Revision of the World Bank Procurement Regulations for IPF Borrowers

September 2023

The revision of September 2023 reflects the Bank's mandated use of Rated Criteria for most international procurements and increased focus on Sustainable Procurement (including relevant application of the Bank's Environmental and Social Framework). The revision related to these includes:

- inclusion of Environmental and Social Framework and Rated Criteria in "Common Abbreviations and Defined Terms":
- Para 4.1 added requiring the Project Procurement Strategy for Development (PPSD) to outline the Borrower's procurement objectives, proposed evaluation approach and methodology, the various stages of evaluation and, where Rated Criteria are to be used, the specific non-price/qualitative criteria and their proposed prioritization and weightings, e.g. methodology, sustainability, innovation, etc;
- Para 4.4 (c) added requiring the Procurement Plan to include the evaluation approach and methodology, including identifying those Procurement activities where Rated Criteria apply, including where defined, any indicative Rated Criteria, proposed prioritization and weighting;
- Para 5.12 added that sustainability requirements are normally evaluated by applying non-price/qualitative criteria which are stated in the Procurement Documents;
- Para 5.45 added that two-envelope process shall be used in all procurement processes where Rated Criteria are used;
- Para 5.50 sets the scope of Rated Criteria application by adding that for any
 Procurement Process subject to international competition and for which a Bank
 Document is used, Rated Criteria shall apply, and the process shall be conducted
 using two envelopes in accordance with Paragraphs 6.29 and 6.31. The paragraph
 provides the procurement types where application of Rated Criteria is not
 required: procurement of pharmaceuticals, vaccines, off-the-shelf goods, off-theshelf educational materials, or commodities;
- Section VI- Approved Selection Methods for Goods, Works and Non-consulting Services: Table 1 updated to reflect the mandatory application of Rated Criteria as set out in Para 5.50;
- Para 6.6 updated to reflect that Rated Criteria shall be used with Request for Bids in accordance with Para 5.50;

- Paras 6.29 and 6.31 require application of a two-envelope process where Rated Criteria are used;
- Para 6.37 updated to reflect that Rated Criteria are criteria that are applied to the non-price/qualitative attributes of Bids/Proposals. The scores assigned to a Bid/Proposal are normally based on the degree to which it meets or exceeds the minimum non-price/qualitative requirements;
- Annex V- Project Procurement Strategy for Development:
 - Para. 2.3 (d) added requirement for PPSD to cover approach for mitigating the project's procurement-related risks, including those identified through the application of the Bank's Environmental and Social Framework;
 - Para 3.3 (d) added that the PPSD should analyze and take into consideration sustainability aspects including those arising from the Borrower's application of the Bank's Environmental and Social Framework;
 - Para 3.6 added that the PPSD should include an assessment of the capacity of the market to mitigate the project's procurement risks, including any significant environmental, economic or social risk;
- Annex VII- Sustainable Procurement updated to reflect opportunities for the Borrower to include additional sustainable procurement aspects beyond economic, environmental and social matters required by the Bank;

Other revisions include:

- Para 3.10 updated for consistency with the Procurement Directive regarding Hands-on Expanded Implementation Support (HEIS);
- Para 5.5: reference to 5.4 d replaced with 5.4;
- Para 5.25 added that Procurement Documents upon issuance by the Borrower are deemed by the Bank to be public documents and shall be publicly disclosed upon request by any party;
- Para 5.61 updated to clarify that the Borrower may negotiate with the Bidder/Proposer with the Most Advantageous Bid/Proposal to try to obtain a satisfactory contract through a reduction in the scope and/or a reallocation of rights, obligations, risks and/or liabilities that can be reflected in a reduced contract price;
- Para 5.94 enables application of Beneficial Ownership Disclosure Form for contracts subject to international competition by deleting the reference to Procurement Plan, and including, as part of the Contract Award Notice, the successful Bidder/Proposer/Consultant's Beneficial Ownership Disclosure Form;
- Updating of the Annexes where relevant including to reflect changes in the main body of the Procurement Regulations; and
- a few other editorial/non-substantive revisions.

November 2020

The revision of November 2020 reflects the Bank's disqualification of firms determined to be non-compliant with their contractual Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) prevention and response obligations, in accordance with the applicable Standard procurement Documents (SPDs). The revision related to this includes:

- inclusion of SEA, SH in "Common Abbreviations and Defined Terms", referring to applicable SPDs;
- Paras 3.24 added excluding disqualified firms from being awarded a contract financed by the Bank;
- Para 3.34 included to enable disqualification of firms;
- Para 4.4 requires the Procurement Plan to specify the applicable Procurement Documents for each procurement
- Annex II- Procurement Oversight: Para. 3.4 added requiring all Works
 procurement under projects classified as high risk for SEA/SH that use SPDs, to
 be subject to prior review, unless agreed otherwise with the Bank;
- Annex II- Procurement Oversight- Para. 10-modifications of signed contract: (e) and (f) added to 10.1 requiring that these contract modifications are subject to prior review:
 - any material modifications to the SEA/SH Prevention and Response obligations in Works contracts;
 - any amendment or modification of ongoing contracts involving a firm disqualified for SEA/SH contractual non-compliance;
- Annex II- Para. 11- due diligence: amended to include requirements on firms disqualified due to SEA/SH contractual non-compliance; and
- Annex V- para 3.11 requires that for Works procurements in projects classified as high-risk for SEA/SH, the Procurement Plan must also detail use of the applicable SPD for large Works.

A few other revisions include:

- Paras. 5.4 and 5.5: clarifying/updating environmental and social risk mitigation in national procurement procedures;
- Para. 5.40- Bid/Proposal opening: to clarify and ensure consistency with the intent of relevant provisions;
- Para. 5.95- contract award notification: new requirement for publication of award notices for procurement subject to post review on the World Bank website;

- Annex X- Evaluation criteria- Goods, Works and Non-consulting Services: recommendation on relative weight (rated-type criteria or non-price attributes vs. cost) deleted to enable this to be specified based on fit for purpose; and
- a few other editorial/non-substantive revisions.

August 2018

The revision of August 1, 2018 reflects the updated requirements for the use of national procurement procedures. The revision adds a new paragraph 5.4 "d" designed to mitigate against environmental, social (including sexual exploitation and abuse and gender-based violence), health and safety ("ESHS") risks when using national procurement procedures to approach the national market.

November 2017

The revision of November 1, 2017, modified the original paragraph 5.94 (Contract Award Notice) by adding a new sentence (para. 5.94 "f") that introduces Borrower's obligation to publish the "Successful Bidder/Proposer/Consultant's Beneficial Ownership Disclosure Form..." A few editorial/non-substantive revisions of the Procurement Regulations were also reflected in this publication. These revisions clarify and ensure consistency with the intent of a few of the original provisions of the Regulations.

The Financing Agreement for the project determines the version of the Procurement Regulations that applies for the specific project.