Bank Guidance

Operations Procurement Review Committee

Bank Access to Information Policy Designation
Public

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August 1, 2018

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November 5, 2019

Content
Guidance on the submission and review of OPRC cases

Applicable to
IBRD, IDA

Issuer
Chief Procurement Officer, OPSPF

Sponsor
Lead Specialist, OPSPF
SECTION I – PURPOSE AND APPLICATION

1. This Guidance explains the process for submission of cases for OPRC review, and then how OPRC activities are conducted.

2. This Guidance applies to the Bank.

SECTION II – DEFINITIONS

As used in this Guidance, the capitalized terms and acronyms have the meaning set out: (a) in Section II of the Procurement Policy; Section II of the Procurement Directive, and Section II of the Procurement Procedure; or (b) below.

1. **Case Recommendation and Review Report Form (CRRR):** is the form in Annex II of this Guidance used to submit an OPRC case for review.

2. **KPIs:** Key Performance Indicators.

3. **OPRC Secretariat:** a team at OPSPF responsible for supporting the CPO in ensuring the smooth functioning of OPRC. In summary, this Secretary is responsible for (i) ensuring meetings are effectively organized and recorded; (ii) maintaining effective records and administration; (iii) general communication and correspondence.

SECTION III – SCOPE

A. OVERVIEW

3. OPRC reviews high value, high risk procurement contracts for goods, works, non-consulting and consulting contracts over specified values, by risk and type of contract as detailed in Annex I of the Procurement Procedure.

4. At the request of a TL or APM, the OPRC may also be requested to review any procurement case, regardless of value or risk to provide operations procurement advice to Bank staff. See paragraph 4.3 of Annex I, Procurement Procedure.

5. The roles and responsibilities of each staff member involved in the OPRC process is outlined in the Procurement Procedure and further explained in this Guidance.

B. MEMBERSHIP

1. As per the Section III of the Procurement Procedure, OPRC is comprised by four members:
   a. the CPO, who chairs the OPRC and decides on procurement clearances of OPRC cases;
   b. LEGPrA, who acts as an adviser of the CPO;
   c. The SIP Director who concurs on the case before it is sent to OPRC; and
   d. the APM with jurisdiction over the case, who clears the TL’s recommendation.

2. During times of absence, OPRC members may delegate their OPRC responsibilities to staff acting on their behalf. Given the nature, complexity, and high value of contracts reviewed by
OPRC, as per further detailed in Section III of the Procurement Procedure, it is mandatory that the CPO, LEGPrA and APM (or their acting representatives) are present for the OPRC meeting. The SIP Director participates in the OPRC as he/she determines necessary, and decides whether to send an acting representative during times of absence. It is also necessary that the TLs, or their managers, present the case to the OPRC meeting unless there are exceptional circumstances that require them to delegate this responsibility to another team member. See Section III, Procurement Procedure.

3. The case is presented to the OPRC by the TL, or a senior member of the team designated by the TL. If necessary, the TL invites other relevant staff to clarify matters, for example, when the case is presented in a language other than English. Technical experts in the team may also participate in the meeting at the TL’s discretion whenever complex technical matters are essential to the review.

C. OTHER DOCUMENTS COPIED TO OPRC (NOT CLEARED BY OPRC)

1. Annex I of the Procurement Procedure details certain documents (for procurements above OPRC thresholds), that are required to be copied to OPRC for comments:
   a. PPSD;
   b. procurement documents, including pre-qualification documents;
   c. progress reports on contract key performance indicators and/or contract management updated progress.

2. The documents detailed above are required to be submitted by the TL to the CPO and the SIP Director with sufficient time for them to comment before they are agreed by the Bank (ideally at least 5 Business Days prior to the appropriate communication to the Borrower issued by the TL). The OPRC Secretariat will advise TLs if there are any comments from the CPO or the SIP Director on the aforementioned documents.

D. DECISION MAKING PROCESS

1. See Section III of Procurement Procedure for ADM roles and procedural instructions to handle and decide OPRC cases. Further detail on the submission process is outlined below:
   a. When the Bank is required to issue a no-objection to a Borrower’s decision that requires a procurement clearance from the CPO, the TL, with the support of an APS/PAS, prepares the OPRC package (See Annex I for a template of the OPRC package) and submits it to the concerned APM for his/her clearance prior to submission of the case for SIP Director consideration.
   b. The concerned APM reviews and attests if the OPRC package complies with the Procurement Framework and decides if it is ready for his/her clearance. Without the APM’s clearance, the package is not forwarded to the SIP Director.
   c. The SIP Director reviews the entire OPRC package and decides if it is ready for his/her concurrence. OPRC (including the pre-OPRC meeting) does not review requests for CPO decision on the procurement clearance without SIP Director’s prior concurrence of the OPRC package.
   d. If the APM or the SIP Director identifies policy related concerns as part of their review, he/she may issue a conditional clearance or concurrence, respectively, flagging their policy concerns to OPRC for the CPO’s review.
   e. LEG-PrA (advisory role) provides advice to the CPO on legal issues.
f. The CPO decides on the request of procurement clearance and is accountable for the decision.

2. If the TL wishes OPRC to reconsider its decision on the basis of additional documentation or new facts, she/he should request another OPRC meeting and re-seek APM clearance of the recommendation, and SIP Director concurrence.

E. OPRC OPERATING PRACTICE

Submission

1. The TL is responsible for the preparation and e-mail of the finalized case to the OPRC Secretariat, copied to the CPO, SIP Director, LEG-PrA, TT (including the concerned APM) and OPCS Lead Specialist, no later than (noon Wednesday DC time), one full week before the OPRC meeting. This allows at least 5 Business Days for OPRC to review the documents, and provide questions in advance to the task team. However, the CPO may agree to a reduced review period if the case is urgent (this will likely mean however that questions on the case will not be provided in advance of the meeting).

2. The OPRC Secretariat assigns a case number (See Annex II) and distributes materials to OPRC members as needed, and will advise the TL and OPRC members of the agenda for the meeting. The OPRC Secretariat will also liaise with the TL to ensure appropriate video and phone connections are in place for attendees as needed.

Pre-OPRC meeting

3. For cases submitted on time (see paragraph E.1, Section III of this Guidance) a pre-OPRC meeting is held to review the case, identifying any early questions for task teams (usually on the Monday, prior to the OPRC meeting).

4. The pre-OPRC meeting is chaired by the CPO, or the assigned OPCS Lead Specialist, with LEPrA providing advice, the SIP Director and APM are also invited to participate in the meeting and participate at their discretion as they deem appropriate.

5. The CPO may clear straightforward cases at the pre-OPRC meeting for efficiency purposes. Clearances at the pre-OPRC will be advised to the TL and the case will be removed from the next OPRC agenda.

6. For cases not cleared at the pre-OPRC, the OPRC Secretariat will advise the TL in writing of any questions or clarifications arising, prior to the OPRC meeting.

7. The TL is advised to submit written responses to the pre-OPRC questions/clarifications prior to the OPRC meeting. Submission of written responses, enables the CPO to further focus the OPRC discussion on matters of substance, progressing efficiently through the issues.

OPRC meeting

8. The OPRC meets weekly as needed, usually on Wednesday mornings, at a time to reasonably accommodate time differences of globally dispersed teams.
9. If there is an urgent case, the CPO may decide to hold an out-of-cycle OPRC meeting subject to availability of members.

10. The CPO may also agree, at the APMs request, to hold a virtual OPRC review of the case, if it is relatively straightforward, or if the purpose of the OPRC is to follow up on routine matters from a previous OPRC meeting.

11. Given the nature, complexity, and value of contracts reviewed by OPRC, the CPO, LEG-PrA and APM (or their acting representatives) participate in the OPRC meeting. The SIP Director is invited to each OPRC meeting and participates at his/her discretion as he/she deems appropriate. TL or manager presents the case to OPRC unless exceptional circumstances arise.

**Service Standards**

12. The OPRC aims to review each case submitted within 10 Business Days from its submission.

13. For cases submitted on time, the OPRC secretariat aim to circulate any pre-OPRC questions/clarifications at least 1 Business Day before the case is scheduled to be discussed at OPRC.

14. The completed minutes of the OPRC meeting aim to be circulated within 2 Business Days of the OPRC meeting.

15. The TL aims to complete section 6 with additional information as needed, and updates/confirms Section 7 as may be relevant within 2 Business Days.

**Recording of OPRC Decisions**

16. Following each OPRC meeting, the OPRC Secretariat completes Sections 5 and 6 of the CRRR detailing the OPRC’s decision and rationale. The OPRC Secretariat also completes Section 7 if relevant, incorporating lessons learned.

17. The OPRC Secretariat submits the draft CRRR form to the CPO for clearance, normally within 1 Business Day.

18. Once cleared by the CPO, the OPRC Secretariat sends the cleared CRRR form to the TL, with copies to LEGPrA, the SIP Director, the APS or PAS, and the APM.

19. The TL completes Section 6 with additional information as needed, and Section 7 as may be relevant; ensuring that the form provides the names of all the participants (with the exception of observers), the date of no objection letter, and other relevant information; and sends the completed CRRR form for record to the OPRC Secretariat, with a copy to the APS or PAS, APM, SIP Director and LEGPrA.

**Sending the no objection to the Borrower**

20. If a recommendation for prequalification, or award has been cleared, the no objection communication is not to be issued to the Borrower before the CPO clears the final CRRR.
21. In simple/non-complex, or urgent cases, and if there are no pending issues requiring further review or clarification by the OPRC, the CPO may explicitly agree that the no objection letter can be sent to the Borrower before the final CRRR has been cleared.

**OPRC Case Filling and Reporting**

22. According to the Bank’s instructions on Record Retention and Disposition Schedule for records generated by OPCS, OPRC files are kept for four years and then sent to the Bank archives for retention for another five years, and then they are destroyed.

23. The TL files all related key documents on the case, including correspondence with the Borrower, PPSD, pre-qualification documents, bidding documents, bid evaluation reports, prequalification or bidding documents, contracts, complaints, and any other document that was submitted for OPRC review.

**F. OTHER DOCUMENTATION TO ASSIST OPRC CLEARANCE**

1. The TL may add to the OPRC package other documents to assist clearance of the case, for example:
   a. Copies of relevant correspondence between the Bank and the Borrower (in particular, comments sent by the Bank at the time of no objection to the prequalification/standard documents bid/proposal and any changes or modifications to the conditions of the bid/proposal).
   b. Copies of the request for proposal documents and addenda as issued to bidders/consultants, or excerpts from the prequalification or standard procurement document, as may be needed for the specific case (to be available with the APM and furnished on request to other OPRC members).
   c. Any written comments made by Bank’s technical experts on aspects such as specifications; prequalification documents, standard procurement documents and request for proposal documents; and evaluation reports.
   d. Specific sections of applications, bids or proposals.
   e. Copies of bid securities.

**G. RESUBMISSION OF CASES**

There are situations where some cases cannot be cleared because information is missing or insufficient e.g. the bid evaluation report submitted by the Borrower is incomplete. Such cases are resubmitted to the OPRC as many times as needed until a determination can be made and the case cleared.

**H. CONDITIONAL CLEARANCE**

The CPO may issue a conditional clearance for an OPRC case that is subject to specific actions to be carried out by the Borrower, or the TL. In these circumstances, unless the CPO decides otherwise, the APM monitors the completion of these actions under the terms and in the time agreed with CPO, before the TL issues a no objection on behalf of the Bank.
Section IV – Other Provisions
None.

Section V – Temporary Provisions
None.

Section VI – Effective Date
This Guidance is effective August 1, 2018.

Section VII – Issuer
The issuer of this Guidance is the CPO, OPCS

Section VIII – Sponsor
The sponsor of this Guidance is the OPCS Lead Specialist.

Section IX – Related Documents
Bank Directive, “Procurement in IPF and Other Procurement Operational Matters.”
Bank Policy, “Procurement in IPF and Other Operational Procurement Matters.”
Bank Procedure, “Procurement in IPF and Other Operational Procurement Matters.”
Procurement Regulations: “World Bank Procurement Regulations for IPF Borrowers.”

Section X - Revision History
August 1, 2018: This updates the Bank Guidance Operations Procurement Review Committee
issued on June 29, 2016, to reflect changes in the Procurement Procedure issued in August 2018.
Specifically, under this updated version of the Procurement Procedure, the APM reviews the
OPRC package and clears; then the SIP Director reviews and concurs. (NEW STEP). Once the
SIP Director’s concurrence has been issued, the TL sends the OPRC package to the OPRC
Secretariat for OPRC review.

Section XI - Annexes

1. Annex I - OPRC CASE RECOMMENDATION AND REVIEW REPORT
2. Annex II – ALPHANUMERIC IDENTIFICATION OF OPRC CASES

Questions about this Guidance should be addressed to the CPO, OPCS
Annex I

OPRC CASE RECOMMENDATION AND REVIEW REPORT¹

Case Report No.: __________  Date of OPRC Meeting: ____________
(filled in by OPRC Secretariat)

Section 1. General Information

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<td>Country:</td>
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<td>Full Project name (as per Project appraisal document):</td>
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<td>Loan/Credit number:</td>
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<td>Project number:</td>
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<td>Risk rating from P-RAMS:</td>
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<td>GP:</td>
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<td>TL:</td>
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<td>Specify if the Procurement/Consultant Guidelines or the Procurement Regulations apply.</td>
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<td>Specify if the winning bidder is required to provide <strong>Beneficial Ownership</strong> information as per paragraph 5.94 “f” of the Procurement Regulations.</td>
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<td>Bank unit:</td>
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<td>APM’s clearance (date):</td>
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<td>SIP Director’s concurrence (date)</td>
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¹ Sections 1 through 4 of the form are to be completed before presentation to the OPRC. Sections 5 through 7 of the form are to be completed only after the OPRC review.
<table>
<thead>
<tr>
<th>PPSD summary as detailed in PAD (attach full PPSD as an annex here)</th>
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<tbody>
<tr>
<td>Summary of the CPO’s and/or SIP Director’s comments to the PPSD (See paragraph 4.4, Annex I of the Procurement Procedure)</td>
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<td><strong>Contract type:</strong> (check one)</td>
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<td>Goods</td>
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<td>Works</td>
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<td>Supply &amp; installation</td>
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<td>Non-consulting Services</td>
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<td>Consultants</td>
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<td><strong>Detail use of Competitive Dialogue, BAFO or Negotiation.</strong></td>
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<td><strong>Document Type (Check One)</strong></td>
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<td>APA</td>
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<td>M/Other (please describe)</td>
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<td><strong>Number of Lots:</strong></td>
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<tr>
<td><strong>Estimated Cost by Lot:</strong></td>
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<td><strong>Contract Amount of all Individual lots:</strong></td>
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<tr>
<td><strong>Total Contract Amount of all lots:</strong></td>
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<tr>
<td><strong>Contract title:</strong></td>
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<tr>
<td><strong>Procurement reference number(s) as indicated in STEP:</strong></td>
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<tr>
<td><strong>Contract description and summary:</strong></td>
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<tr>
<td><strong>Estimated Cost US$ Equivalent:</strong></td>
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<td><strong>Borrower Recommended Award to:</strong></td>
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<td><strong>Amount and Currency:</strong></td>
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<tr>
<td>AML/CFT and Sanctions Screening and CRPD</td>
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<td>-----------------------------------------</td>
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<tr>
<td>List ineligible firms:</td>
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<tr>
<td>Other issues:</td>
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| Prequalification Report Date:          | __________________________ |
| Number of firms applied:               | __________________________ |
| Number of firms Prequalified:         | __________________________ |
| or                                     |                             |
| Shortlist Report Date:                | __________________________ |
| Number of firms Shortlisted:          | __________________________ |

| No-objection date:                    |                |

| Date of Bid Evaluation Report for Goods/Works/S&I/Technical Services/Others: | __________________ |
| or                                                                             | __________________ |
| Date of Technical Evaluation Report for Consultant Services/Works/S&I/Technical Services/Others: | __________________ |

| No-objection date:                    |                |
Section 2. Clearance of the concerned Accredited Practice Manager and Concurrence of the SIP Director

(a) Summary of Clearance of the concerned Accredited Practice Manager on the OPRC package

1st meeting date:
2nd meeting date:
3rd meeting date:
Etc.
[Record recommendations by respective meeting dates]

(b) Summary of Concurrence of the SIP Director on the OPRC package

1st meeting date:
2nd meeting date:
3rd meeting date:
Etc.
[Record recommendations by respective meeting dates]

Section 3. Procurement related complaints on this Case
Summarize the nature of the complaint, the actions taken and submit copies of the complaints and the responses when submitting this form.

(A). Complaints challenging the terms of prequalification(initial selection) documents: request for proposals documents, and any other Borrower document requesting Bids, Proposals or Applications.

(B). Complaints challenging the exclusion from a procurement process prior to contract award.

(C). Complaints following transmission of the Notification of Intention to Award the
contract (or notification of intention to conclude a Framework Agreement) for contracts subject to the Procurement Regulations; or the After Bid/Proposal Evaluation, for contracts subject to the Procurement Guidelines.

Section 4. Main Issues to be considered by the OPRC, and recommendations by the Task Leader

Summarize main issues (Technical, Commercial, Procedural, other). Provide clarification/resolution/recommendation for each issue; and provide an overall recommendation

1st meeting date:
2nd meeting date:
3rd meeting date:
Etc.
[Record main issues by respective meeting dates]

Section 5. Summary of OPRC Discussions (including advice from LEGPrA), Findings and Decisions

1st meeting date:
2nd meeting date:
3rd meeting date:
Etc.
[Record summary of findings and decisions by respective meeting dates]

Section 6. Processing of Case.

<table>
<thead>
<tr>
<th>Insert Dates:</th>
<th>1st meeting</th>
<th>2nd meeting</th>
<th>3rd meeting</th>
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<tbody>
<tr>
<td>(i) Case Sent to OPRC on:</td>
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<tr>
<td>(ii) OPRC Meeting held on:</td>
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</table>
(iii) CPO Case cleared on:  

(iv) Case Not Cleared/Pending on:  

(v) No-Objection Letter Date:  

<table>
<thead>
<tr>
<th>Names of OPRC Members:</th>
<th>1st meeting</th>
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<tbody>
<tr>
<td>Names of Others Present:</td>
<td>1st meeting</td>
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<tr>
<td>Names of OPRC Members:</td>
<td>2nd meeting</td>
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<tr>
<td>Names of Others Present:</td>
<td>2nd meeting</td>
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<td>Names of OPRC Members:</td>
<td>3rd meeting</td>
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<td>Names of Others Present:</td>
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<td>Etc.</td>
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If more than 10 working days between the dates (i) and (iii), check reason(s) and provide remarks, where applicable:

<table>
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<tr>
<th>More Information Required by OPRC:</th>
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<td>Incomplete or Deficient Report:</td>
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<td>Unavailability of OPRC:</td>
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<td>Other:</td>
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Section 7. Lessons Learned from the Case

Report Prepared by:  

Date:  

Extension:  

Room Number:  

Note: The TL or the Accredited Practice Specialist assigned to the project or a task team member fills out Sections 1, 3 and 4, and the Accredited Practice Manager concerned with the case and the SIP Director will fill out Section 2 before presentation of the case to the OPRC. After each review of the case, the OPRC Secretariat fills Sections 5, 6, and 7 as may be relevant, within two working days after the OPRC meeting. Upon the receipt of the cleared draft form, the TL or the Accredited Practice Specialist assigned to the project or someone from the task team completes Sections 6 and 7 as may be needed or relevant, and returns it to the OPRC Secretariat for
recording purposes. When filling out this form and for any future correspondences, inquiries, resubmissions or new submission related to the same contract, the instructions regarding case numbering as per Annex 1 shall be followed.

**For Pending Cases:** The TL or the Accredited Practice Specialist assigned to the project or a task team member updates Sections 1, 3 and 4; the APM and the SIP Director update Section 2; and the OPRC Secretariat completes other Sections as indicated above after the new review. The updated OPRC report, reflecting the summary of the OPRC findings and decisions, must be used for subsequent submissions of the case to the OPRC.
Annex II

ALPHANUMERICAL IDENTIFICATION OF OPRC CASES

1. When each case is submitted to the OPRC for the first time, the OPRC Secretariat assigns it a unique number (e.g., 1000) that is not changed at any stage of the OPRC review process.

2. The OPRC Secretariat adds a suffix to this unique number to identify the type of review or clearance requested from the OPRC, as follows:
   a. Alternative Procurement Arrangement: APA
   b. Project Procurement Strategy for Development: PPSD
   c. Prequalification Evaluation Report: PQER
   d. Initial Selection Evaluation Report: ISER
   e. Bidding Document: BD
   f. Bid Evaluation Report: BER, for goods, works, and non-consulting services
   g. Technical Evaluation Report 1st stage/envelope: TER 1, for S&I, consultant services
   h. Financial Evaluation Report 2nd stage/envelope: FER 2, for S&I
   i. Consultants Evaluation Report: CER, for consulting services
   j. Direct Selection (Procurement): DS, for goods, works, and non-consulting services
   k. Direct Selection of Legal Entities (Consultants): DSLE, for any consultant contract
   l. Amendment to Contract: AM
   m. Cancellation or Rebidding: CAN or REB
   n. Complaint: COMP
   o. Miscellaneous/Others: M/O
   p. Key Performance Indicators: KPIs
   q. Best and Final Offer (BAFO): BAFO
   r. Negotiations: NEGO
   s. Final Evaluation Report for Request for Proposal: RFP-FER