ten) million and above for Works, Goods and related Services • For Tk. 5 (five) million and above for physical Services; and • For Tk. 5 (five) million and above for intellectual and professional Services 	<p>Posting Procurement Plan on CPTU's website</p> <ul style="list-style-type: none"> • All tenders using e-GP system must have procurement plan prepared and published irrespective of procurement methods.
28(3)	<p>Time for return of the remaining amount of Retention money or the Bank Guarantee</p> <ul style="list-style-type: none"> • Within twenty-eight (28) days after the issue of the Certificate of Completion of Defect Liabilities 	<p>Time for return of the remaining amount of Retention money or the Bank Guarantee</p> <ul style="list-style-type: none"> • Within seven days (7) days after the issue of the Certificate of Completion of Defect Liabilities. Return request to be made to Financial Partners <i>i.e.</i> Banks through e-GP Dashboard
32	<p>Time Limit for Safe Custody of received Tenders, Applications and Proposals</p> <ul style="list-style-type: none"> • Maximum two (2) working days 	<p>Time Limit for Safe Custody of received Tenders, Applications and Proposals</p> <ul style="list-style-type: none"> • Online Tender box will be used.
37(1)	<p>Posting of Contract Awards in CPTU's website</p> <ul style="list-style-type: none"> • Tk 10 (ten) million and above for Goods and related Services and Works and physical Services 	<p>Posting of Contract Awards in CPTU's website</p> <ul style="list-style-type: none"> • All the contracts awarded using e-GP system should be published in e-GP Portal operated by CPTU.
126(3)	<ul style="list-style-type: none"> • Tk. 5 (five) million and above for intellectual and professional Services 	<ul style="list-style-type: none"> • All the contracts awarded using e-GP system should be published in e-GP Portal operated by CPTU.

37(1&2)	<p>Time for posting Contract Awards in CPTU's website</p> <ul style="list-style-type: none"> • Within seven (7) of issuance of the NOA for not less than a month 	<p>Time for posting Contract Awards in CPTU's website</p> <ul style="list-style-type: none"> • Immediately after the signing of contract agreement
66(5)	<p>Time for submission of Technical Proposal in the 1st stage of Two-stage Tendering</p> <ul style="list-style-type: none"> • Forty-two (42) days from the date of publication of advertisement in the Newspaper 	<p>Time for submission of Technical Proposal in the 1st stage of Two-stage Tendering</p> <ul style="list-style-type: none"> • For the National Tendering Twenty one (21) days and for the International Forty-Two (42) days from the date of publication of advertisement in the e-GP system
68(3)	<p>The Minimum Time for Preparation for the 2nd stage in Two-stage Tendering</p> <ul style="list-style-type: none"> • Twenty-one (21) days 	<p>The Minimum Time for Preparation for the 2nd stage in Two-stage Tendering</p> <ul style="list-style-type: none"> • For the National Tendering Fourteen (14) days and for the International Twenty-one (21) days from the date of publication of advertisement in the e-GP system.
90(2)(i)	<p>Posting of Procurement related notices in CPTU's website</p> <ul style="list-style-type: none"> • When the official estimated cost of Procurement is Tk. 10 (ten) million and above for Goods and related Services and Works and physical Services 	<p>Posting of Procurement related notices in CPTU's website</p> <ul style="list-style-type: none"> • All the procurement using e-GP system should be published in e-GP Portal operated by CPTU

	<ul style="list-style-type: none"> • When the official estimated cost of Procurement is Tk. 5 (five) million and above for intellectual and professional Services • Advertisement shall be sent to the CPTU and the newspapers simultaneously. 	
96(11)(a)	<p>Multiple dropping of Tenders for Goods and related Services and Works and Physical Services</p> <ul style="list-style-type: none"> • When the official estimated cost of the Procurement is Tk. 3 (three) million and above • Must be delivered to the primary place within three (3) hours of the deadline for submission. 	<p>Multiple dropping of Tenders for Goods and related Services and Works and Physical Services</p> <ul style="list-style-type: none"> • Multiple droppings concept is not applicable in case of e-GP system.
130(e)	<p>Delivery of Annual Report by CPTU to the Government</p> <ul style="list-style-type: none"> • Within seven (7) months from the beginning of the current Fiscal Year 	<p>Delivery of Annual Report by CPTU to the Government</p> <ul style="list-style-type: none"> • e-GP system based procurement reports can be generated anytime from the e-GP system.

Appendix 4: Terms and Conditions of e-GP System user agreement

National e-Government Procurement (e-GP) portal (i.e. <http://www.eprocure.gov.bd>) of the Government of Bangladesh is developed, owned and operated by Central Procurement Technical Unit (CPTU), IMED, Ministry of Planning for carrying out the procurement activities of the public agencies (procuring agencies and procuring entities) of the Government of Bangladesh.

CPTU/ IMED also runs a training server (<http://training.eprocure.gov.bd>) to allow the users to try and learn by themselves all the functionalities of e-GP system through an online mock-up of real transactional e-GP system. Users may try all activities, which is available in real transaction system. None of the activities done in training servers will be taken as real transactions.

For carrying out the real procurement transactions, users must use the National e-Government Procurement (e-GP) portal at <http://www.eprocure.gov.bd> or simply <http://eprocure.gov.bd>.

User account will be created only when the following Terms and Conditions of e-GP System User Agreement is read and accepted.

TERMS AND CONDITIONS OF E-GP SYSTEM USER AGREEMENT

For accessing and using this e-GP user services, you shall be deemed to have accepted to be legally bound by these Terms and Conditions of Use and comply with all of the Terms and Conditions given below, and the guidelines as stipulated in e-Government Procurement Guidelines:

Tenderer Registration Request, E-mail verification, and Credential documents verification

E-mail verification

Your e-mail will be used as the user name for accessing e-GP system. Upon submission of your basic user identity information opened by clicking on the "New User Registration" button from the home page of e-GP Portal, you will receive in the e-mail provided by you, an e-mail from registration@eprocure.gov.bd with a link to click, your unique security key, and other instruction related to your credential documents verification, and payment process. When you click the link provided in your e-mail, an e-mail verification page with a form will open. You need to enter the e-mail, password and the received security key, and Press the "Submit" button. If you correctly enter the information, this process will complete the e-mail verification process successfully.

With that your account will be successfully created, and you will be displayed another form for entering your specific information, upload digitally scanned mandatory credential documents (scanned documents of Company registration Certificate, Tax and VAT clearance certificate, Valid Trade license, National ID of Contact Person, ...must be easily readable).

Credential documents verification

Tenderers, Applicants and Consultants may visit 'e-GP Users Registration Desk' in CPTU/IMED, Ministry of Planning, Sher-e-Bangla nagar, Block# 12, Floor# 2 with the original credential documents used during online registration process or send the documents via registered post or courier service for the post-verification for authenticity. Tenderers, Applicants and Consultants also must include envelope return address written or typed, and with required postal stamp or bank draft in the name of Director General, Central Procurement Technical Unit (CPTU). The verification process may take one day to two weeks.

After verification of the original credential documents, Tenderer, Applicants and Consultants gets the Confirmation e-mail notification of registration and will instantly get full access to secured personal dashboard for user specific functions of the e-GP system as the e-GP system user.

Procuring entities, Development partners, Payment network partners (Banks and others), and media will be registered through official communication with CPTU, IMED, Ministry of Planning.

Maintaining confidentiality

Users are responsible for maintaining the confidentiality of their password and are fully responsible for all activities that occur using your account (e-mail ID and password). E-GP system does not store user passwords, but it will store only the generated irreversible hash value of the password as e-Signature. User must notify CPTU (admin@eprocure.gov.bd) of any unauthorized use of your password or any other suspected security breaches. Users must ensure that they appropriately log-out every time from their unattended computers or from the computers you are using in public places. CPTU is not liable for any loss or damage arising from such compromise of your user account and password.

The e-GP system allows modifying, updating their user details including password. But it does not allow to change the login e-mail ID and the name of the company provided during registration process.

Internet Browser and Users' Computer compatibility

To access the e-GP system securely, users should use appropriate web browsers and their associated security settings. However because of the rapid development of new browsers and new security measures come up frequently, users need to update or install new components and configuration settings as and when these come into effect. Current version of e-GP system can be best viewed at Internet Explorer 7 or above (IE7+) versions and Mozilla Firefox (xx).

Users are responsible to comply with the hardware, software requirements of the computer systems, and also uninterrupted Internet connectivity with sufficient bandwidth required to operate, upload and download documents in e-GP system. CPTU, IMED, Ministry of Planning is not responsible for non-compliance for the above by user.

Applicable Time

The e-GP system shall use the e-GP Data Center server time as the reference time for all time-bound activities of procurement processes. E-GP Data Center is located in CPTU/IMED, Ministry of Planning, Dhaka, Bangladesh.

Proprietary Rights

This e-GP Portal is developed and maintained by the Central Technical Procurement Unit (CPTU), IMED, Ministry of Planning of the Government of Bangladesh.

The materials located on this e-GP web portal including the information and software programs (source code) are copyrighted to CPTU, IMED, Ministry of Planning, the Government of Bangladesh, and operating system, tools, and other software and contents used for the operation of e-GP Portal are licensed to or controlled by CPTU, IMED, Ministry of Planning, the Government of Bangladesh.

Auto alert and User Dashboard Inbox

Users may choose to select automatic alert services through the configuration in preference section of their dashboard. Each auto alert will be sent to users via preferred channel (i.e. email or SMS), and by default same will be seen in the users' inbox available in their e-GP Dashboard. If the user does not receive auto alerts because of some third party component or system failure or for any other reason, the users must check their inbox for such alerts/notifications and communications.

Registration charges

Tenderers/Applicants/Consultants will be charged with fee decided time to time by the Government for the user registration, and annually it should be renewed. Renewal charge will also be determined by the government in each year for the renewal of user's account. Users must make sure the amount is deposited to CPTU designated Account, or send bank draft in the name of Director General, Central Procurement Technical Unit (CPTU) before membership expires.

Users may be charged and/or waived specified amount of money for different categories of use including Registration, Subscription and periodic renewal, additional storage space, transactions, facilities to use specific features/modules of the e-GP system and different services from the operation, maintenance and management entity. CPTU/IMED shall have the rights to set reasonable charges or waiver to promote the use of the e-GP system and sustainability of the system in long run.

CPTU/IMED will publish a public notice if any changes on the charges, waiver etc.

Tender Submission

The Tenderers/Applicants/ Consultants are responsible to plan their time sufficient to complete the documents upload, third party transactions like tender security preparation and submission through banks, verify completeness of tender, and final submission of tenders documents for the specific tenders. Before final submission, the tenderer/Applicant/Consultant may upload documents, fill-in required online forms, modify and verify the documents, and complete other activities part by part. But attempt to submit incomplete tender will not be allowed by the e-GP system.

Payment process

Until the e-Payment infrastructure is available in Bangladesh, the e-GP system uses the method to use the service of scheduled banks. Scheduled banks and other payment service providers get secured access to the e-GP system with their own dedicated and secured Dashboard, from where, the banks can carry out the financial transactions related to public procurement collecting fees and charges, providing guarantees, tracking the guarantees, making payment transactions, and other service fees, etc.

Tenderers/ Applicants/Consultants should pay to Bank the required amount of money for the specific purpose of transaction with e-GP system. Bank will collect the charges and fees from Tenderers crediting the account opened by CPTU for specific service/transaction in e-GP system, and Bank will immediately update the payment information in the e-GP system through the provided Bank user access.

When Bank Guarantees and securities (Tender security, Performance Security, etc.) are issued by the Bank, the same should be immediately update in the e-GP system.

When Procuring Entities or CPTU instructs the bank for releasing the Guarantees or Securities, and deposit in specific Procuring Entity or CPTU accounts, the Bank will carry out the transactions, and update the transaction information in the e-GP system.

The CPTU shall not be responsible for the transactions made by banks using bank rules with the e-GP system users.

In case of **International tenderers/applicants/consultants**, payments should be made to the Master Bank Account opened by CPTU through Bank Wire transfer or any other method clearly mentioning the purpose of payment.

International Tenderers/Applicants/Consultants must communicate with the Banks of e-GP Online Payment Network for updating their payment details in e-GP system. Any charges incurred for payment transfer, communication or any

currency conversion should be paid by the Tenderers/Applicants/Consultants themselves.

In case of Bank Guarantec, securities issues by International banks must be endorsed by the local scheduled bank in Bangladesh and the bank must be member of e-GP Online Payment Network in Bangladesh.

International payments can be directed/ credited to Master Bank Account opened by CPTU as and when International payment gateway is integrated with the e-GP system.

Virus and Integrity of documents

If the electronic records entered online and files containing the Tender/ Application/ Proposal are corrupt, contain a virus, or are unreadable for any reason, the tender will not be considered. It is strictly the responsibility of the tenderer/applicant/consultant (national or international) to ensure the integrity, completeness and authenticity of the Tender /Proposal, and also should comply with the applicable laws of Bangladesh.

External Web References

CPTU does not take any responsibility of its availability and authenticity of the external third party web references, links referred in the e-GP Portal, as CPTU/IMED does not have any control over those websites.

Operation, Maintenance and Management

The CPTU/IMED reserves the right to outsource operation, maintenance and management services of e-GP Data center, e-GP system and other related services to any third party. The users of e-GP system are to be obliging such any agreement with any outsourced firm/company.

Governing Law

This Terms and Conditions of Use Agreement of e-GP Portal shall all be governed by the laws of Bangladesh applicable to agreements made and to be performed in Bangladesh.

Government of Bangladesh and CPTU reserve the right to initiate any legal action against those users violating any of the above mentioned terms & conditions of E-GP System User agreement.

Changes in e-GP System and Terms and Conditions of Use

CPTU/IMED shall have the right to modify clauses of the terms and conditions without prior notice.

CPTU reserves the right to modify, add, delete and/or change the functions, User Interface, contents, and other items in e-GP Portal at any time without any prior notice. User is responsible to use the updated e-GP portal functions and terms and conditions of use.

Appendix 5: Disclaimer and Privacy Policy

National e-Government Procurement (e-GP) portal (i.e. <http://www.eprocure.gov.bd>) of the Government of Bangladesh is developed, owned and operated by Central Procurement Technical Unit (CPTU), IMED, Ministry of Planning for carrying out the procurement activities of the public agencies (procuring agencies and procuring entities) of the Government of Bangladesh.

CPTU/ IMED also runs a training server (<http://training.eprocure.gov.bd>) to allow the users to try and learn by themselves all the functionalities of e-GP system through an online mock-up of real transactional e-GP system. Users may try all activities, which is available in real transaction system. None of the activities done in training servers will be taken as real transactions.

For carrying out the real procurement transactions, users must use the National e-Government Procurement (e-GP) portal at <http://www.eprocure.gov.bd> or simply <http://eprocure.gov.bd>.

For all the users of e-GP System, the following Disclaimer and Privacy Policy shall be applied:

1. If you are only browsing this website, we do not capture data that allows us to identify you individually.
2. CPTU/IMED reserves the right, in its sole discretion, to correct any errors or omissions in any part of the e-GP system and to make changes to the e-GP system and to the materials, products, programs, services or prices described in the e-GP portal at any time without prior notice.
3. In no event shall CPTU/IMED and/or third parties be liable for any damages including, but not limited to, direct or indirect or consequential damages or any damages including, but not limited to, errors or omissions, delays or incomplete transactions, planned or unplanned e-GP Portal downtime or inaccessibility of the e-GP Portal, insufficient time to submit tender, lost user identities, session outages or accidental page closures, indirect or consequential damages or any damages whatsoever arising from use, loss of user data, whether in action of transaction, negligence or other action, arising out of or in connection with the use of the e-GP system.

4. The information and other materials included on the e-GP portal and system may contain inaccuracies and typographical errors. CPTU/IMED does not warrant the accuracy or completeness of the information and materials or the reliability of any statement or other information displayed or distributed by the procuring entities through the e-GP system.
5. CPTU/IMED does not warrant that the functions contained in the e-GP system shall be uninterrupted or error free or that those defects shall be corrected or that this e-GP system or the server that makes it available shall be free of viruses or bugs. CPTU/IMED does not warrant full functionality, accuracy or reliability of any material. CPTU/IMED may terminate, change, suspend or discontinue any aspect of the e-GP system, including the availability of any features of the system, at any time without notice or liability.
6. CPTU/IMED shall not share or sell the personal or Business identifiable information with any other persons or organizations without the prior consent of the owner, unless required by the e-GP system to carry out its defined functions or required by the law of land.
7. Use of the e-GP system shall only be used for lawful purposes that do not infringe the rights of or restrict or inhibit the use of the system by any third party. Such restriction or inhibition includes, but is not limited to, conduct which is intended to mislead, or is defamatory, or which may harass, cause distress or inconvenience to any person and the transmission of obscene or offensive content or interruption of the normal flow of content within the e-GP system.
8. The e-GP system shall use the e-GP Data Center server time as the reference time for all time-bound activities of procurement processes.
9. The e-GP system Administrator may notify users by displaying notices, alerts and statements about the scheduled maintenance and possible interruption of the e-GP system.
10. The e-GP system may send e-GP system related promotional information to its users.
11. The e-GP system keeps all private information of its users in encrypted form in database and shall not be accessible to any user without sufficient authority and access permissions.
12. To safeguard your personal data, all electronic storage and transmission of personal data is secured with appropriate security technologies.

13. CPTU does not take any responsibility of its availability and authenticity of the external third party web references, links referred in the e-GP Portal, as CPTU does not have any control over those websites.
14. e-GP portal uses cookies to save some of the information during transaction, and which may remain in the computer. You must enable to "accept" the cookies to carry out the transactions. Failure to set the cookies, e-GP system may not work.
15. e-GP system records IP address of your computer and also all the activities you perform from login to logout from the e-GP system for audit and non-repudiation purposes. So the users are responsible for maintaining the confidentiality of their password and are fully responsible for all activities that occur using your account (e-mail ID and password). E-GP system does not store user passwords, but it will store only the generated irreversible hash value of the password as e-Signature. User must notify CPTU (admin@eprocure.gov.bd) of any unauthorized use of your password or any other suspected security breaches. Users must ensure that they appropriately log-out every time from their unattended computers or from the computers you are using in public places. CPTU is not liable for any loss or damage arising from such compromise of your user account and password.

Please contact info@eprocure.gov.bd for any enquires or feedback.

রাষ্ট্রপতির আদেশক্রমে

মোঃ হাবিব উল্লাহ মজুমদার
সচিব।