

The logo of the Asian Development Bank (ADB), consisting of the letters 'ADB' in a white serif font inside a dark blue square.

Procurement Guidelines and Procedures 亚洲开发银行 采购指南与程序

ADB Resident Mission in the PRC

亚行驻中国代表处

Overview 概述

1. Procurement Basics 采购基本介绍
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国际竞争性招标
6. Other Forms of Procurement 其他采购方式
7. Bid Evaluation and Award of Contract
评标与授予合同
8. ADB's Review of Procurement
亚行对采购的审查程序

1. Procurement Basics

采购基本介绍



1. Procurement Basics 采购基本介绍

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- Applicability 适应性
- Misprocurement 错误采购
- Review of Procurement Actions
采购程序总揽

1. Procurement Basics 采购基本介绍

Procurement Flow Diagram 流程图



1. Procurement Basics 采购基本介绍

Policy and Procedures 政策与程序

- **Procurement Guidelines 采购导则**
- Covers Goods, Works, Turnkey (Plant) contracts 涵盖货物、工程及交钥匙工程合同
- Supporting Documents (SBDs) 相关文件：标准招标文件
- Maintained by ADB 亚行负责维护相关的政策与程序



1. Procurement Basics 采购基本介绍

Sources 导则的来源



1. Procurement Basics 采购基本介绍

Responsibility for Procurement Actions 采购责任

- The Borrower (Executing Agency) is responsible for all procurement activities
借款人（执行机构）对所有采购活动负最终责任
- **ADB's Role:**
- Review the procurement activities to ensure the Guidelines are followed
亚行审查采购活动，保证遵守亚行的采购指南
- Declare misprocurement in case the agreed procedures not followed in any material respect
对已经同意的程序未实质性执行的情况，宣布错误采购
- ADB Procedures should be followed for contracts financed wholly or partially by ADB
部分或全部使用亚行贷款的合同都必须遵守亚行采购指南和程序

1. Procurement Basics 采购基本介绍

Eligibility 合格性

- Procurement is in member countries
采购是在亚行成员国
- Goods and services are produced in and provided from member countries.
货物和服务必须生产于或提供于亚行成员国

Other Eligibility Factors 其他因素

- No conflicts of interest 没有利益冲突
- Not sanctioned by ADB or UN
没有受过联合国或亚行的制裁
- State-owned enterprises 国有企业
- Military of a borrowing country 军工单位



1. Procurement Basics 采购基本介绍

Eligibility 合格性

- Exceptions 不具备合格性的情形：
 - Prohibited by United Nations Security Council on any import of goods from, or payment to, a country, person or entity. 被联合国安理会禁止出口到，或者支付给某国家，个人或经济实体。
 - Engaged by the borrower to provide consulting services for the project preparation, and any of its affiliates
在该项目的准备过程中，曾被借款人雇用的公司及其分支机构
 - Government owned enterprises, if cannot establish that: 不具备以下条件的国有企业：
 - Legally and financially autonomous 法律和财务上自治
 - Operate under commercial law, and 在商业法律下运作
 - Not dependent agencies of the borrower 借款人的非独立机构
 - Declared ineligible by ADB in accordance with Clause related with Fraud and Corruption 依据欺诈与腐败条款，被亚行宣布为不合格



1. Procurement Basics 采购基本介绍

Basic Principles 基本原则

Economy and Efficiency 经济性和效率原则

Borrowers to obtain goods and services through ICB unless other forms of procurement are more suitable
借款人尽可能采用国际竞争招标

Fairness 公平原则

Procurement activities should give member countries an adequate, fair and equal opportunity to supply goods and services
给予成员国充足、公平和平等的机会来提供货物与服务

Transparency 透明原则

To achieve economy and efficiency and to combat fraud and corruption
要达到经济性和效率性，惩治欺诈与腐败



1. Procurement Basics 采购基本介绍

Fraud and Corruption 欺诈与腐败

Corrupt Practice

腐败行为

Fraudulent Practice

欺诈行为

Collusive Practice

共谋行为

Coercive Practice

强迫行为



1. Procurement Basics 采购基本介绍

Fraud and Corruption 欺诈与腐败

Corrupt Practice

腐败行为

Fraudulent Practice

欺诈行为

Collusive Practice

共谋行为

Coercive Practice

强迫行为

The offering, giving, receiving, or soliciting, directly or indirectly, of any thing of value to influence the action of any party in the procurement process or the execution of a contract

直接或间接地献礼、赠与、收受、或索取任何有价物，以影响任何一方在采购过程中或合同执行过程中的行为



1. Procurement Basics 采购基本介绍

Fraud and Corruption 欺诈与腐败

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腐败行为

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欺诈行为

Collusive Practice

共谋行为

Coercive Practice

强迫行为

A misrepresentation or omission of facts in order to influence a procurement process or the execution of a contract

提供不真实或疏忽的证据，以影响采购过程或合同的执行

1. Procurement Basics 采购基本介绍

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强迫行为

A scheme or arrangement between two or more bidders, with or without the knowledge of the Borrower, designed to influence the action of any party in a procurement process or the execution of a contract

在两个或者多个投标人之间，在知会或不知会借款人的情况下进行的一种计划或者安排，以期影响任何一方在采购过程中或合同执行过程中的行为



1. Procurement Basics 采购基本介绍

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强迫行为

The harming or threatening to harm, directly or indirectly, persons, or their property to influence their participation in a procurement process, or affect the execution of a contract

直接或间接伤害或威胁伤害个人及其财产，以期影响他们在采购过程中的参与，或影响合同的执行



1. Procurement Basics 采购基本介绍

Fraud and Corruption 欺诈与腐败

ADB's Anticorruption Policy requires all parties to observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, ADB will

各方均要遵守最高的伦理标准，否则亚行将：

- Reject a proposal to award contract 拒标
- Cancel the portion of a loan 取消部分贷款
- Declare a firm ineligible either indefinitely or for a stated period of time 宣布该公司不再或在一定时期内不能参与亚行项目投标
- Inspect accounts and records of suppliers and contractors and have them audited by auditors appointed by the Bank 检查供货商和承包商的帐务和记录，并指派审计人员进行审计



1. Procurement Basics 采购基本介绍

Applicability 适用性

Contracts financed by ADB entirely or partly
亚行全部或部分贷款的合同

- ADB System must be followed 必须遵守

Contracts not financed by ADB
非亚行提供资金的合同

- Borrower's procurement procedures apply
借款人的采购程序
- Must be suitable for the project 必须适合该项目

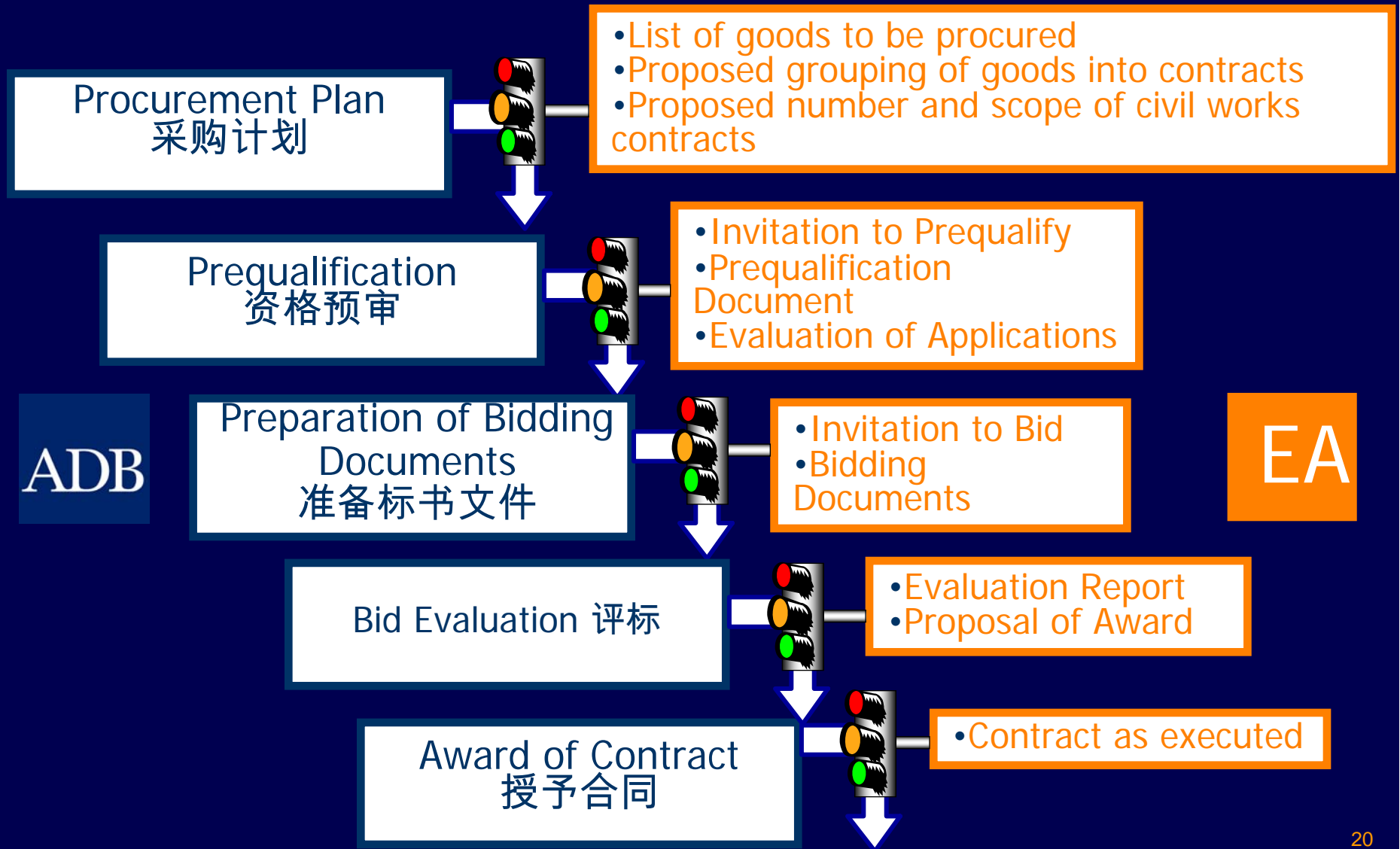
1. Procurement Basics 采购基本介绍

Misprocurement 错误采购

- If procurement is not carried out as agreed in accordance with the provisions of the financing agreement and these Guidelines, ADB will declare misprocurement. 如果采购活动不是按照根据融资协议和有关指南所约定的条款进行，亚行将宣布该行为是错误采购
- If misprocurement is declared, ADB will : 如果宣布为错误采购，亚行将：
 - cancel that portion of the financing allocated to the goods and works that have been misprocured. 取消与错误采购有关的部分的货物或工程的融资；
 - In appropriate cases, ADB may permit rebidding 在适当的情形下，进行重新招标。
 - exercise other remedies provided for under the financing agreement. 依据融资协议采取其它补救措施
- Even if a contract is awarded after obtaining a no objection from ADB, ADB reserves the right to declare misprocurement if it concludes that the no objection was issued on the basis of incomplete, inaccurate, or misleading information or the terms and conditions of the contract had been substantially modified without ADB's approval.
- 即使合同是在取得亚行的不反对意见之后授予的，如果发现该不反对意见是建立在不完整，不准确，存在误导，或在未取得亚行的批准的情况下对合同条款进行了实质性修改的基础上，亚行仍保留宣布错误采购的权利

1. Procurement Basics 采购基本介绍

Review of Procurement Actions 采购程序总揽



2. Procurement Preparation 采购准备工作

- EA Capacity Assessment 执行机构的能力评估
- Procurement Plan 采购计划
- Advanced Procurement Action 提前采购活动
- Use of Agencies 代理的使用
- Bid Packaging 划分合同包

2. Procurement Preparation 采购准备工作

EA Capacity Assessment 执行机构的能力评估

- Purpose : 目的 :
- identify the capacity, procedural and organizational constraints that will hinder effective Project implementation and agree an action plan to address these constraints; 确定在能力、程序和机构方面对有效的项目实施带来障碍的制约因素，并同意采取相应措施的行动计划
- determine the overall procurement risk and put in place appropriate review and supervision processes and thresholds to mitigate those risks, 决定总的采购的风险，并采取相应的检查和监督程序，来减低这些风险
- To the maximum extent possible and sensible, ensure that procurement is undertaken by the regular line units within the EA, agreeing in the action plan measures to strengthen and support these units when necessary thereby ensuring that EA capacity is built beyond the project's lifecycle. 达到最大程度，以确保采购活动是由执行机构的常规部门来完成，行动计划中的措施要加强并支持这些部门的能力建设，如果需要，在项目周期之外继续执行机构的能力建设

2. Procurement Preparation 采购准备工作

EA Capacity Assessment 执行机构的能力评估

- The Capacity Assessment will become a requirement of the detailed procurement plan guide and be used to justify review procedures, inc. the introduction of post review
- 能力评估将成为采购计划指南的所要求完成的一个部分，并将用来评估亚行的审查程序（包括使用后审查的方式）
- Until the detailed guide is issued, inc. instructions on doing capacity assessment, capacity assessments are not required and post review procedures should not be proposed.
- 在采购计划指南（包括能力评估的方法）颁布之前，能力评估暂不作要求，同时后审查程序也不可以使用

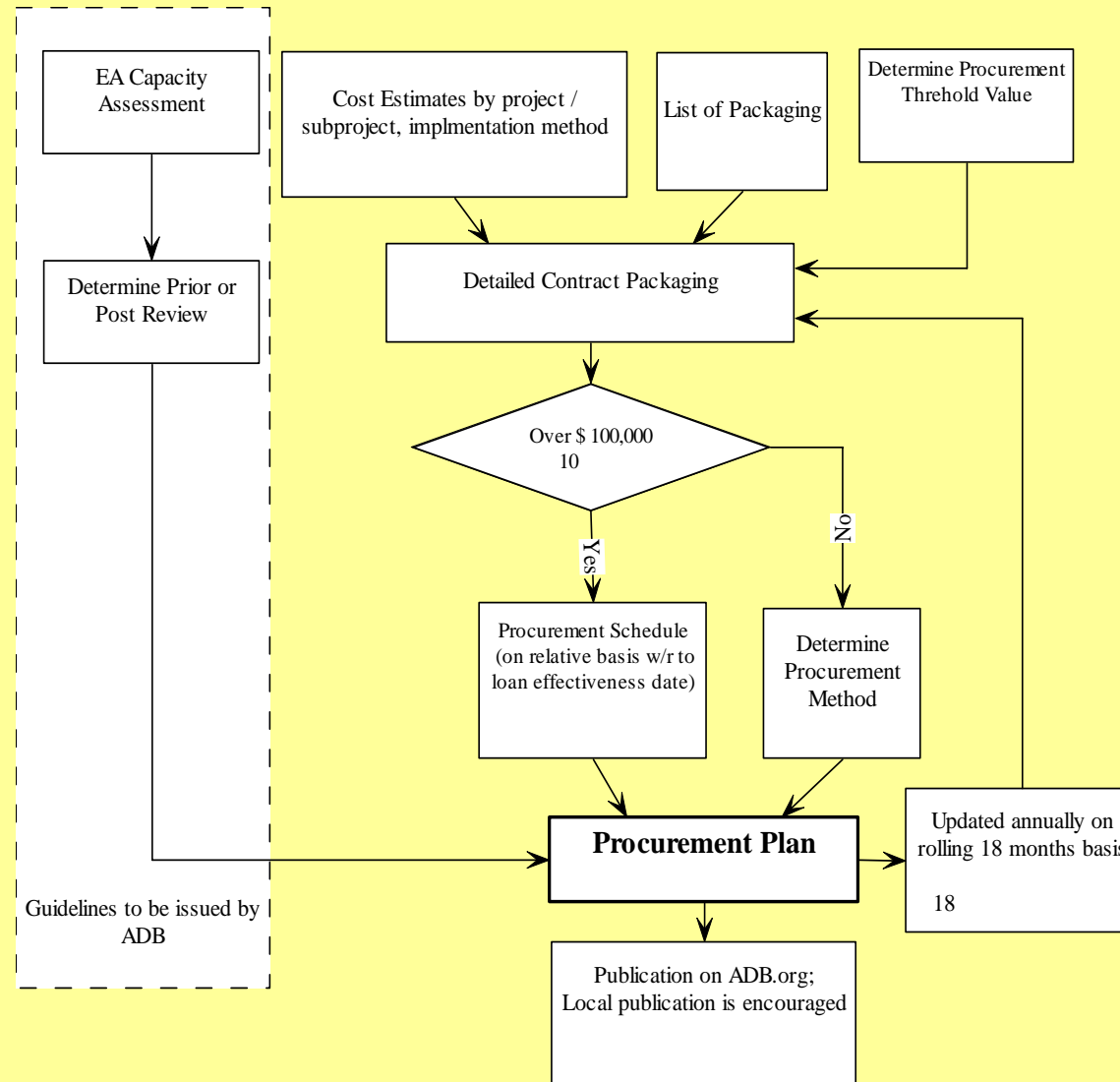
2. Procurement Preparation 采购准备工作 Procurement Plan 采购计划

- Over \$100,000 in value, list all packages by procurement method and the date by which procurement activity to commence.
十万美元以上：列出所有合同，包括采购方式，和开始执行的日期
- Below \$100,000, the method of procurement is to be indicated
十万美元以下，只列出采购方式
- prepared by the borrower, be annexed to the RRP
由借款人准备，是RRP的一个附件
- not a substitute for a project implementation schedule which details the major activities 不可替代项目实施计划，
- be updated annually on a rolling 18-month basis.
涵盖项目之初的18个月，每年更新，以18个月为滚动周期
- Not required to publish Procurement Plan locally, but encouraged to do so.鼓励但不要求必须在当地公开发布。

2. Procurement Preparation 采购准备工作 Procurement Plan 采购计划

- Contents 内容 :
- The particular contracts for goods, works, and consultants services
货物，工程和咨询服务合同
- The proposed method of procurement of such contracts
每个合同的采购方式
- The related ADB procedures 相关的亚行程序
- Threshold values for procurement methods to be applied
各个采购方式的基础限额
- The procurement that will be subject to ADB's post review
需要亚行后审查的采购合同
- A list of significant procurement packages with milestone dates
主要合同包清单，包括关键日期

2. Procurement Preparation 采购准备工作 Procurement Plan 采购计划 流程图



2. Procurement Preparation 采购准备工作

Procurement Plan 采购计划

Project Information	
Country	P.R.China
Name of Borrower	
Project Name	
Loan or TA reference	
Date of Effectiveness	
Amount US\$	
Of which committed, US\$	
Executing Agency	
Approval Date of Original Procurement Plan	
Approval of most recent Procurement Plan	
Publication for Local Advertisements	
Period covered by this procurement plan	



2. Procurement Preparation 采购准备工作 Procurement Plan 采购计划

Procurement Thresholds – Goods & Related Services, Works and Supply and Install (*Illustration only*)

Procurement Method	To be used above (Value \$)
ICB Works	>\$10,000,000
ICB Goods	>\$1,000,000
NCB Works	<\$10,000,000
NCB Goods	<\$1,000,000
Shopping Works	<\$100,000
Shopping Goods	<\$100,000
Exceptional Methods:	
LIB	<\$1,000,000
Direct contracting	For specialized agencies
Force account	



2. Procurement Preparation 采购准备工作 Procurement Plan 采购计划

Procurement Thresholds – Consulting Services *Illustration only*

Procurement Method	To be used above (Value \$)
Quality Cost Based Selection (QCBS)	>\$200,000
Consultants Qualification Selection (CQS)	<\$200,000
Least Cost Selection (LCS)	<\$100,000
Alternative Methods:	
Quality based selection (QBS)	
Single source selection (SSS)	



2. Procurement Preparation 采购准备工作 Procurement Plan 采购计划

List of contract packages in excess of \$100,000 *Illustration only*

Ref	Contract Description	Estimated Cost	Procurement Method	Expected Date of Advertisement	Prior Review Y/N	Comments
Consulting Services – Request for EoI						
Invitations to Prequalification:						
Works:						
Subproject 1:						
Subproject 2:						
Invitations for bids:						
Works:						
Subproject 1:						
Subproject 2:						
Goods:						
Subproject 1:						
Subproject 2:						



2. Procurement Preparation 采购准备工作 Bid Packaging 划分采购包

- Principles 原则
 - Types of Contracts 合同类型
 - Methods of Procurement 采购方式

2. Procurement Preparation 采购准备工作 Types of Contract 合同类型

Type and Size of Contracts 合同的类型和大小

- **Contract size** to attract international competition
吸引国际竞争
- **Supply Contracts** involve delivery of goods to location indicated in the contract. May include related services such local handling and transportation, installation, testing and commissioning, training, etc. **供货合同**
- **Works Contracts** involve execution of works. Unit price contracts or lump sum price contracts or combination of both for different portions of contract **工程合同**
- **Turnkey (Plant) Contracts** for design, supply and installation of a complete plant through a single contract **交钥匙工程合同**



2. Procurement Preparation 采购准备工作 Types of Contract 合同类型

■ Supply Contracts 供货合同

■ Supply only 供货

- Delivery of equipment or materials to location indicated in the contract

■ Supply and Related Services 供货及相关服务

- Includes supply, delivery, installation, testing and commissioning of equipment at site, training, etc.

2. Procurement Preparation 采购准备工作 Types of Contract 合同类型

Civil Works Contracts 土建工程合同

- Unit Price Contracts 单价合同
 - Unit price is fixed but contract price subject to adjustments based on measured actual performance during implementation (quantities of goods or works to be procured is not precisely known but estimated during bidding), e.g. road contract
- Lump Sum Contracts 总价合同
 - Fixed price based on quantities of goods to be used in project that can be determined precisely prior to bidding, e.g. building contract



2. Procurement Preparation 采购准备工作 Types of Contract 合同类型

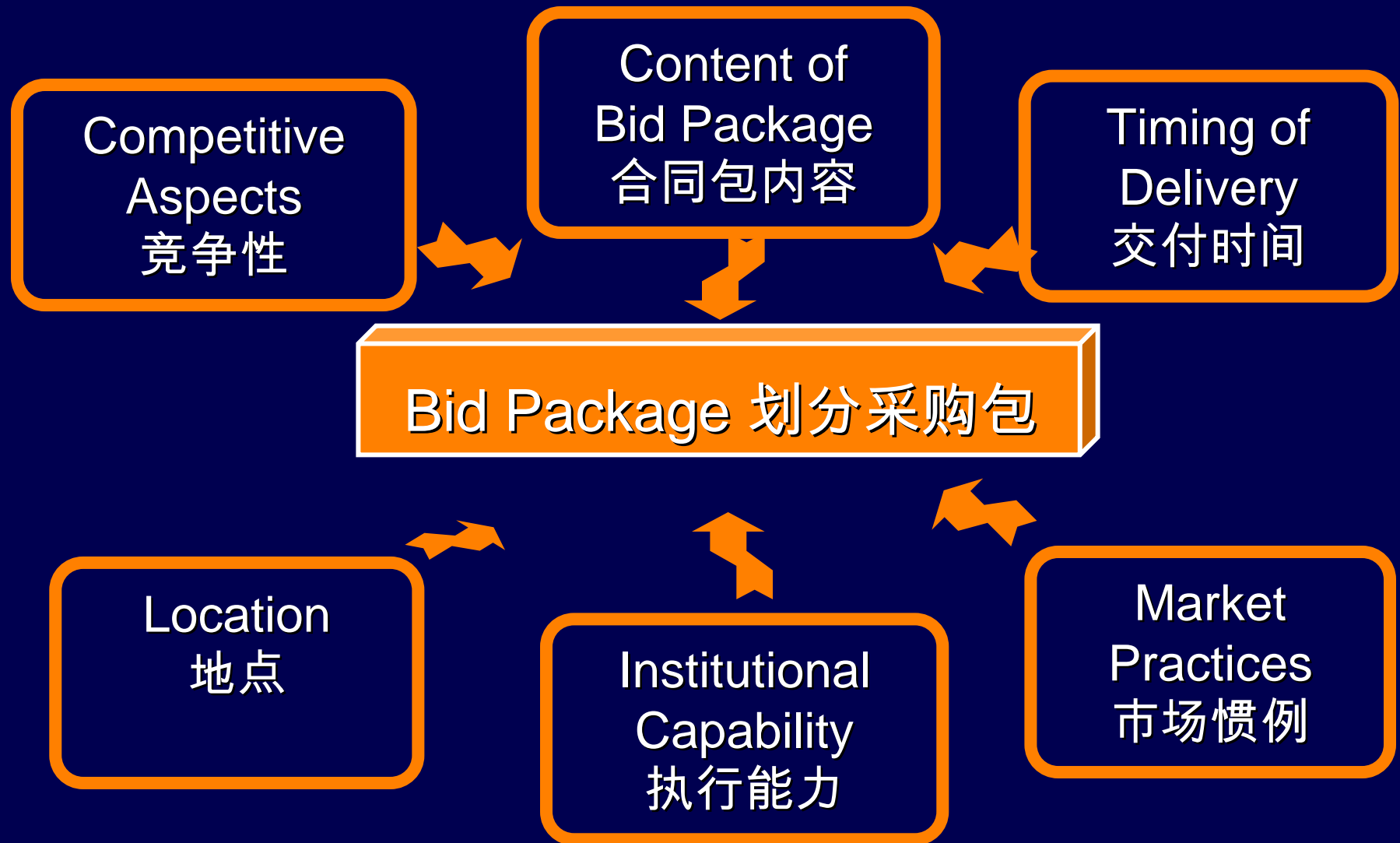
- Plant – Design, Supply & Install Contract
交钥匙工程合同
 - Also known as turnkey contract
 - Where the design, supply of equipment, and the testing and commissioning of a complete plant or installation is provided through a single contract (single responsibility contract)
 - Consider when institutional capacity of EA is inadequate to administer various individual contracts
 - Cost will be slightly higher, but administrative costs will be less

2. Procurement Preparation 采购准备工作 Methods of Procurement 采购方式

- International Competitive Bidding (ICB)
国际竞争性招标
- Limited International Bidding (LIB)
有限国际竞争性招标
- National Competitive Bidding (NCB)
国内竞争性招标
- Shopping 询价采购
- Direct Contracting 直接签订合同
- Force Account (FA) 自营工程
- Procurement under BOO/BOT/BOOT
基于BOO/BOT/BOOT 的采购
- Performance-Based Procurement 基于性能的采购



2. Procurement Preparation 采购准备工作 Bid Packaging 划分采购包



2. Procurement Preparation 采购准备工作 Advance Procurement Action 提前采购

- APA - the process for procuring goods and works before the date of loan effectiveness or approval of TA.
- 提前采购 - 是指在贷款生效日期或技援项目批准日期之前进行的采购活动
- APA may include approval of the award of contract for the procurement of goods and related services and works if RF has also been approved.
- 如果追溯贷款已经批准，提前采购活动可以包括对采购合同进行授标的批准
- Retroactive financing (RF) refers to the ADB's approval in principle to finance project expenditures prior to the loan or TA becoming effective.
- 追溯贷款是指在贷款或技援生效之前亚行原则上批准为项目的开销进行融资

2. Procurement Preparation 采购准备工作

Advance Procurement Action 提前采购

- Where APA is approved, the EA must be advised :
如果提前采购得到批准，执行机构必须：
 - To seek ADB's approval for the draft prequalification and bidding documents before they are issued;
 - 资审和招标文件在发布之前要取得亚行的批准
 - To follow requirements for public advertising ;
 - 满足发布广告的要求
- **Note** that ADB's approval of APA will not commit ADB to subsequently approve the project or to finance the procurement costs;
- **注意：** 亚行对提前采购的批准不代表亚行一定批准对该项目或该采购活动的融资
- **Note** that ADB will not finance expenditures paid by the borrower prior to loan effectiveness, even if APA is approved, unless RF has also been approved by ADB.
- **注意：** 除非追溯融资得到批准，亚行不会在贷款生效之前对执行机构的有关支出进行融资，即使批准了提前采购



2. Procurement Preparation 采购准备工作 Use of Agencies 代理的使用

Specialized Agencies: 专业代理

- The Procurement Guidelines allow for direct procurement from specialized agencies.
亚行采购指南允许使用专业代理来进行直接采购
- The use of specialized agencies should be identified in the procurement plan.
使用专业代理必须在采购计划中明示
- Procurement from the agency would follow direct contracting procedures, it must be satisfied of eligibility requirements.
专业代理的采购必须遵照直接采购的程序,其程序必须满足基本合格性的要求



2. Procurement Preparation 采购准备工作 Use of Agencies 代理的使用

Procurement agents 采购代理

Management Contractor 项目管理承包商

Construction Manager 施工管理商

- The practices followed by the agent must comply with the Guidelines, the procurement plan, and the financing agreement. 代理的工作必须遵守亚行采购指南，采购计划和融资协议的要求
- The agent should be selected following procedures for consultant recruitment. 代理的选择必须依照亚行聘用咨询的程序

Inspection agents 监理代理

- To fulfill inspection requirements of procurement. 完成采购中对监理工作的要求
- The agent should be selected following procedures for consultant recruitment. 代理的选择必须依照亚行聘用咨询的程序

3. Pre/Post qualification 资格审查



3. Qualification

Prequalification 资格预审

Purpose 目的

to ensure that bids are submitted only by firms that have the necessary qualifications in terms of 保证标书只由具备资格的公司呈交：

- Eligibility 合法性
- Experience 相关经验与以往的业绩
- Financial Capacity 财务能力
- Pending Litigation 未决的法律诉讼

to undertake the work for which bids are to be invited.

来承担该项工程

3. Qualification

Prequalification 资格预审

Prequalification process used for large and complex :

资格预审用于大型和复杂的 :

- Civil Works Contracts 土建工程合同
- Turnkey (Plant) Contracts 交钥匙工程
- Contracts for Fabrication of Expensive or Technically Complex Items or Equipment 制造/装配价格昂贵或技术上复杂的构件或设备的合同



3. Qualification Prequalification 资格预审

- Prequalification Procedures 资格预审的程序
 - Advertisement 广告
 - Issuance of Prequalification Documents 发布资格预审文件
 - Evaluation 评估
- Qualification and Evaluation Criteria 资格预审的审查和评估
 - Financial 财务方面
 - Technical 技术方面
 - Experience 相关的以往经验



3. Qualification

Postqualification 资格后审

- For contracts where prequalification is not required, information on bidders' qualifications can be submitted together with the bids
用于不要求资格预审的合同，资格审查的资料可以与标书同时呈交
- The information on qualifications will be assessed during bid evaluation
资格审查的资料将在评标过程中进行审查



4. Bidding 招标

4. Bidding 招标

Bidding Procedures 招标程序

Single-Stage: One-Envelope
单步单信封

Single-Stage: Two-Envelope
单步双信封

Two Stage: 两步法

Two-Stage: Two-Envelope
两步双信封



4. Bidding Procedures 招标程序

Single-Stage: One-Envelope 单步单信封

ADB
Approval
亚行批准

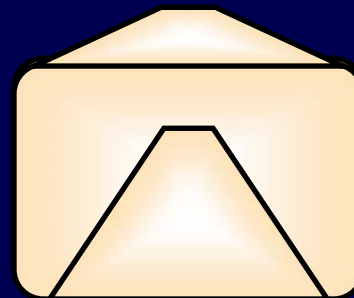
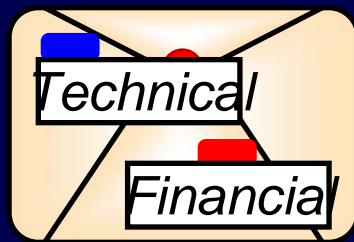
Deadline
最终期限



技术建议书



财务建议书



技术建议书



财务建议书



准备阶段

Preparation

评估阶段

Evaluation



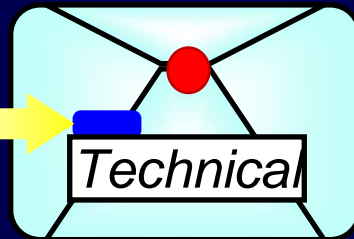
4. Bidding Procedures 投标程序

Single-Stage: Two-Envelope 单步双信封

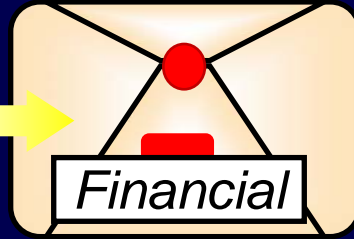
ADB

Approval
亚行批准

技术建议书



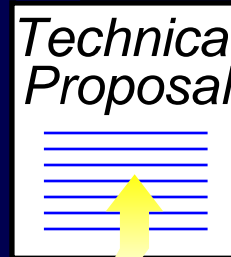
财务建议书



Deadline



技术建议书



ADB
Approval



财务建议书



准备阶段

Preparation

评估阶段 I

Evaluation I

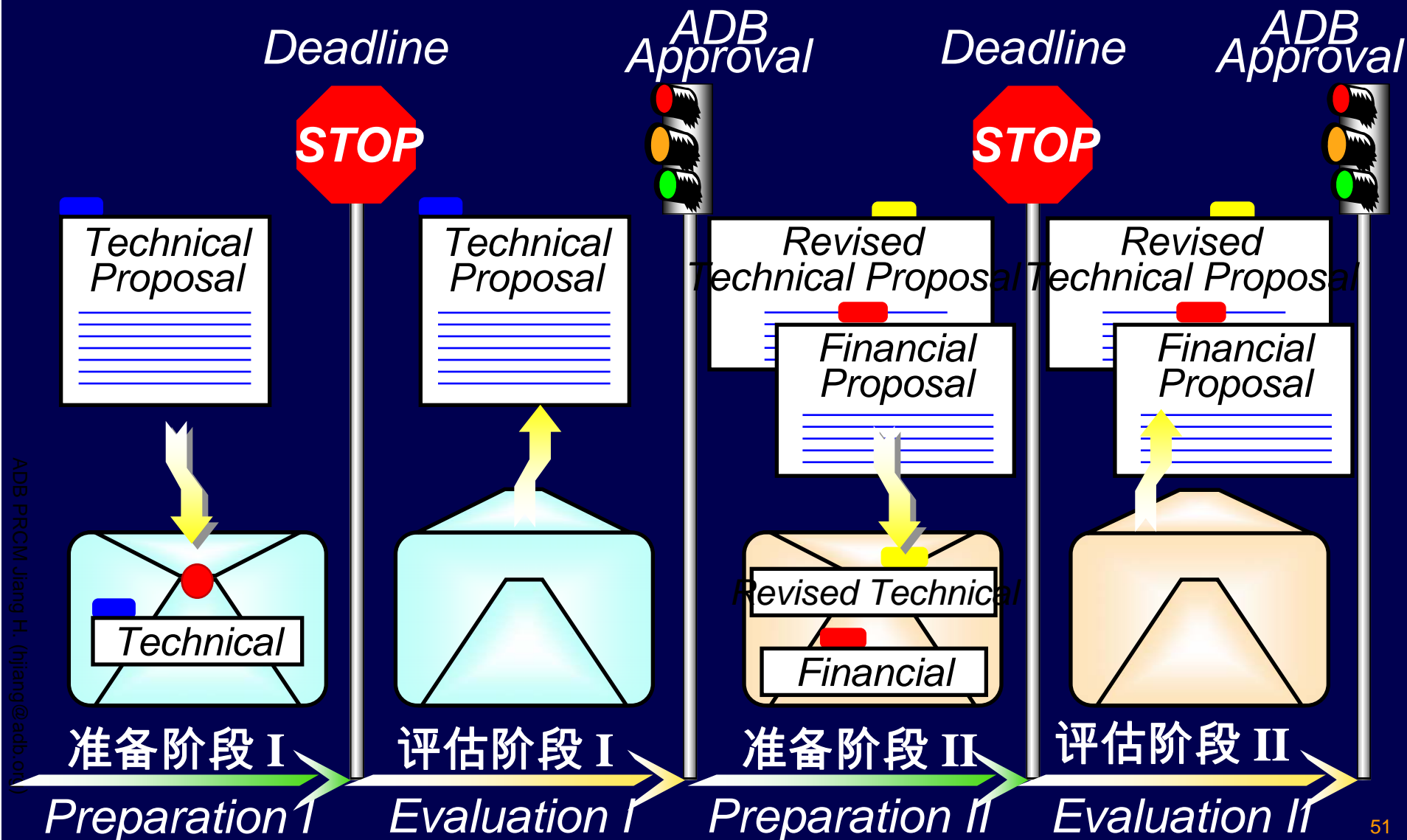
评估阶段 II

Evaluation II



4. Bidding Procedures 投标程序

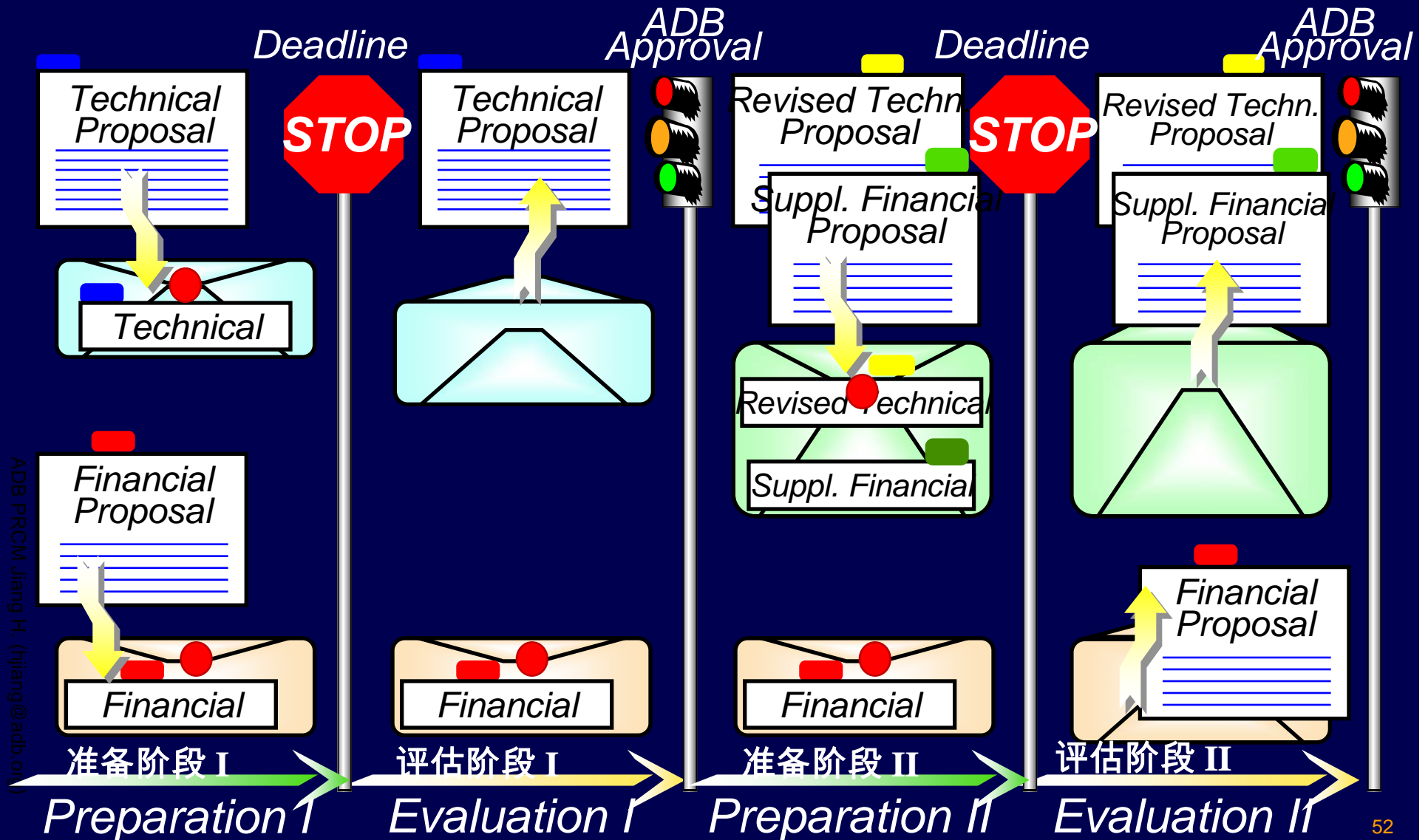
Two Stages 两步法



ADB PRCM Jiang H. (hjiang@adb.org)

4. Bidding Procedures 投标程序

Two-Stage: Two-Envelope 两步双信封





5. International Competitive Bidding

国际竞争性招标



5. International Competitive Bidding Applicability 国际竞争性招标 - 适用性

- ADB requires to obtain goods and works through ICB
亚行要求采用ICB 获得货物和工程
- Thresholds of contracts for ICB in PRC
在中国ICB适用于：
 - Goods above \$1,000,000
货物合同100万美元以上
 - Works above \$10,000,000
土建合同1000万美元以上



5. International Competitive Bidding Invitation for Bids (IFB) 投标邀请书

■ Purpose 目的

- A notice to inform potential Bidders about requirements and invite interested Bidders to bid
通知潜在投标商有关的要求和有兴趣者参与投标

■ Particulars 细节

- Name of Borrower
借款人名称
- Name of Project 项目名称
- Description of Works/
Goods 工程/货物的描述
- Purchasing unit
购买标书数量
- Mailing address of office for
inquiry and issuance of bid
documents 邮寄地址
- Price of bidding document
标书价格
- Date, time, and place of bid
opening 开标时间地点
- Amount or percentage of bid
security 投标保函金额
- Advice on domestic preference
国内优惠

IFB does not form part of the Bidding Document! IFB非标书组成部分

5. International Competitive Bidding Advertisement and Notification 广告与通知

Prequalification 资格预审

- Invitation for bids only to prequalified bidders
只邀请通过了资格预审的投标商
- But advertisement for P/Q in English newspaper of general circulation
但必须在一家广泛发行的英文报纸上刊登资格预审广告

Postqualification 资格后审

- Advertisement in English language newspapers of general circulation
必须在一家广泛发行的英文报纸上刊登广告
- Publication in ADB Business Opportunities 刊登在亚行商机上



5. International Competitive Bidding Bidding Documents 招标文件

Bidding Documents shall : 招标文件必须 :

- Comply with requirements of the Bank's Guidelines 符合亚行采购指南
- Comply with agreed modifications or departures from the Guidelines 符合经亚行同意的对采购指南的修改和偏离
- Comply with the format of the Bank's appropriate Standard Bidding Documents (SBDs) 符合亚行标准招标文件文本的格式



5. International Competitive Bidding Bidding Documents 招标文件

- Standard Bidding Documents
标准招标文件
 - Procurement of Goods 货物的采购
 - Procurement of Works 土建工程的采购
 - Procurement of Plant – Design, Supply and Install (Turnkey) 交钥匙工程的采购

5. International Competitive Bidding Standard Bidding Documents 标准招标文件

Part 1: Bidding Procedures 投标程序

Section I. Instruction to Bidders 投标人须知

Section II. Bid Data Sheet 基本资料

Section III. Evaluation and Qualification Criteria
评估和资审条件

Section IV. Bidding Forms 投标书格式

Section V. Eligible Countries 有资格的国家

Part 2: Requirements 要求

Section VI. Schedule of Supply/Employer's Requirements
供货清单/业主要求

Part 3: Contract 合同

Section VII. General Conditions of Contract 通用条款

Section VIII. Special Conditions of Contract 特别条款

Section IX. Contract Forms 合同格式

Section X. Procurement Plan 采购计划

5. International Competitive Bidding Bidding Documents 招标文件

Essential Features : 基本特征 :

- Use of SBDs 使用SBD
- Reference to Bank 提交亚行参考
- Language 语言 - 英文
- Clarity 清楚明确
- Bid Security 投标保函
- Conditions of Contract 合同条件
- Standards 标准
- No use of Brand Names 不许使用特定的商标名称
- Source of Procurement 采购来源
- Pricing 价格
- Currency of Bid 货币
- Currency of Bid Comparison 评标比较货币
- Currency of Payment 支付货币
- Terms of Payments 支付条件
- Price Adjustment Provisions 调价条款
- Advance Payment 预付款
- Performance Security 履约保函
- Retention Money 保留金
- Insurance and Transportation 保险和运输
- Liquidated Damages 违约金
- Force Majeure 不可抗力
- Settlement of Dispute 争议的解决

I. Instructions to Bidders (ITB) 投标人须知

- Purpose 目的
 - to specify general procedures that regulate the bidding process 规定投标过程的一般程序
- Content 内容
 - standard clauses that have been designed to remain unchanged, and to be used without modifying their text 不可更改的标准条款

II. Bid Data Sheet (BDS) 基本资料

- Purpose 目的
 - to provide information specific to a particular bidding process in order to supplement the information or requirements of Section 1
提供针对特定的投标过程的信息，并作为第一节的补充
- Consists of 包括：
 - clauses which are numbered with the same numbers as the corresponding clauses of Section 1 - Instruction to Bidders
有关条款编号与投标人须知相对应

III. Evaluation & Qualification Criteria 评估及资审条件

- Purpose 目的
 - to specify criteria that the Purchaser will use to evaluate the Bids and postqualify the lowest evaluated Bidder
规定特定的条件，购买人用来评标和资格后审最低价格投标人
- User's Guide suggested criteria
指南手册建议的条件
 - not all need to be used
不是所有的条件都必须使用（根据项目具体情况）

IV. Bidding Forms 投标书格式

- Forms provided by the Purchaser/Employer that the Bidder must complete and include in its Bid
由购买人/业主提供的投标人必须完成并包括在标书
书中的表格
- Bidding Forms are: 主要包括：
 - Bid Submission Sheets/ Letter of Bid 投标书
 - Price Schedules / Bill of Quantities
价格清单/ 工程量清单表
 - Bid Security 投标保函
 - Manufacturer's Authorization 制造商授权

V. Eligible Countries 有资格的国家

- For loans from ADB's OCR
亚行普通资金贷款
 - The most recent list of ADB member countries obtainable from the 'Business Opportunities' section of www.adb.org to be used
- For loans from ADB's SF Resources
亚行特别基金贷款
 - The most recent list of ADB developed member countries which have contributed to such resources, and all developing member countries, to be used

VI. Schedule of Supply (SS) – for Goods 供货计划 - 货物采购

- Purpose 目的
 - to provide complete, precise, and clear information to enable bidders to prepare efficiently and accurately Bids that are realistic and competitive
提供完整、精确和清楚的资料，使投标人能够有效和准确地提交现实和具有竞争力的标书
- Goods SBD Parts 货物采购的标准招标文件
 1. List of Goods and Related Services 货物和相关服务清单
 2. Delivery and Completion Schedule 供货计划
 3. Technical Specification 技术规格
 4. Drawings 图纸

VI. Employer's Requirements – for works 业主要求 - 土建工程采购

Works 土建工程

1. Specifications 技术规范
2. Drawings 图纸
3. Supplementary Information
附加资料

VII. General Conditions of Contract 通用合同条款

- Purpose 目的
 - to define general procedures for proper contract management through clear definitions of rights and obligations of contracting parties
通过对各方权利和义务的明确的定义，规定合同管理的一般程序
- Consist of 包括
 - standard clauses applicable to most contracts designed to remain unchanged and to be used without modifying their text 不可更动的标准文本
- Source 来源
 - evolved from accumulated experience 以往积累的经验逐渐演化而来

VIII. Special Conditions of Contract 特殊合同条款

- Purpose 目的
 - define provisions that are specific to a particular bidding process in order to supplement the information or requirements of Section 7 - General Conditions of Contract
定义针对特定的投标过程的条款，并作为第七节 - 通用条款的补充
- Consists of 包括
 - clauses which are numbered with the same numbers as the corresponding clauses of Section 7 - General Conditions of Contract
有关条款编号与第七节 - 通用条款相对应

IX. Contract Forms 合同格式

Forms provided by the Purchaser that the Bidder awarded the Contract must complete
购买人提供给欲被授予合同的投标人必须完成的文件

- Agreement Form: sample form of contract agreement 合同书样本
- Performance Security Form 履约保函
- Advance Payment Security Form 预付款保函



5. International Competitive Bidding

Bidding Documents - ADB Review

招标文件 - 亚行的审查

- Draft Invitation for Bids
投标邀请书草案
- Advertising and Publication Procedure
广告和出版程序
- Draft Bidding Documents
标书草案



6. Other Forms of Procurement 其他采购方式

6. Other Forms of Procurement

National Competitive Bidding

其他采购方式 - 国内竞争性招标

- Procurement is done domestically, within the borrowing DMC
采购在借款人所在国国内进行
- Allowed when : 适用于 :
 - Local production or construction facilities are available
当地具有生产和施工设备
 - Foreign contractors and suppliers are unlikely to be interested
外国承包商/供货商可能不感兴趣
 - Procedures for domestic procurement are acceptable to ADB
国内招标程序为亚行所接受
 - Borrower has requested for NCB
借款人要求采用国内招标
 - Are of small value and of a series of small-value works
合同额较小，由一系列小合同额的工程组成
 - Located in several areas that may be far apart in the country
分布在相距较远的地区
 - Be executed at different times 在不同的时间执行



6. Other Forms of Procurement

National Competitive Bidding

其他采购方式 - 国内竞争性招标

Essentials 要点

Eligibility
适用性

All local and foreign bidders are eligible
所有当地及外国投标人

Threshold
金额限制

Works: less than \$ 10 million 工程：小于一千万美元
Goods: less than \$ 1 million 货物：小于一百万美元

Advertising
广告

Works: over \$1,000,000 工程：大于一百万美元
Goods: over \$ 100,000 货物：大于10万美元
Advertised GPN in ADB-BO & Local . (4 weeks bidding period) GNP在亚行网站和当地报纸，投标期最小4周

Prequalification
资格预审

Individual prequalification/registration system is acceptable, if so, PQ is not required
单独进行的资格预审或注册制度；如果亚行可以接受，不要求资格预审

Bidding Document
招标文件

The use of local language, local banks for bid securities, and local currency for bidding and payment is acceptable.
本国语言，当地银行的投标保函，投标及支付均可使用当地货币



6. Other Forms of Procurement

National Competitive Bidding

其他采购方式 - 国内竞争性招标

Essentials

要点

Bidding Procedures 投标程序

Price negotiation with bidders before contract
Award is not normally acceptable, except when all bids received are higher than the estimate.
在授予合同前的价格谈判一般是不允许的，除非所有的投标价格高于预算

Public bid opening is required 必须公开开标

Two-stage or two-envelope bidding is acceptable 可使用
双阶段双信封程序

Evaluation criteria must be explicitly stated in bid documents 标书文件中必须明确写明评标条件

Restrictions 限制

on sources of transportation and insurance acceptable 可以限制运输和保险的来源

Domestic Preference 国内优惠

Not acceptable. When foreign bidders participate, comparison will be on the basis of delivered price, including import duties
不适用



6. Other Forms of Procurement

Limited International Bidding

其他采购方式 - 有限国际采购

- Used when amount of contract is not large enough for ICB
当合同金额不足够使用ICB时采用
- Permitted for : 如下情形允许使用 :
 - Contracts not exceeding US\$1.0 million
合同金额小于100万美元
 - Situations when items needed are available only from few suppliers
当只有少数供货商可以提供所需货物时
 - Situations when early delivery is of paramount importance
当合同提前交货相当重要的情况下



6. Other Forms of Procurement

Limited International Bidding

其他采购方式 - 有限国际采购

- Invitations for bids should be issued to at least 3 suppliers/contractors (preferably)
投标邀请最好发给至少3个供货商/承包商
- Minimum bidding period of 3 weeks 最短招标期3个星期
- Domestic preference may not be applied 国内优惠不适用
- Bids received should be opened publicly and evaluated as in the case of ICB
公开开标并采用ICB的评标程序
- Advertisement in local English newspaper preferable, not mandatory ; minimum bidding period of 4 weeks
最好但不强制在当地的英文报纸上刊登广告 (4个星期)
- ADB may review after the award of contract but before disbursement
亚行可以在授标之后审查相关文件，但必须在开始支付之前

6. Other Forms of Procurement Shopping 询价采购

- Based on comparing price quotations from minimum of three suppliers/contractors
基于比较报价的方式，最少要3个供应商或承包商
- used for procuring low-value, readily available off-the-shelf goods, or simple civil works of low value.
应用于低价格，现货供应的货物，或低合同额的土建工程
- Requirement: 要求
 - there are a sufficient number of local suppliers (or contractors for works) that can meet the requirements of the procurement and ensure a satisfactory level of price competition.
必须有足够的当地供应商或承包商满足采购要求，并确保价格竞争在一个满意的程度
 - Maximum \$100,000 最高十万美元
 - Quotations by written forms, evaluation follows the same principle as of open bid, use purchase order or brief contract
 - 报价必须是书面方式，评审的原则与公开招标相同，使用订单或者简明合同的方式来确认采购

6. Other Forms of Procurement

Direct Contracting 直接签订合同

- Without competition (single source)
无竞争，单一来源
- Civil works are a natural extension of earlier or ongoing job
土木工程是前期或者正在进行的工程的延伸
- Standardization is important (i.e. spare parts)
标准化非常重要（如配件）
- Equipment is proprietary and obtainable only from one supplier
设备只能从某一供货商处获得
- Critical items are to be procured from specialist suppliers
关键部件只能由专业供货商生产

6. Other Forms of Procurement

Repeat Order (Based on original ICB)
重复订货 (基于原ICB)

- when additional quantity of the same items procured under ICB is urgently needed to meet project requirements and proposals are invited from many responsive bidders from original tender
项目急需增加通过ICB方式采购的货物，并且建议书是来自在原招标过程中的多个具有响应性的投标人
- when the original ICB tender resulted to a clearly superior lowest bidder from few bidders
原ICB的投标人中个别投标人具有明确的超低价
 - Additional quantities shall not exceed 30% of original quantities 增加的数量不超过原来的30%
 - Repeat order follows not later than 18 months after original order with no price increase
重复订货必须在原订货的18个月内，且价格没有增加

6. Other Forms of Procurement Force Account 自营工程

- Force account is construction by the use of the borrower's own personnel and equipment 使用借款人自己的人工和设备
- Requirement : 要求 :
 - quantities of work involved cannot be defined in advance;
工程量无法预先确定
 - works are small and scattered or in remote locations for which qualified construction firms are unlikely to bid at reasonable prices;
工程小并且分散在较远的不同地区 , 承包商不大可能用合理的价格投标
 - work is required to be carried out without disrupting ongoing operations;
工程的实施不可影响正在进行的工作
 - risks of unavoidable work interruption are better borne by the borrower than by a contractor; or
不可避免的对工作的影响所带来的风险最好由借款人负担
 - there are emergencies needing prompt attention.
紧急情况需要立刻处理
- force account unit : A government-owned construction unit that is not managerially and financially autonomous.
- 自营工程单位 : 在管理和财务上不自主的政府所有的施工单位

7. Bid Evaluation and Award of Contract 评标与授予合同

7. Bid Evaluation 评标

Public Opening of Bids 公开开标

- A principal feature of the ICB, LIB and NCB methods
ICB , LIB 和 NCB 的一个基本特征
- Intended to give bidders assurance that all bids are treated fairly and impartially 向投标人保证公正和公平
- Opened publicly by EA at time and place indicated in the bidding documents , or posted online for e-bidding
执行机构在招标文件中规定的时间和地点公开开标 , 或者如使用电子采购 , 可以在网上投递
- Representatives of bidders normally attend and are asked to sign a register indicating their name and the firm they represent
投标人的代表应参加并代表公司签字
- Information to be Read Out: name of the bidder, total bid price, discounts offered, amount of bid security and any other information
开标时读出的资料 : 投标人名称 , 投标总价 , 折扣 , 投标保函金额和其他信息



7. Bid Evaluation 评标

Public Opening of Bids – the Record 开标记录

ADB Loan : _____

Project Title: _____

Bid No.: _____ Contract No. : _____ Contract Title: _____

The following bids were received by bid closing date

On : _____ At : _____ hrs. Place : _____

and were publicly opened

On : _____ At : _____ hrs. Place : _____

No.	Name of Bidder	Bid Security Amount/Validity	Total Bid Price	Discount if any	Comments	Bidder's Signature

Signed by Bidding Committee : _____



7. Bid Evaluation 评标 Purpose 目的

*Determination of the Lowest
Evaluated Substantially
Responsive Bid*

决定具有**最低**评标价格且**实质性**
响应的投标

7. Bid Evaluation 评标

Basics 基本介绍

Time Frame 时间要求

- The evaluation of bids and the award of contract should be completed before the expiration of the bid validity period stipulated in the bid documents
评标和授予合同应在标书规定的投标有效期内完成

Confidentiality of Procedures 保密性

- After opening of bids no information to non-authorized persons on:
开标后不能将如下信息透露给无关人员：
 - Substance of bid 投标的实质内容
 - Preliminary examination results and status
初步的评审结果和评审状态
 - Evaluation results and status 投标结果和状态
 - Recommendation for award 授标建议

7. Bid Evaluation 评标

Basics 基本介绍

Clarification and modification of bids 标书的澄清与修改

- Only clarifications not changing the substance or the price of the bid may be requested or accepted by the Borrower (Single-Stage)
借款人只可以要求或接受不改动该标的实质或价格的澄清

Arithmetical Errors: No cause for bid rejection, and can be corrected 算数错误：不会造成拒标的可纠正

- Discrepancy between Unit Price and Total Price
单价与总价的差异
 - Unit Price will prevail 单价有效
- Discrepancy between Total Bid Amount and Sum of Total Prices
投标总价和各总价的合计的差异
 - Sum of Total Prices will prevail 各总价的合计有效
- Words vs figures 文字表达与数字表达
 - Words prevail 文字表达有效

7. Bid Evaluation 评标

Basics 基本介绍

Compliance with Bid Documents 遵守招标文件

- Bids should be rejected if they: 拒标，如果：
 - Do not substantially conform to Specifications 未实质性遵守规格的要求
 - Contain inadmissible reservations to bid documents 包含不能允许的对招标文件的保留意见/限制
 - Do not substantially respond to requirements 未实质性响应招标文件的要求

Prompt Notification of ADB 迅速通知亚行

- EA should inform ADB early of unusual or difficult problems: 执行机构应将非正常情况或困难问题尽早通知亚行，比如：
 - Small number of bids received 只收到很少数量的投标书
 - High proportion of non-responsive bids 非响应性标书比例太高
 - All bid prices substantially higher than cost estimates 所有投标人的标价都相当大地高于估算

7. Bid Evaluation 评标

Basics 基本介绍

Extension of Bid Validity 投标有效期的延长

- Considered in exceptional cases 只在特别情况下考虑
- When considered, all bidders should be asked 考虑延长时，所有的投标人都要被要求
- Bidders willing to extend bid validity 投标人愿意延长投标有效期
 - cannot modify substance of bid 不可改变投标的实质
 - must extend validity of bid security 必须延长投标保函有效期

No negotiation with Bidders, except 不可与投标人谈判，除非：

- with the Lowest Evaluated Bidder whose price still substantially exceeds cost estimate, 具最低评标价的投标人的价格仍然相当大地超过了估算
- considered only as last resort instead of rebidding, and after obtaining ADB approval 在获得亚行的批准之后，仅仅作为代替重新招标的最后的手段

7. Bid Evaluation 评标

Basics 基本介绍

Rejection of All Bids when 拒绝所有投标：

- Not substantially responsive 均无实质性响应
- Evidence of lack of competition exists 具有缺乏竞争性的证据
- All prices substantially exceed cost estimate 所有投标价格均相当大地超过了估算

Rebidding with new invitations, as consulted with ADB, when all bids rejected 拒绝所有投标时，在咨询亚行后进行重新招标：

- Examine reasons for failure to attract adequate number of responsive bids 检查未能吸引足够数量响应性投标的原因
- Revise Specifications, Scope of Supply, or bidding conditions as necessary 修改技术规范/规格，供货范围或必要的投标条件
- Re-advertise, or request new bids from those who submitted bids earlier or from all invited 重新刊登广告，或邀请先前递交标书的投标人重新投标，或邀请所有曾被邀请过的投标人重新投标

7. Bid Evaluation 评标

Basics 基本介绍

Commercial Aspects: Exercise flexibility in evaluating commercial aspects such as:

商务因素：检查评估商务因素的适应性，如：

- **Delivery Schedule 供货计划**
- **Terms of Payment 支付条款**
- **Mode of Payments 支付方式**

Duties and Taxes in Base Price for Comparison
评估中基本价格的关税问题

- **for Goods from outside 进口货物（到岸价）**
 - Include cost of insurance and freight (CIF or CIP)
包括保险与运费
 - Exclude custom duties or other taxes levied on goods
不包括海关税或其他税项
- **for Goods from inside 国内货物（出厂价）**
 - Include ex-factory price (EXW)
 - Exclude any sales or similar taxes levied on finished goods
不包括对成品货物征收的任何销售税或类似税项



7. Bid Evaluation 评标

Evaluation Sequence 评标程序

① Complete Basic Data Sheet 完成基本数据表

↳ ② Prepare Record of Bid Opening 准备开标记录

↳ ③ Prepare Table of Bid Prices 招标投标报价表

↳ ④ Examine Bids for Responsiveness 响应性检查

选择进入详细评审的投标 ↳ ⑤ Identify Bids for Detailed Evaluation

详细评标 ↳ ⑥ Evaluate Bids in Detail

调整投标价 ↳ ⑦ Adjust Bid Prices

其他调整 ↳ ⑧ Apply Other Adjustments

Step 3 : Prepare Table of Bid Prices

第三步：准备投标报价表

Table of Bid Prices

No.	Bidder's Name	Total Bid Price	Total Bid Price after arithmetic corrections	Total Bid Price in Local Currency
1	Bidder A	P5,200,000	P5,250,000	P5,250,000
2	Bidder B	\$200,000 + P500,000	\$200,000 + P600,000	P5,600,000
3	Bidder C	L150,000	L150,000	P5,700,000

Exchange rate used for comparison purposes: Official selling rates issued by the Central Bank on the date of opening of bids

US\$1 = P 25

£1 = P 38

Step 4 : Examine Responsiveness 第四步：响应性检查

Purpose 目的

- Elimination of bids which are not responsive to important requirements of bidding documents
去除对标书文件中的重要要求无响应的投标

Examples 例子

- Failure to: 未能：
 - satisfy eligibility requirements 满足基本资格的要求
 - submit bid security 呈交投标保函
 - satisfy bidder's qualification criteria 满足投标人的资审条件
 - bid for required scope of work 对规定的工程范围进行投标
 - meet major technical requirements 满足主要技术要求
 - meet critical delivery schedule 满足关键的供货计划安排

Step 4 : Examine Responsiveness 第四步：响应性检查

Postqualification 资格后审

- Identifies qualified bidders during initial examination of opened bids
在对投标的初始检查中确定具有资格的投标人
- Spares borrowers/EA from detailed evaluation of bids of unqualified bidders
免去借款人/执行机构对无资格的投标人的投标进行详细评标

Typical Criteria 典型条件

- Experience 以往经验
- Financial position 财务状况
- Technical capability 技术能力
- Past performance 以往业绩

Step 4 : Examine Responsiveness 第四步：响应性检查

Major Deviations 重大偏差

- Has an effect on the validity of the bid; or
对投标的有效性有影响
- Has been specified in the bid document as grounds for rejection; or
标书中规定的作为拒标的因素
- Deviation from the provisions of the bidding document with effect on the bid price, but cannot be given a monetary value; or
对投标价有影响，但无法计算出价格
- Deviation from the minimum experience qualifications specified in the bidding document; or
偏离标书中规定的最低经验要求
- Unacceptable deviation from the specifications
技术规范规定的不可接受的偏差
- Conditional bid 有条件投标

Step 4 : Examine Responsiveness 第四步：响应性检查

Minor Deviations 微小偏差

- Has no effect on the validity of the bid; or
对投标的有效性无影响
- Has no effect on the price, quality or delivery of the goods or services offered; or
对货物或提供的服务的价格，质量或方式无影响
- Has such effect, but the difference from commercial terms and technical specifications can be given a monetary value; or 有上面的影响，但与商务条款和技术规范的差异可以用金额表达
- Has not been specified in the bid document as grounds for rejection, provided total amount of deviations does not exceed a previously determined percentage of the bid price (usually 15 percent)
未在标书中规定的作为拒标的因素，但偏差的总金额未超过已确定的标价的百分比（通常 15%）

Step 5 : Identify Bids to be Evaluated 第五步：选择进入详细评审的投标

Objective 目标

- To determine how many of the remaining substantially responsive bid should be evaluated in detail in order to identify the lowest evaluated bid
决定多少具有实质性响应的投标进入详细评审

Consideration 基本考量

- Detailed evaluation should include all substantially responsive bids that have the potential to become the lowest evaluated bid.
详细评审应包括所有可能成为最低评标价的实质性响应的投标
- No bid shall be excluded from the detailed evaluation if there exists a possibility that, as a result of various price adjustments, it could become the lowest evaluated bid.
如果存在通过调价会成为最低评标价的可能，所有投标都必须进入详细评审

Step 5 : Identify Bids to be Evaluated 第五步：选择进入详细评审的投标

- If there is no cluster of lower priced bids
如果没有一组低标
 - Three lowest priced substantially responsive bids
则选择实质性响应的3家最低标
- If there is a cluster of lower priced bids
如果有一组低标
 - All lower priced bids to be evaluated irrespective of number
则选择所有低标，无论多少



Step 6 : Detailed Evaluation of Bids

第六步 : 详细评标

Table of Salient Features

Part A: Commercial Features

ADB Loan No. : _____ Project Title: _____ Bid No. : _____

Specified Terms and Conditions	Provisions in Bid Docs	Bidder No. 1	Bidder No. 2	Bidder No. 3	etc
<p>Major commercial terms and conditions specified by Purchaser, such as:</p> <ul style="list-style-type: none"> ▪ Delivery Date ▪ Terms of Payment ▪ O&M Costs ▪ Performance ▪ Productivity 	<p>Vol. No. Page No. Clause No.</p>	<p>Enter here, against each item status of compliance by each bidder</p>			



Step 6 : Detailed Evaluation of Bids

第六步 : 详细评标

Table of Salient Features

Part B: Technical Features

ADB Loan No. : _____ Project Title: _____ Bid No. : _____

Specified Terms and Conditions	Provisions in Bid Docs	Bidder No. 1	Bidder No. 2	Bidder No. 3	ETC.
<p>Scope of supply and all key technical and performance requirements of major equipment, such as :</p> <ul style="list-style-type: none"> ▪ Plant kW / Power ▪ Capacity / Speed ▪ Voltage / Pressure ▪ Fuel Consumption ▪ Efficiency ▪ etc. 	<p>Vol. No. Page No. Clause No.</p>	<div data-bbox="1144 1010 1906 1304" style="border: 1px solid black; padding: 10px; background-color: white;"> <p>Enter here, against each item corresponding features and technical/ performance data proposed by each bidders</p> </div>			

Step 7 : Financial Adjustments of Bids 调整投标价

Summary

	BIDDER "A"	BIDDER "B"
1. BID PRICE	31,403,725	33,973,305
2. ADJUSTMENTS :		
a. Scope of Supply	2,053,000	240,000
b. Technical Compliance	477,000	723,017
c. Performance	2,488,614	232,000
d. Terms of payment	340,000	105,000
e. Delivery	1,023,000	123,000
3. Total Evaluated Cost	37,785,339	35,396,322

Step 8 : Other Adjustments

其它调整

Discounts 折扣

Application of discounts where bids are sub-divided into several bid packages
 当标被划分成几个投标包时：

Least Cost Combination

Firm	Package				Disc.	Combinations
	1	2	3	4		
A	100	260			10%	$A1+A2+B3+C4 = 1,024$
B	140		300	450	0%	$A1+D2+B3+C4 = 1,030$
C	120	240	380	400	5%	$C1+C2+C3+C4 = 1,083$
D	180	230		500	20%	$D1+D2+B3+D4 = 1,028$

Step 8 : Other Adjustments 其它调整

- Domestic Preference 国内优惠
 - Based on Per Capita GNP, reviewed by ADB annually
基于人均GNP，亚行每年审查公布
 - To provide margin of preference to domestically manufactured goods or domestic contractors for ADB-financed projects
对于国内生产的货物或者国内承包商提供优惠
 - To allow domestic firms to compete with foreign firms on more equal footing
允许国内公司与外国公司在更加平等的基础上竞争
- Conditions 条件
 - Granting of preference subject to condition
有条件地给予优惠
 - Applies only to ICB 仅适用于ICB
 - Subject to approval by government 须获得政府的批准
 - To be specified in Loan Agreement if scheme is applied
如果采用优惠方案应在贷款协议中说明

7. Bid Evaluation 评标

Recommendation for Award 授标建议

- Determine lowest evaluated substantially responsive bid
确定最低评标价格且具有实质性响应的投标
- Check whether the lowest evaluated substantially responsive bidder has the financial and technical capability (postqualification)
检查该投标人是否具有财务和技术能力（资格后审）
- Recommend bidder for award of contract
推荐该投标人中标
- Prepare Bid Evaluation Report 准备评标报告
- Submit 3 copies of bid evaluation report to the Bank at least 30 days prior to expiration of bid validity
在投标有效期到期之前至少30天提交3份评标报告到亚行批准



7. Bid Evaluation 评标

Recommendation for Award 授标建议

Contents of Bid Evaluation Report 评标报告内容

- Basic Data Sheet
基本数据表
- Evidence of proper Advertising and Publication
刊登广告和出版物的证明
- Record of Bid Opening including Bidder's Attendance Sheet
开标记录
- Tables of Bidders and Bid Prices including corrections
投标人及投标价格表 (含更正)
- Table of Substantive Responsiveness 实质响应性表
 - Commercial 商务
 - Technical 技术
- Detailed Evaluation of Bids 详细评标
 - Commercial 商务
 - Technical 技术
 - Table of bid price comparison 标价对比表
- Clarifications and other Attachments 澄清及其它附件
- Recommendation for Award of Contract 授标建议

7. Bid Evaluation 评标

Publication of Award of Contract 公开授标情况

- Within two weeks of receiving ADB's no objection, the borrower shall publish in an English language newspaper or well-known and freely accessible website the results 在收到亚行不反对意见的两周内，借款人必须在英文报纸或者互联网上公布以下信息：
- name of each bidder who submitted a bid; 每个递交了标书的投标人
- bid prices as read out at bid opening; 在开标时读出的标价
- name and evaluated prices of each bid that was evaluated; 参加评标的投标人的名字及评标价
- name of bidders whose bids were rejected and the reasons for their rejection; and 被拒标的投标人的名字及原因
- name of the winning bidder, and the price it offered, as well as the duration and summary scope of the contract awarded. 中标人名字，价格，工期和所授予的合同的概要
- For contracts subject to post review, the borrower shall publish the results no later than the date of contract award. 对于后审查的合同，借款人要在授标日期之前公布以上结果。

8. ADB's Review of Procurement 亚行对采购的审查程序

- Scheduling of Procurement 采购安排
- Prior Review 前审查
- Post Review 后审查

8. ADB's Review of Procurement 采购审查 Prior Review 前审查

- **With Prequalification: 有资格预审的情况 :**
 - Draft prequalification documents 资审文件草案
 - Evaluation Report 资审评比报告
- **Pre-bid stage: 招标前 :**
 - Draft bidding documents 招标文件草案
 - Advertising procedures 广告程序
- **Post-bid stage: 招标后**
 - Bid evaluation report and recommendation of award
 - 评标报告和授标建议
- **Extension of bid validity required: 如果投标有效期需要延期 :**
 - First request if longer than 4 weeks 第一次延期 (如果多于4周)
 - All subsequent requests 以后的每次延期
- **After award of contract: 授予合同之后**
 - 3 copies of contract awarded 3份合同
 - The proposed changes 对合同的修改建议
 - Complaints from bidders 投标人的不同意见

8. ADB's Review of Procurement 采购审查 Post Review 后审查

- ADB's review no later than 6 months after receipt of the documents
亚行的审查必须在收到文件后的6个月内完成
- Borrower shall retain all documentation in print form with signatures or stamps up to two years after project closing
借款人必须保留所有相关文件项目至结束后两年，打印的文件方式，具有相关的签字和印章
- If misprocurement is declared after disbursement, the borrower shall refund the corresponding amount to ADB
如果亚行在审查后宣布错误采购，但是已经进行的支付，借款人必须退回相关部分的金额给亚行



Summary: Highlights of the Guidelines

Streamlining 简化以提高效率

- Reduce the mandatory minimum periods for bidding and prequalification under ICB, from 60 to 42 days
ICB的招标和资格预审的最低要求时间从60天减少到42天
- Deemphasize the standard use of prequalification - only for large or complex contracts
不再强调标准资格预审的使用，只用于大型或复杂的项目
- Encourage the use of advance procurement action
鼓励施行提前采购
- Clarify direct contracting as an acceptable method in special circumstances
明示在特殊情况下直接签订合同是可以接受的
- Provide borrowers the option to seek ADB review and approval after issued (such postreview provisions agreed to during loan processing taking into account the capacity of the EA)
提供执行机构可选择在文件发出之后再经亚行审查和批准（须在贷款协议中写明，并考虑执行机构的能力）

Summary: Highlights of the Guidelines

Harmonization 与其它MDB协调一致

- Introducing the term 'misprocurement', and changing LCB to 'national competitive bidding' and IS to 'limited international bidding'
引进“采购失误”的概念，LCB改称NCB，IS（国际采购）改称LIB（有限国际招标）
- Introduce new modes for commodity procurement and shopping
对日用品的采购引进新的方式
- Modify currency provisions (maximum of three currencies); remove specified values for bid securities; and align time periods and procedural requirements
修改货币条款（最多三种货币），去除投标保证金的特定金额，调整时间周期和程序的要求使其协调一致
- Allowing the use of procurement agents and inspection agents
允许使用采购代理和监理代理
- Modify contract terms for performance securities and liquidated damages, and clarify price adjustment provisions
修改履约保函和违约金的合同条款，明确调价条款
- Eligibility: introduce conflict of interest as a cause for ineligibility, list eligibility conditions for government-owned entities, and make entities ineligible if subject to sanction by the UNSC
基本资格：引入利益冲突为取消资格的原因之一，规定政府所有的企业和资格条件，规定受到联合国安理会惩罚的企业将被取消资格
- Change the basis for domestic preference, from country classification to per capita GNP, and simplify the calculation
改变国内优惠的基本条件，采用人均GNP做基础，简化计算



Summary: Highlights of the Guidelines

Transparency 透明性

- Extend coverage of the Guidelines to the contracts financed from grants and ADB-administered funds
扩大指南的适用范围，包括亚行赠款和亚行管理资金的项目
- Introduce a new appendix on guidance providing procedures for debriefing
引进新的附件以提供未中标者征询意见的程序
- Make dissemination of contract award information mandatory, and specifically require publication of the general procurement notice
公布授标信息为强制性行为，特别要求公布采购通知
- Emphasize greater use of websites and the internet to advertise and publish procurement-related information
强调使用网站和互联网来刊登广告和采购相关的信息

Summary: Highlights of the Guidelines

Innovation and Efficiency 创新性和效率性

- Require EAs to submit, prior to loan negotiation, a procurement plan detailing the contracts to be bid, methods of procurement and review procedures
要求执行机构在贷款谈判之前递交采购计划，明确将招标的合同，采购方法和审查程序
- Allow the use of electronic media for advertising, distributing documents, and receiving bids or prequalification applications
允许使用电子媒介来刊登广告，分发文件，接收招标或资审申请
- Clarify that bid securities are optional and other remedies such as the use of sanctions can be applied
明确投标保函是可选项，可以使用其它方式如罚款
- Introduce performance-based contracting, and deliverables are measured by functional outputs
引进依据成果的合同方式，依据最终成果的功能性产出来衡量
- Permit direct purchase from specialized agencies, where their expertise and purchase agreements offer advantages
允许向在专业技能和购买协议上具有优势的专业代理直接采购

Thank You! 谢谢

Enquiry made to PRCM:
咨询亚行中国代表处