



27 December 2012

H.E. Ngan Chamroeun
Project Director
Deputy Executive Head of NCDDDS
Ministry of Interior

Dear Excellency:

Subject: Loan/Grant 2599/0186-CAM: Tonle Sap Poverty Reduction and Smallholder Development Project – No-Objection for First Commune Bidding Document for each project province

We refer to email from Mr. Ny Kimsan, dated 20 December 2012 (attachment 1), requesting for ADB no objection on the first commune bid documents related to infrastructure subprojects from Kampong Cham; Kampong Thom; and Banteay Meanchey. Our comments are provided in attachment 2.

Provided that our comments (in attachment 2) are incorporated, we have no objection for you to inform the communes in the above provinces to issue the bidding documents related to infrastructure subprojects in their communes. Please submit the final bidding document for our record.

Excellency, please accept my highest consideration.

Sincerely,

Eric Sidgwick
Country Director

cc: H.E. Chun Vat, Project Director and Secretary General, NiDA
Mr. Yi Sokthearith, Chief, ADB Division (Fax: 023 428 424)
Mr. Ny Kimsan, Project Manager, NCDDDS
Mr. Srey Vuthy, Project Manager, DCU/MAFF
J. Hakim / N. Ikemoto / S. Sok / C. Hem / S. San, CARM.

NGAN CHAMRQEUN



Prior Review of Bidding documents

Ny Kimsan to: chem

20-Dec-2012 02:20 PM

Cc: ssok, 'Ngan Chamroeun', "TS-PRSDP MAFF DCU - PM (Srey Vuthy)", David Moles, Tuy Peou

History: This message has been forwarded.

3 attachments



BMC_Step 1 of ADB Prior Review doc.rarKPC_Bidding Document to ADB (Step1).rar



KPT-Sangkat Srayov Producement document (step 1).rar

Dear Bang Chanthou,

NCDDS would like to submit a set of bidding documents for prior review regarding commune's infrastructure project in Banteay Meanchey, Kampong Cham and Kampong Province. Appreciate ADB's comment and no-objection which will enable us to inform remaining communes to roll out their bidding process accordingly.

Best regards,

Kimsan

Loan/Grant 2599/0186-CAM: TS-PRSDP
– No-Objection for First Commune Bidding Document for each project province

Attachment 2. ADB comments

I. Bid Announcement (form 33)

1. The project number and title including the names of financiers (ADB, IFAD, and Finland) and should be inserted at any appropriate place to provide awareness to the bidders and the public about the project.
2. In the second column in the row of Bid Security, please remove the sentence "at least 2% of the bid price" and replace with "Bid shall be accompanied with a Bid Security using the form for bid security (Bank guarantee) included in this bidding document in amount of:..... (Insert amount in US\$ or Riel which should be in amount of not less than 2% of the estimated cost to be calculated by the procurement committee)"
3. The name of the Bank for the purpose of bid security should not be indicated. The bidder can use any bank to issue their bid security.
4. Under **the notice** paragraph, please revise the first sentence of this paragraph to read as: "Within 14 days of the receipt of notification of award, the successful bidder shall furnish the performance security in the form of a bank guarantee in an amount of 10% of the contract price. Failure to comply shall constitute sufficient grounds for cancellation of the award and forfeiture of the Bid Security. The guarantee shall remain valid and in full effect until 30 calendar days after the date of issuance of the progress report of 100% completion".

II. Bid Proposal (form 36)

5. Please remove the sentence regarding the performance security because it already mentioned in the bid announcement (form 33).

III. Form of Contract (form 48)

6. Please remove the last sentence regarding the performance security of paragraph 6 because it already mentioned in the bid announcement (form 33).

IV. Bill of Quantity

7. Please remove all unit rate and the subtotal estimate costs from all items of the bill of quantities.
8. Please remove the percentage of profit and any indirect income from the bill of quantities. The bidder has the right to add profit or income on their preference.

V. Security Forms

9. Please replace the last sentence on the expiration of the security with "This bank guarantee will expire: (a) if the bidder is the successful bidder, upon our receipt of copies of the contract agreement signed by the bidder and the performance security issued to you, (b) if the bidder is not the successful bidder, upon the earlier of (i) our receipt of a copy your notification to the Bidder of the name of the successful bidder; or (ii) 30 calendar days after the expiry of the bid validity"

10. Performance Security: PIM should provide the instruction to the commune council about the expiry of the performance security. Normally, the expiry of the performance security should be 30 calendar days after the date of issuance of the certificate of completion or the date of issuance of the progress report of 100% completion. We would like to request to revise the last sentence to read as: "This guarantee shall remain valid until 30 calendar days after the date of issuance of the progress report of 100% completion. Consequently, any demand for payment under this guarantee must be received by us at our office on or before that date".

