

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বুধবার, মার্চ ১২, ২০২৫

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
পরিকল্পনা মন্ত্রণালয়
বাস্তবায়ন পরিবীক্ষণ ও মূল্যায়ন বিভাগ (আইএমইডি)
বাংলাদেশ পাবলিক প্রকিউরমেন্ট অথরিটি (বিপিপিএ)

প্রজ্ঞাপন

তারিখ: ০৯ মার্চ ২০২৫

নং ২১.০০.০০০০.২২.৩৯৮.১৪২.২০২৪-২৬৪—বাংলাদেশে ইলেক্ট্রনিক প্রকিউরমেন্ট কার্যক্রম বাস্তবায়নের লক্ষ্যে পাবলিক প্রকিউরমেন্ট আইন, ২০০৬ এর ৬৫(২) ধারার ক্ষমতাবলে সরকার নিম্নরূপ Bangladesh e-Government Procurement (e-GP) Guidelines (Revised), 2025 প্রণয়ন করিল, যথা:—

1. BACKGROUND

1.1 Introduction

1.1.1 This document provides guidelines to be followed for the electronic Government Procurement (e-GP) System of Bangladesh as provisioned under the Section 65 of the Public Procurement Act, 2006 (PPA 2006) and Rule 128 of Public Procurement Rules, 2008 (PPR 2008), for the use of the e-GP system. The Guidelines has elaborated some directives on e-GP related technical, administrative and operational issues based on the experience and lessons learned during implementation of e-GP System since June 2011. The revised Guidelines is consistent with the prevailing Information and Communication Technology Act, 2006 (ICT Act 2006), Right to Information Act, 2009 (R2I 2009) and international best practices on e-GP. The Guidelines demonstrate government's commitment to achieve greater transparency and accountability in government procurement processes.

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1.1.2 The objective of the e-GP is to enhance 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.

1.1.3 The e-GP system is a single web portal through which procuring entities perform various public procurement processes, i.e. creating and publishing Annual Procurement Plans, Invitation for Tenders (IFT), Request for Expressions of Interest (REOI), Tender documents, Request for Proposals (RFP), Request for Quotations (RFQ), submission, opening, evaluation, awarding of contracts against Tender/Application/Proposal, publishing Contract Award Notices, Contract Management, Payments, generating different types of Key Procurement Performance Indicator Reports and other procurement related information etc. as guided by the PPA 2006 and PPR 2008. The e-GP system is hosted in the National Data Center of Bangladesh Computer Council (BCC) and the Mirror site is hosted at Bangladesh Public Procurement Authority (BPPA). The e-GP web portal is accessible for the use of procuring entities through web access for all procuring entities of the government of Bangladesh.

1.1.4 All stakeholders including citizens, tenderers/applicants/suppliers/contractors/consultants, procuring entities, payment service providers, development partners, media, e-GP system administrators and auditors will get access to the e-GP system and information as specified in the Terms and Conditions of Use and Disclaimer and Privacy Policy.

1.1.5 These Guidelines provide e-GP general technical operational guidance only; no attempt is made to provide a guide to PPA 2006 and PPR 2008, ICT Act 2006, R2I 2009 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.

1.1.6 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.

1.1.7 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 (Revised) 2025.

1.2.2 The Guidelines shall be effective immediately after the approval of the competent authority 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 the Guidelines shall have the following meanings provided as follows unless otherwise noted—

- (1) “**Act**” means The Public Procurement Act, 2006 (Act no. 24 of 2006) along with the subsequent amendments;
- (2) “**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;
- (3) “**Applicant**” means a Person who seeks to become enlisted under the Limited Tendering Method under Section 32(1) (a) of the Act or to be pre-qualified in response to an Invitation for Pre-Qualification under Part-2 of Chapter Six of the Act, or to be short-listed in response to a request for Expression of Interest under Section 54 of the Act;
- (4) “**Approving Authority**” means the authority which, in accordance with the Delegation of Financial Power, approves the award of contract for the Procurement of Goods, Works or Services;
- (5) “**Approval Procedures**” means the approval procedures of a Tender or a Proposal as detailed in Rule 36 of PPR 2008;
- (6) “**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;
- (7) “**BPPA**” means the “Bangladesh Public Procurement Authority (BPPA)” established under Section 4 of the Bangladesh Public Procurement Authority Act, 2023 (Act No. 32 of 2023);
- (8) “**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 software or automated electronic systems, but only by human, to ensure that a human is making an online transaction rather than a computer;

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- (9) “**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;
- (10) “**Certification Authority (CA)**” means a trusted organization (or server) that maintains and issues digital certificates;
- (11) “**Consultant**” means a Person under contract with a Procuring Entity for providing intellectual and professional services;
- (12) “**Contractor**” means a Person under contract with a Procuring Entity for the execution of any Works;
- (13) “**Contract Price**” is the price stated in the Notification of Award and thereafter as adjusted in accordance with the provisions of the Contract;
- (14) “**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;
- (15) “**Days**” means calendar days unless otherwise specified as working days;
- (16) “**Date & Time**” means Bangladesh Standard Time (BST) applied across e-GP System provided through BSTI time server. In case of failure to communicate with BSTI time server, the time of Data Center hosted by BPPA in its premise at Dhaka, Bangladesh will prevail;
- (17) “**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;
- (18) “**Development Partner**” means any multi-lateral, bi-lateral or government or any agency by agreement with the government entered or intends to enter into an agreement with the Government of Bangladesh for financing the Government;
- (19) “**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;
- (20) “**Electronic**” means any electrical, digital, magnetic, optical, electromagnetic, internet, wireless or other form of technology that entails capabilities similar to these technologies;

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- (21) **“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;
- (22) **“Evaluation Committee”** means a Tender or a Proposal Evaluation Committee constituted under Section 7 of the PPA-2006, and number of members as provisioned in these Guidelines;
- (23) **“Evaluation Report”** means the report prepared after the evaluation of Tenders, Quotations, Expressions of Interest or Proposals;
- (24) **“e-Advertisement”** means advertisement through e-GP portal;
- (25) **“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;
- (26) **“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 BPPA, Ministry of Planning under the e-GP Guidelines;
- (27) **“e-Lodgment”** means submitting tender/proposal through the e-GP system to participate in a procurement process, and legally binds the tenderer/applicant with the particular procurement process as authentic participant;
- (28) **“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;
- (29) **“e-Publishing”** means publish documents by utilizing the e-GP system;
- (30) **“e-Reverse Auction”** means an online real-time procurement technique utilized by the procuring entity to select the successful submission, which involves presentation by tenderers of successively lowered offers during a scheduled period of time and the automatic evaluation of tenders. e-Reverse Auctions can be used as a standalone procurement method as well as at the call-off stage of framework agreement when multiple number of tenders are the party of the framework agreement with the tenderers for the competitive price;

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- (31) **“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 those forms converted into digital form;
- (32) **“Goods”** means raw materials, products and equipment and objects in solid, liquid or gaseous form, electricity, off-the-shelf computer software and other ICT related or similar software, and related Services provided that the value of such Services does not exceed that of the Goods themselves;
- (33) **“Guidelines”** means Bangladesh e-Government Procurement (e-GP) Guidelines;
- (34) **“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;
- (35) **“Intellectual and Professional Services”** means Services performed by consultants with outputs of advisory, design, supervision or transfer of knowledge, or consulting service, design and development of computer software and other ICT related or similar software, or other intellectual services published in the government gazette time to time;
- (36) **“Invitation for Tenders (IFT)”** means all documents, including those either attached or incorporated by reference, used for soliciting tenders;
- (37) **“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;
- (38) **“Open Contracting Data Standard (OCDS)”** enables disclosure of data and documents at all stages of the contracting process by defining a common data model;
- (39) **“Performance Security”** means security provided by a supplier/contractor/consultant/ solely for the protection of the procuring entity receiving the goods, works, and services, conditioned upon the faithful performance of the contract in accordance with the conditions of the contract;

- (40) **“Person”** means and includes an individual, body of individuals, sole proprietorship, partnership, company, association or cooperative society that wishes to participate in Procurement proceedings;
- (41) **“Physical Service”** means-
- a) materials and ingredients required to facilitate supply of goods or execution of works, or operation and maintenance of facilities or plants or surveys or exploratory drilling; or
 - b) security services, catering services, geological services or third-party services under stand-alone service contract; or
 - c) selection of pre-shipment inspection (PSI) agent, clearing & forwarding agent, transportation of goods, hiring transport, selection of transport contractor for transportation of goods or insurance risk; or
 - d) any service specified under this Act or specified by government gazette notification procured by the procuring entity through outsourcing.
- (42) **“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;
- (43) **“Procuring Entity”** means an entity having administrative and financial powers to undertake Procurement of Goods, Works or Services using public funds;
- (44) **“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;
- (45) **“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, and own fund of government, semi-government, autonomous body and statutory organizations created under a law;
- (46) **“Public Procurement”** means Procurement using public funds;
- (47) **“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 limits as prescribed by the Rules;

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- (48) “**Related Services**” means services relating to the execution of contracts for the supply of goods;
- (49) “**Request for Proposals (RFP)**” means all documents, including those either attached or incorporated by reference, utilized for soliciting proposals;
- (50) “**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;
- (51) “**Rules**” means Public Procurement Rules, 2008;
- (52) “**Services**” means related services, physical services, or intellectual and professional services;
- (53) “**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;
- (54) “**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;
- (55) “**Signature**” means a distinctive mark or characteristic indicating identity;
- (56) “**Sub-consultant**” means any person or entity to whom/which the Consultants subcontract any part of the contracted Services;
- (57) “**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;
- (58) “**Supplier**” means a Person under contract with a Procuring Entity for the supply of Goods and related Services under the Contract;
- (59) “**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;
- (60) “**Tenderer**” means a person that submits a tender in response to an invitation for tenders;

- (61) “**Tender Security**” means an acceptable form of security, either in the form of bank guarantee, or pay order or bank draft;
- (62) “**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;
- (63) “**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;
- (64) “**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

2.1.1 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.

2.1.2 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.

2.1.3 The e-GP System is a web-based system which largely encompasses the total procurement lifecycle and record all procurement activities and information. All public procurement activities undertaken by the government is expected to 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. Parallel manual file processing should not be carried out in case of procurements carried out through e-GP System. All transactions and processes available in the system should be done only through the e-GP system.

2.1.4 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.

2.1.5 The Guidelines cover all aspects of the e-GP system including management, operation, maintenance and enhancement of the system.

2.2 Major Modules in Bangladesh e-GP System

2.2.1 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. e-Audit;
7. Tenderer Database;
8. Procurement Management Information System (PROMIS);
9. System and Security Administration;
10. Handling Errors and Exceptions;
11. Application Usability & Help.

2.2.2 More modules, sub-systems and features (i.e. e-Catalogue/e-Purchase, 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 demands from the procurement community.

2.3 Categories of e-GP Stakeholders/Actors

2.3.1 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/Applicants/Suppliers/Contractors/Consultants

3. Procuring Agencies/Entities
4. Payment Service Providers (Scheduled banks and other payment service providers)
5. Development Partners
6. e-GP System Administrators (BPPA and PE administrators) and Auditors
7. Operation & Maintenance partners
8. Evaluation Committees.

2.4 Composition of the Guidelines

2.4.1 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 Citizens, 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. www.eprocure.gov.bd owned by BPPA) 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 BPPA, 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. BPPA 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, and any other state-of-the-art authentication technology, tools, device, functions and procedures, 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 ICT 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 or any other authentication options) along with required devices/tools for its use are the responsibility of the respective users. BPPA will not bear any responsibility of misuse, loss, stealing of those signatures and authentication devices/tools of the users.

3.1.3. Disclaimer and Privacy policy

3.1.3.1 BPPA 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 BPPA 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. BPPA 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 BPPA 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. BPPA does not warrant full functionality, accuracy or reliability of any material. BPPA 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 BPPA 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 Bangladesh Standard Time (BST) provided through BSTI time server, whenever available, as the reference time for all time-bound activities of procurement processes. In case of failure to communicate with BSTI time server, the time of Data Center of BPPA shall prevail.

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 will keep all price sensitive confidential information of its users in encrypted form in database, which shall not be accessible to any user without proper 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 BPPA 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 the land.

3.2.1.3 Any registration may be cancelled at any time 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. In addition, for registration and renewal process it might require to provide a unique identification number for each firm.

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, Excel, 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/value added services of the e-GP System and different services from the operation, maintenance and management entity. BPPA 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 the 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, etc.) 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 credentials provided at registration can be used for all procurement activities until its validity expires. Users may require to sign-in again to enter confidential and sensitive information such as bid submission, payment information etc. 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.

3.2.1.15 Users requiring changing Login ID shall provide original credentials to BPPA for verification. Login ID can be changed only in critical situations.

3.2.1.16 Tenderer Database facilitates tenderers to build tenderer portfolio including its business registration information, list of already completed assignments, current assignments, financial status, tenderer’s equipment, and many other information. Tenderers should submit a work completion certificate from the employer for each of the experience listed to ensure the authentication of the work done. Uncertified assignments shall be verified and validated by

the PEs at the time of evaluation or due diligence, and be flagged as “Attested.” This information, once entered into the system, can be accessed at the time of tender preparation by selecting items from the list relevant to the specific tender significantly reducing the time for preparing the tenders. Tenderer database is linked with the e-CMS module and will preserve experience certificates, payment certificates and other information of tenderers. Tenderers will enter their previous experience certificates and payment certificates through their dashboard in the e-GP system after successful validation by the concerned procuring entity (PE). The system will notify the concerned PE and Head of Procuring Entity (HOPE) through an auto-generated email to mitigate the risk of delay in the validation process by Procuring Entity over a pre-set time

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/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.

3.2.2.3 Tenderers, Applicants or Consultants must register as a single entity with a unique User ID (Email ID) including unique identification number and corresponding password, acceptable to the System, to gain subsequent access to the e-GP System. This unique identification may be used later on to register as a Joint Venture partner.

3.2.2.4 The e-GP System is integrated with the National Identity (NID) database of the Government. This will enable the e-GP database to connect with the NID database for identity verification of tenderers and all other users.

3.2.2.5 During the e-GP registration and subsequent renewal process, the system will capture the information whether the enterprise is women-owned or not. This will be applicable for all types of tenderers and consultants (e.g., proprietorship, partnership, private limited company, public limited company etc.).

3.2.2.6 In case of partnership/company registration, if the total percentage of share owned by the women members is more than 50% among the partners/company directors, that entity will be considered a women-owned enterprise.

3.2.2.7 During each registration renewal process, the system will also capture the updated information regarding the enterprise, including its ownership information to reflect any change of ownership and other changes.

3.2.2.8 During registration and renewal process, business entities shall be required to certify that the information provided by them is up to date and shall be held liable for any misrepresentation of facts.

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

3.2.3.1 PA/PEs should seek approval from the BPPA 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 BPPA 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 BPPA.

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.

3.2.3.6 HOPE shall have access to the list of users created by organization or PE Admin under the PA/PE. HOPE of PA/PE ensures that the passwords owned by the users in the PA/PE are appropriately transferred to the Administrator at the time of transfer, leave, lien or quitting job in the PA/PE. The Administrator will disable the account of the person under such circumstances.

3.2.3.7 Procuring Agency and Procuring Entity Users shall use only the official email ID issued by the government for the registration in the 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 BPPA 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 (DP) Registration

3.2.5.1 Prior approval from the BPPA 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 Procuring Entity or authorized user is allowed to form committees (*Refer to Appendix 2*) with the approval of an appropriate authority through the e-GP System workflow.

3.2.6.2 Committee(s) 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 e-GP Guidelines.

3.2.6.3 e-GP Administrator/Organization Administrator/ Procuring Entity Administrator will register the required Approving Authorities as provisioned in the PPR-2008 and e-GP Guidelines. Creation of workflow for selecting Approving Authority is the responsibility of Procuring Entity.

3.2.7 e-GP System Administrators and Auditors Registration

3.2.7.1 Prior permission from the BPPA is required to register any such e-GP System Administrators and Auditors. BPPA 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 BPPA is required for any such e-GP System OM&M registration.

3.2.8.2 Prior permission from the BPPA 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 BPPA.

3.2.8.3 Prior permission from the BPPA 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.

3.3 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 BPPA 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 carry out 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.

3.3.2 The procuring entities must create Annual Procurement Plan (APP) in the e-GP System and the plan should be revised before procurement if any changes are required following the PPA and PPR. The system shall facilitate the monitoring and tracking of actual procurement against Annual Procurement Plans and send alerts to the HOPE when issues arise or any deviation from the procurement plan found.

3.4 Electronic Tender Document Preparation (ETDP)**3.4.1 Dynamic Forms Library**

3.4.1.1 Dynamic Forms for preparing standard electronic tender documents and for other activities of the procurement process shall be prepared and updated only by the BPPA or the entity authorized by the BPPA. Procuring entities may change and update only the specific sections of the template and its contents. For example, Instruction to Tenderer and General Condition of Contract clauses can be modified only through Tender Data Sheet and Special/Particular Conditions of Contract respectively, adding rows for additional items, or removing unrelated forms or other items as appropriate 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 e-Standard Tender Documents (e-STDs).

3.4.1.5 BPPA will update e-STD as and when require.

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.

3.4.1.8 PE shall enter the Official Cost Estimate (OCE) and upload the scanned copy of the approved Official Cost Estimate before inviting the Tender.

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 newspaper following the format given in Appendix 2: Business Process Reengineering (BPR)-12.

3.5.1.4 The date of IFT/REOI/Pre-Qualification notice published in the e-GP System shall be treated as the start date of the preparation time for tender, EOI and application submission.

3.5.1.5 In case of Request for Quotation Method, the PE shall give minimum 24 hours to maximum 10 days for the preparation and submission of the quotations.

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 for upload, third party transactions like Tender security preparation and submission through banks, verify completeness of tender, and final submission of the Tenders for the specific procurement. 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. It is the sole responsibility of the Tenderers/Applicants to make sure that the Tenders/Proposals are successfully submitted with adequate time before the deadline of submission to avoid any kind of last-minute technical and administrative challenges either at the e-GP System side, or at the Tenderer's/Applicant's side; i.e. third-party services like banks, internet service providers and others.

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

3.5.2.5 Any financial offer/quote/values entered by the Tenderers/ Applicants/Consultants shall contain more than three (3) digit after decimal point. If the values entered contain more than three (3) digits after decimal point, the e-GP System shall automatically truncate after first three (3) digits without rounding. If the entered value contains less than three (3) digits after decimal point, the e-GP System shall automatically pad zeros to make three digits after decimal point. Any calculated financial offer/quote/value containing figures after decimal point, shall be stored and used for processing, calculation and comparison in the e-GP System only up to three (3) digits after decimal point applying the same rule as above.

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 or any other authentication devices, tools or procedures are necessary due to the security system for identity and authentication purposes. Identity of the Tenderer/ Applicant/ Consultant may be verified with due diligence process. A separate Authorization Letter is not necessary to be prepared and submitted to authorize a person to submit tender. User authorized by the tenderer in the e-GP system to submit tender and having user credentials to access to e-GP System on behalf of the Tenderer/Applicant/Consultant is by default treated as an authorized person to submit tender or proposal.

3.5.5.2 Tender/Application/Proposal submitted via the e-GP System must be received in full prior to the closing time. Tenderers/Applicants are encouraged to submit their Tender/Application at least one day prior to the deadline to avoid any last-minute difficulty of submission because of any unlikely technical glitches or unforeseen circumstances.

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 anti-virus/ anti-malware tools, though the e-GP system server will also check the uploaded files to ensure that the files are completely virus free and may give alert to the user if any virus is found. Virus infected files, if detected, shall be automatically deleted by the virus scanner installed in the e-GP system servers. Tenderers/ Applicants/ Consultants will be responsible for the outcomes and consequences caused by such deletion of files at different stages of tendering process.

3.5.5.5 Tenderers/Applicants/Consultants acknowledge and accept, in respect of electronically transmitted tenders/proposals, that:

3.5.5.5.1 Uploading large electronic files may take time and as such sufficient time must be allowed to fully transmit all files prior to the closing time for submission. Files should be divided into smaller parts for easy uploading.

3.5.5.5.2 Procuring entities or the BPPA 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 Procuring Entities, until the Tender/ Application/ Proposal Evaluation, may not discover corrupted 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 BPPA and no extension to the closing time may be allowed 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 will know the name of the Tenderers/ Applicants/ Consultants who purchased the Tender/RFP documents and lodged the Tender/ Application/ Proposal until the documents are opened on the designated date and time of opening. Authorized PE user may only know whether any tender documents sold or not.

3.5.6 Tender/Application/Proposal Opening

3.5.6.1A separate Tender Opening Committee (TOC)/ Proposal Opening Committee (POC) shall not be formed. e-GP System shall automatically open the Tenders/Applications/EOIs/Proposals after the deadline of Tender/Application/EOI/ Proposal submission deadline as configured and published in the e-GP System. The System shall automatically generate Tender/Proposal Opening Report (TOR/POR) after opening the Tenders/ Applications/EOIs/ Proposals.

3.6 e-Evaluation

3.6.1 Formation of Evaluation Committees

3.6.1.1 The Procuring Entities, before publishing the Invitation for Tender/Pre-Qualification/REOI, will form an Evaluation Committee (EC). Formation of EC is described in Appendix 2: BPR 4.

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 Evaluation committee members shall start evaluation immediately after opening the Tenders/Proposals.

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 as configured by the Procuring Entities. At the outset, the Committee members should fill out and sign the declaration on Conflict of Interest, confidentiality and fair evaluation individually before the evaluation; and sign a joint certification after the evaluation online provided by the system as per PPR-2008 requirements. Members of the evaluation committee shall recuse from the role of Member of Evaluation Committee by declaring the conflict of interest just after the first access to the Tender/ Proposal; when it will be observed that the close business or family relationship with any of the participating Tenderer/ Applicant may pose the conflict of interest. The member of the evaluation committee will then be recused from the evaluation committee upon confirmation of the conflict of interest by the Approver of the committee.

3.6.2.2 Evaluators should follow the evaluation process and criteria mentioned in the Tender/ Application/ Proposal documents.

3.6.2.3 e-GP system will automatically generate working sheets 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 the Tender/RFP documents to complete the evaluation.

3.6.2.4e-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.

3.6.2.5TEC/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 The successful Tenderer must accept the receipt of the NOA through their e-GP dashboard within the number of days mentioned in the NOA and carry out the necessary formalities as indicated in the NOA and the tender documents. The issuance date of NOA in e-GP System will be treated as the receiving date of NOA. Performance security has to be furnished in number of days as mentioned in NOA.

3.7.4 e-GP system may provide the facility to sign the contract online between the Procuring Entity and the awarded Tenderer/Applicant/ Consultant, but may also choose to sign the contract offline in compliance with the PPR 2008.

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 may nominate an individual as Project Manager for managing contracts, who shall have the required knowledge, skills, and abilities to effectively carry out the responsibilities by using the Dashboard provided in the e-GP system. After completion of the contract, PE or Project Manager will issue contract completion certificate online.

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.

3.9.3.3 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 will keep the archive of the contract documents.

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's performance will be evaluated based on the defined Key Performance Indicators (KPIs) to fulfill the requirement of PPR-2008.

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

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

3.9.6.2.6 BPPA shall follow the e-GP Information Security Policy to manage information security for e-GP System.

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, ICT Act and Cyber Security Act and other relevant applicable laws.

3.9.7 Subscriber Services

3.9.7.1 Subscription Administration

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

3.9.7.1.2 BPPA 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 BPPA 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 BPPA 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 BPPA 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 BPPA, Implementation Monitoring and Evaluation Division (IMED) reserves the right to operate, maintain and manage services of e-GP system, data center, hosting of the e-GP system and other related services at any third-party premises or cloud environment for agreed period through adopting appropriate business model.

3.10.2 Service Standards

3.10.2.1 The BPPA 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 BPPA 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.

3.10.4 e-GP Management Committee

3.10.4.1 A core committee chaired by the Chief Executive Officer (CEO) of BPPA shall be formed comprising of core technical and management staff and advisors of the BPPA for making e-GP related operational, technical and critical ad hoc decisions on special/ emergency cases of unavailability of e-GP system to the users. Emergency situations include, but not limited to, retendering because of technical issues on e-GP System, data and file retrieval issues, canceling tenders, maintenance and enhancements of the system, and other issues. All such issues arisen in the e-GP System, and because of the e-GP system shall be managed by the decision of this committee.

3.11 Future Extensions

3.11.1 The BPPA reserves the right to bring any changes to the system, service and or management structure at any time at any condition based on the experience to comply with any changes in Acts, Rules and other directives or to make the system adaptable with new administrative arrangements, compatible with new technology, user friendly and useful to the intended users.

3.11.2 e-GP System may facilitate citizen engagement in public procurement and promote transparency by regularly publishing procurement data in line with the Open Contracting Data Standard (OCDS).

3.11.3 e-GP System may facilitate the procurements through framework agreements for an agreed list of common use items.

3.11.4 e-GP System may facilitate the e-Catalog and catalog-based purchases based on direct purchase and quotation methods.

3.11.5 e-GP System may facilitate the development of Tenderer's comprehensive profile, and also contractor performance appraisal functionalities.

3.11.6 e-GP System may facilitate the interface and interoperability with the key government electronic systems like finance, tax, business registration and others.

3.11.7 e-GP system may facilitate the payment to contractors interfacing Automated Clearing House (ACH) banking network and other payment systems.

3.11.8 e-GP System may incorporate the disrupting technologies to manage the aspects of good governance as well as making the system more secured and trustworthy through digital intelligence.

3.11.9 e-GP System may facilitate e-Reverse Auction.

3.11.10 e-GP System may incorporate the disrupting technologies to manage the aspects of good governance as well as making the system more secured and trustworthy through digital intelligence.

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. BPPA 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 BPPA.
- 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 BPPA 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 BPPA. The BPPA 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 BPPA 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 BPPA 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 BPPA.
- viii. In case of international tenderers/ applicants/ consultants, payments should be made to the Master Bank Account opened by BPPA 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 BPPA as and when international payment gateway is integrated with the e-GP System.

b. Integration with International payment system

- i. The BPPA 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 BPPA 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 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>	<ul style="list-style-type: none"> • Procuring Entities (PE) will know only if the tender documents were sold or not, but will not get to know the Tenderer's/Applicant's/Consultant's identity. Identity of the Tenderers/ Applicants /Consultants will not be revealed until the tender opening time. • Document fees is defined by BPPA in e-GP system and 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 as and when integrated with the e-GP System.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
		(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.	<ul style="list-style-type: none"> • 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 BPPA for the Tender submission.
3.	7	The Head of the Procuring Entity or an officer authorized 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 comprising of members as specified in Schedule II.	A separate Tender Opening Committee (TOC)/ Proposal Opening Committee (POC) shall not be formed. e-GP System shall automatically open the Tenders/Applications/EOIs/ Proposals after the deadline of Tender/Application/EOI/ Proposal submission deadline as configured and published in the e-GP System. The System shall automatically generate Tender/ Proposal Opening Report (TOR/ POR) after opening the Tenders/ Applications/EOIs/ Proposals.
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.	Tender Evaluation Committee (TEC)/Proposal Evaluation Committee (PEC) shall be formed in the following manner: <ul style="list-style-type: none"> • If the approving authority is HOPE or below thereof, TEC/PEC shall be formed with three (3) members, out of which at least one (1) member shall be from another PE.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
			<ul style="list-style-type: none"> • If the approving authority is above HOPE, the TEC/PEC shall be formed with five (5) members, out of which at least one (1) member shall be external (i.e. from outside of the concerned agency/ministry/ division/ any other agency under the concerned ministry/division). <p>In all of the above cases, at least one (1) member of the TEC/PEC shall be from the concerned procuring entity.</p>
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 formats prescribed in Part A, Part B, Part C, Part D, and Part E as applicable of Schedule V shall be followed.</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.
6.	18.1	(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;	<ul style="list-style-type: none"> • Pre-tender or pre-proposal meeting will be held online for a specified period of time as stipulated in the notice or Tender/ Application/ Proposal 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.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
		<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"> • Name of Tenderers/ Applicants/ Consultants who have posted queries will not be shared with Procuring Entity. • 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, Tender Security will be prepared by bank using the template provided in the e-GP system upon request by the Tenderer. The tender security instrument shall be retained by the bank. The bank will update the Transaction information and upload the scanned copy of the instrument 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 and uploading the tender securities, additional verification from PE for authentication is not required.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
8.	27.1 102.10	(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. (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.	<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)	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 authorized officer for approval, as the case may be;	<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.
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.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
11.	38.4(e)	(e) Organization 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/ Procuring Entity will accept progress report in totality or partially as they deem fit.
12.	90.2	<p>(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</p> <p>(I) the Procuring Entities shall send Invitations for Procurements where potential 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 BPPA's website.</p>	<ul style="list-style-type: none"> • Procurement related notices for e-Tendering will be published in the e-GP portal. The official website address of the e-GP portal is www.eprocure.gov.bd; • A new optimized form will be used in e-GP System for creating a tender notice. • The PE will publish Abridged Format of Tender Notice in the newspaper with text suggested here: 'The tender notice for procurement of <i>[insert title of the procurement]</i>, e-GP Tender ID No. <i>[xxxxxx]</i> is published in e-GP website. 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, registration on e-GP system (www.eprocure.gov.bd) is mandatory. For more details contact e-GP Help desk'. • 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.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
			<ul style="list-style-type: none"> • 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. • It is suggested to make the payments for the documents to the bank one day before the deadline for document selling to avoid any last-minute problems. 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 online activities related to tender submission, and make sure tender can be submitted before the last date & time of tender. • Before the 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. • Commencement of counting of the dates for the Tender/ Application/ Proposal submission will be the date and time of the Tender notice /REOI published in the e-GP System.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
13.	95	<p>(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.</p> <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"> Amendments (if any) to the Tender/RFP documents will be published in e-GP system under the corresponding Tender/ Proposal, and will be an integral part of the Tender/Proposal. The e-GP System will internally keep track of the issuance of amendment issued by the Procuring Entity.
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 sensitive data and information in encrypted format. Tenderers/Applicants/Consultants will submit the Tender/ Proposal. The tenders/proposal must be signed by the tenderer using e-Signature or digital signature as prescribed by BPPA.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
			<ul style="list-style-type: none"> • Tenderer/Applicant/Consultant can upload documents to their secured and private web space in e-GP referred as Common Document Library, which 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.

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
15.	97	<p>(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 authorized representatives.</p> <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"> • Tender opening process will be done by the Decrypt Tender functionality as tenders are stored in time stamped electronic tender box with encryption. • A separate Tender Opening Committee (TOC)/ Proposal Opening Committee (POC) shall not be formed. e-GP System shall automatically open the Tenders/Applications /EOIs/Proposals after the deadline of Tender/Application/EOI/ Proposal submission deadline as configured and published in the e-GP System. The System shall automatically generate Tender/Proposal Opening Report (TOR/POR) after opening the Tenders/Applications/EOIs/ Proposals.

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> <p>(g) The checklist with steps for Tender opening in Part D of Schedule IV shall be followed.</p>	

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
		<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> <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>	

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
		(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.	
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	<p>(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 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"> • NOA will be issued online and the same will be signed (by e-Signature or digital signature). • 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)

SN	Rule/ Sub-Rule	Text in PPR 2008	BPR for e-GP
18.	102(11)	(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.	<ul style="list-style-type: none"> • Performance Security has to be furnished and the Contract to be signed within the period mentioned in NOA. • Contract may be digitally signed by both parties & details of contract award will be available in the e-GP Portal. • No need to verify the genuineness of the Performance security as the information of the security is updated in e-GP system directly by the registered Member Banks at the time of issuance of Performance security on behalf of the Tenderer.
19.	122.2	(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.	<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.
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 BPPA for inclusion in the list of debarred persons or firms and published on the BPPA website.	<ul style="list-style-type: none"> • In case of debarment, the HOPE approves the debarment and the HOPE will publish and update the debarment list in the e-GP Portal. The debarment list may be published also in the BPPA website through web services.

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

SN	Rule No. in PPR-2008	Process as per PPR-2008 Times, Values, etc	Process in e-GP System
1	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>	Described in Para 3.5.6
2	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 last 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 last three (3) members shall attend the Evaluation and sign the Evaluation Report 	<p>Tender Evaluation Committee (TEC)/Proposal Evaluation Committee (PEC) shall be formed in the following manner:</p> <ul style="list-style-type: none"> • If the approving authority is HOPE or below thereof, TEC/PEC shall be formed with three (3) members, out of which at least one (1) member shall be from another PE. • If the approving authority is above HOPE, the TEC/PEC shall be formed with five (5) members, out of which at least one (1) member shall be external (i.e. from outside of the concerned agency/ministry /division/any other agency under the concerned ministry/ division). <p>In all of the above cases, at least one (1) member of the TEC/PEC shall be from the concerned procuring entity.</p>

SN	Rule No. in PPR-2008	Process as per PPR-2008 Times, Values, etc	Process in e-GP System
		<p>Value of Contracts when number of the Evaluation Committee members may be reduced:</p> <p>Goods:</p> <ul style="list-style-type: none"> • For Tk. 2.5 (Two and Half) million in case of Open Tendering Method (OTM) and Limited Tendering Method (LTM) • For Tk. 0.5 (Half) million in the case of Direct Procurement Method (DPM) and Request for Quotation Method (RFQM) • For Tk. 2.0 (Two) million through RFQM for missions abroad • For Tk. 5.0 (Five) million for National Flag carriers through DPM <p>Works:</p> <ul style="list-style-type: none"> • For Tk. 30 (Thirty) million in case of OTM and LTM • For Tk. 1.0 (One) million in case of DPM and RFQM <p>Services:</p> <ul style="list-style-type: none"> • For Tk. 5.0 (Five) million through Least-Cost Selection (LCS) Method • For Tk. 1.0 (One) million through Single Source Selection (SSS) method 	<p>As per the rate mentioned in PPR 2008, Tender/Proposal Evaluation Committee will get honorarium for maximum three meetings and Technical Sub-Committee (TSC) will get honorarium for maximum two meetings.</p>

SN	Rule No. in PPR-2008	Process as per PPR-2008 Times, Values, etc	Process in e-GP System
3	16(11)	<p>Posting Procurement Plan on BPPA 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 BPPA's website</p> <ul style="list-style-type: none"> • All Procuring Entities using e-GP system must prepare and publish annual procurement plan irrespective of procurement categories and methods. Procurement Plans and notices published in e-GP System is not necessary to be separately published in BPPA Website.
4	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 (7) days after the issue of the Certificate of Completion of Defect Liabilities. Return request to be made to Financial Partners i.e. Banks through e-GP Dashboard
5	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> <p>Evaluation Committee will immediately start evaluation after the opening of the Tender/Proposal.</p>
6	37(1)	<p>Posting of Contract Awards in BPPA'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 BPPA's website</p> <ul style="list-style-type: none"> • All the contracts awarded using e-GP system will be published in e-GP Portal operated by BPPA.

SN	Rule No. in PPR-2008	Process as per PPR-2008 Times, Values, etc	Process in e-GP System
7	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 will be published in e-GP Portal operated by BPPA.
8	37(1&2)	<p>Time for posting Contract Awards in BPPA'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 BPPA's website</p> <ul style="list-style-type: none"> Immediately after the signing of contract agreement
9	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 tendering, Forty-two (42) days from the date of publication of advertisement in the e-GP System.
10	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.

SN	Rule No. in PPR-2008	Process as per PPR-2008 Times, Values, etc	Process in e-GP System
11	90(2)(i)	<p>Posting of Procurement related notices in BPPA'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 • 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 BPPA and the newspapers simultaneously. 	<p>Posting of Procurement related notices in BPPA'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 BPPA
12	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.
13	130(e)	<p>Delivery of Annual Report by BPPA 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 BPPA 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

1.1.1 National e-Government Procurement (e-GP) portal (i.e. www.eprocure.gov.bd) of the Government of Bangladesh is developed, owned and operated by Bangladesh Public Procurement Authority (BPPA), IMED, Ministry of Planning for carrying out the procurement activities of the public agencies (procuring agencies and procuring entities) of the Government of Bangladesh.

1.1.2 BPPA also runs a training server (www.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.

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

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

1.2.1 TERMS AND CONDITIONS OF E-GP SYSTEM USER AGREEMENT

For accessing and using this e-GP user services, user 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:

1.2.2 Tenderer Registration Request, Email verification, and Credential documents verification**1.2.2.1 Email verification**

Potential tenderer's email will be used as the user name for accessing e-GP System. Upon submission of basic user identity information by clicking on the "Tenderer/Consultant Registration" button from the home page of e-GP Portal, the user will receive an email from registration@eprocure.gov.bd with a link to click, unique security key, and other instruction related to credential documents verification, and payment process. When the user clicks the link provided in his/her email, an email verification page with a form will open. The user will require to enter the email, password and the received security key, and click the 'Submit' button. If the user correctly enters the information, this process will complete the email verification process successfully.

While user account will be successfully created, and it will display another form for entering user's specific information, upload digitally scanned mandatory credential documents as required by the system and those must be easily readable.

1.2.2.2 Credential Documents Verification

Once the credential documents uploaded in the e-GP system have been verified by BPPA, Tenderers/Applicants/Consultants will receive a confirmation email notification regarding their registration. Upon receiving this confirmation, they will immediately gain full access to a secured personal dashboard for user-specific functions within the e-GP system, becoming an e-GP System User. The verification process is expected to be completed within a maximum of seven (07) days.

Procuring entities, Development partners, and Payment network partners (Banks and others) will be registered through official communication with BPPA, IMED, Ministry of Planning and the terms and conditions of the use of the e-GP System shall be automatically apply when they start using the system.

1.2.2.3 Maintaining Confidentiality

Users are held accountable for preserving the secrecy of their password and bear complete responsibility for all actions performed using their user account (email ID and password). e-GP system does not store user passwords, but it stores the generated irreversible hash value of the password as e-Signature. User must notify administrator of the PE or other corresponding organization administrator of any unauthorized use of user 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 users are using in public places. BPPA is not liable for any loss or damage arising from such compromise of user account and password.

The e-GP System allows modifying, updating the user details including password. But it does not allow to change the login email ID and the name of the company provided during the registration process. For changing the registered ID, the users must submit their original documents to the BPPA to prove their authenticity.

1.2.2.4 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.

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. BPPA, IMED, Ministry of Planning is not responsible for non-compliance for the above by user. The system shall work correctly only in specific browser and their versions tested by the BPPA.

1.2.2.5 Applicable Time

The e-GP System shall use the Bangladesh Standard Time (BST) applied across e-GP System provided through BSTI time server, if available, as the reference time for all time-bound activities of procurement processes. In case of failure to communicate with BSTI time server, the time of Data Center hosted by BPPA, IMED in its premise at Dhaka, Bangladesh will prevail.

1.2.2.6 Proprietary Rights

This e-GP Portal is developed and maintained by the BPPA, 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 BPPA, 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 BPPA, IMED, Ministry of Planning, the Government of Bangladesh.

1.2.2.7 Auto Alert and User Dashboard Inbox

All the formal communications with the users of the e-GP system shall be carried out through the e-GP System. The e-GP System may send automated alerts through email or mobile SMS only at specific events. Users should fully rely on the information posted in the e-GP portal and e-GP user specific Dashboard inbox. If the user does not receive auto alerts because of some third-party component or system failure, system delay or for any other reason, BPPA or PE shall not be obliged and responsible for the situation arisen and the users must rely on their e-GP User Dashboard for such alerts/notifications and communications.

1.2.2.8 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 BPPA's designated Account.

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. BPPA 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.

BPPA will publish a public notice if any changes on the charges, waiver etc.

1.2.2.9 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.

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

The BPPA 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 BPPA 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 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.

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

1.2.2.11 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. Virus infected files, if detected, shall be automatically deleted by the virus scanner installed in the e-GP system servers. Tenderers/Applicants/Consultants will be responsible for the outcomes and consequences caused by such deletion of files at different stages of tendering process. It is the obligation of all users including Tenderers/ Applicants/ Consultants to download and verify their uploaded documents whether the documents are readable and free from virus, malware, worms etc.

1.2.2.12 Disaster Recovery Management

In case of failure of e-GP Data Center and Mirror Data Center users may experience data loss of maximum 1 (One) hour. In that case users may require to re-enter the data that was lost during disaster period.

1.2.2.13 External Web References

BPPA 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 BPPA does not have any control over those websites.

1.2.2.14 Operation, Maintenance and Management

The BPPA 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.

1.2.2.15 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 BPPA 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.

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

BPPA shall have the right to modify clauses of the terms and conditions without prior notice.

BPPA 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. www.eprocure.gov.bd) of the Government of Bangladesh is developed, owned and operated by Bangladesh Public Procurement Authority (BPPA), IMED, Ministry of Planning for carrying out the procurement activities of the public agencies (procuring agencies and procuring entities) of the Government of Bangladesh.

BPPA also runs a training server (www.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 www.eprocure.gov.bd or simply www.eprocure.gov.bd.

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

Disclaimer and Privacy Policy

1. e-GP System does not capture information of individuals' browsing data if the user does not try to login the system.
2. BPPA 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 BPPA 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. BPPA 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. BPPA 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. BPPA does not warrant full functionality, accuracy or reliability of any material. BPPA 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. BPPA 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 Bangladesh Standard Time (BST) applied across e-GP System provided through BSTI time server, if available, for reference as the reference time for all time-bound activities of procurement processes. In case of failure to communicate with BSTI time server, the time of Data Center hosted by BPPA, IMED in its premise at Dhaka, Bangladesh will prevail.
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 personal data, all electronic storage and transmission of personal data is secured with appropriate security technologies.
13. BPPA 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 BPPA 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. User 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 user’s computer and also all the activities performed 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 user account (email 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 the PE administrator or relevant organization administrator of any unauthorized use of password or any other suspected security breaches. Users must also ensure that they appropriately log-out every time from their unattended computers or from the computers users are using in public places. BPPA is not liable for any loss or damage arising from such compromise of user account and password.

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

রাষ্ট্রপতির আদেশক্রমে

মোঃ তাজুল ইসলাম
সচিব।