

Attachement B

Partie 4. Exigences en matière d'examen préalable ou d'approbation

P4.1.1 Certaines actions et décisions importantes en matière de passation des marchés doivent être soumises à l'examen ou l'approbation préalable des autorités au sein de l'Entité MCA Sénégal ou de MCC, comme prévu dans l'Attachement 1 des Directives de Passation des Marchés de MCC.

Ce système d'examen préalable ou d'approbation est destiné à assurer le suivi et le contrôle des activités financées par MCC, permettant de détecter des dysfonctionnements éventuels pour que les correctifs nécessaires puissent être apportés à temps et éviter ainsi des difficultés dans la mise en œuvre des activités du COMPACT.

Ledit système peut être modifié à tout moment et peut faire également l'objet de dérogation par MCC.

P4.1.2 L'Entité MCA s'assurera que toutes les actions de passation des marchés relatives à l'acquisition de biens, de travaux ou de services décrites à l'Attachement 1 ci-dessous sont soumises à l'approbation préalable du Directeur de la Passation des Marchés de l'Entité MCA, de l'Organe de Surveillance ou son équivalent, en fonction des types d'actions ou des seuils en US Dollar indiqués dans l'Attachement 1 ; sauf dérogation écrite de MCC à ce système d'examen préalable ou d'approbation de l'Attachement

P.4.1.3 Non-obstant les exigences d'approbation décrites dans l'Attachement 1, MCC se réserve le droit d'exercer son examen préalable ou son approbation sur toute autre action ou décision ou tout autre document de passation des marchés.

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Attachment 1. Approval Requirements

Procurement Procedure or Method	Decision (Within each "Procurement Procedure or Method," each separate "Decision" shown is an independent requirement, and all requisite approvals must be received for each such "Decision" before proceeding, sequentially from top to bottom, to the next "Decision" requirement.)	LEVEL OF APPROVAL (Thresholds expressed in USD)		
		MCA Entity Director of Procurement	Governing Body of MCA Entity (Notwithstanding the thresholds for the Governing Body of the MCA Entity set forth in these Approval Requirements, the Governing Body may exercise its authority to review any procurement decision with prior notice to the principal officer of the MCA Entity.)	MCC (Notwithstanding the thresholds for the MCC set forth in these Approval Requirements, MCC may exercise its authority to review and approve any procurement decision with prior notice to the principal officer of the MCA Entity.)
	Procurement Plans	All	All	All
	Amendments to the Procurement Plan	All	Material Change [as defined in Part 2 of these Guidelines]	Material Change [as defined in Part 2 of these Guidelines]
Goods, Works and Non-Consultant Services				
Pre-qualification for Works	Pre-qualification documents and advertising procedures	All	None	None
	Report with proposed list of entities qualified	All	Above 5,000,000USD	None
	GOE Determination of Proposed Pre-qualification List	All	None	All
	Record of Bid Challenges	All	All	All

Goods, Works, and Non-Consultant Services				
Procurement Procedure or Method	Decision	LEVEL OF APPROVAL (Thresholds expressed in USD)		
		MCA Entity Director of Procurement	Governing Body of MCA Entity	MCC
Competitive Bidding and Limited Bidding	Bidding Documents	All	None	Above 1,000,000USD Goods Above 5,000,000USD Works
	Bid Review Panel Membership	All	None	None
	Bid Review Report with Proposed Award	All	None	Above 1,000,000USD Goods Above 5,000,000USD Works
	Rejection of All Bids	All	None	Above 1,000,000USD Goods Above 5,000,000USD Works
	GOE Determination of Proposed Winner	All	None	All
	Final Contract	All	None unless (i) the value of the proposed contract is more than 10% higher than the estimated budget in the approved Procurement Plan, or (ii) the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.	None unless the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.

	Record of Bid Challenges	All	All	All
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Goods, Works, and Non-Consultant Services				
Procurement Procedure or Method	Decision	LEVEL OF APPROVAL (Thresholds expressed in USD)		
		MCA Entity Director of Procurement	Governing Body of MCA Entity	MCC
Shopping	Evaluation Report	Over 2,000USD	None	None
	Record of Purchases	Weekly	Quarterly	None
	Record of Bid Challenges	All	All	All
Direct Contracting	GOE Determination of Proposed Contractor	All	None	All
	Proposed Contract	Over 2,000USD	None unless the value of the proposed contract is more than 10% higher than the estimated budget in the approved Procurement Plan.	Above 50,000USD
	Final Contract	Over 2,000USD (Under 2,000USD review monthly report)	None	None unless the final contract has substantial change in terms, conditions or price from the proposed contract. A price increase of more than 10% would be a substantial change
	Record of Bid Challenges	All	All	All
Force Account	Use of Government equipment and employees for performing works.	All	All	All
	Proposed Contract	All	None unless the value of the proposed contract is more than 10% higher than the estimated budget in the approved Procurement Plan.	All

Goods, Works, and Non-Consultant Services				
		LEVEL OF APPROVAL (Thresholds expressed in USD)		
Procurement Procedure or Method	Decision	MCA Entity Director of Procurement	Governing Body of MCA Entity	MCC
All Procurement Actions	Contract Modifications and Change Orders for contracts valued at more than 25,000USD	All (Exception: If approval authority has been delegated to the Engineer under and as defined in the applicable bidding documents, only approval of the Engineer shall be required for changes within the Engineer's delegated authority. Notice of such modification or change order shall be sent to the MCA Entity Director of Procurement)	If an individual contract modification or change order (i) raises a contract which did not require approval above an approval threshold, or (ii) extends the original contract duration by 25% or more, or (iii) increases the original contract value by 10% or 1 million USD or more (whichever may apply).	If an individual or collective contract modifications or change orders (i) raise the contract value of a contract that did not require approval above an approval threshold, or (ii) extend the original contract duration by 25% or more or (iii) increase the original contract value by 10% or 1 million USD or more (whichever may apply). Once the 10% contract [or 1 million USD] threshold for modifications or change orders has been reached for a contract, any subsequent contract modification or change order that individually or collectively exceed 3% of the original contract value will also require MCC approval.

Consultant Services				
Procurement Procedure or Method	Decision (Within each "Procurement Procedure or Method," each separate "Decision" shown is an independent requirement, and all requisite approvals must be received for each such "Decision" before proceeding, sequentially from top to bottom, to the next "Decision" requirement.)	LEVEL OF APPROVAL (Thresholds expressed in USD)		
		MCA Entity Director of Procurement	Governing Body of MCA Entity (Notwithstanding the thresholds for the Governing Body of the MCA Entity set forth in these Approval Requirements, the Governing Body may exercise its authority to review any procurement decision with prior notice to the principal officer of the MCA Entity.)	MCC (Notwithstanding the thresholds for the MCC set forth in these Approval Requirements, the MCC may exercise its authority to review and approve any procurement decision with prior notice to the principal officer of the MCA Entity.)
Quality and Cost Based Selection (QCBS)	Request for Expression of Interest	All	None	None
	Technical Evaluation Panel Membership	All	None	None
	Short List Report	All	None	Above 500,000USD
	GOE Determination of Proposed Short List	All	None	All
	Request for Proposal	All	None	Above 500,000USD
	Technical Evaluation Report	All	None	Above 500,000USD
	Rejection of all proposals	All	None	Above 500,000USD
	Combined Evaluation Report	All	None	Above 500,000USD
	GOE Determination of Proposed Winner	All	None	All
	Final Contract	All	None <i>unless (i) the value of the proposed contract is more than 10% higher than the estimated budget in the approved Procurement Plan, or</i>	None <i>unless the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding</i>

			(ii) the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.	documents
	Record of Bid Challenges	All	All	All

Consultant Services				
Procurement Procedure or Method	Decision	LEVEL OF APPROVAL (Thresholds expressed in USD)		
		MCA Entity Director of Procurement	Governing Body of MCA Entity	MCC
Quality Based Selection (QBS)	Request for Expression of Interest	All	None	None
	Technical Evaluation Panel Membership	All	None	None
	Short List Report	All	None	Above 500,000USD
	GOE Determination of Proposed Short List	All	None	All
	Request for Proposal	All	None	Above 500,000USD
	Rejection of all proposals	All	None	Above 500,000USD
	Review Report with Proposed Award	All	None	Above 500,000USD
	GOE Determination of Proposed Winner	All	None	All
	Final Contract	All	Above 500,000USD	Above 500,000USD
	Record of Bid Challenges	All	All	All
Fixed Budget Selection (FBS)	Request for Expression of Interest	All	None	None
	Technical Evaluation Panel Membership	All	None	None
	Short List Report	All	None	Above 500,000USD
	GOE Determination of Proposed Short List	All	None	All
	Request for Proposal	All	None	Above 500,000USD
	Evaluation Report and Proposed Award	All	None	Above 500,000USD
	Rejection of all proposals	All	None	Above 500,000USD
	GOE Determination of Proposed Winner	All	None	All

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	Final Contract	All	None <i>unless the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.</i>	None <i>unless the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.</i>
	Record of Bid Challenges	All	All	All

Consultant Services				
Procurement Procedure or Method	Decision	LEVEL OF APPROVAL (Thresholds expressed in USD)		
		MCA Entity Director of Procurement	Governing Body of MCA Entity	MCC
Least Cost Selection	Request for Expression of Interest	All	None	None
	Technical Evaluation Panel Membership	All	None	None
	Short List Report	All	None	Above 500,000USD
	GOE Determination of Proposed Short List	All	None	All
	Request for Proposal	All	None	Above 500,000USD
	Evaluation Report with Proposed Award	All	None	Above 500,000USD
	Rejection of all proposals	All	None	Above 500,000USD
	GOE Determination of Proposed Winner	All	None	All
	Final Contract	All	None <i>unless (i) the value of the proposed contract is more than 10% higher than the estimated budget in the approved Procurement Plan, or (ii) the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.</i>	None <i>unless the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.</i>
	Record of Bid Challenges	All	All	All

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Selection Based on Consultant's Qualifications	Request for Expression of Interest	All	None	None
	Technical Evaluation Panel Membership	All	None	None
	Short List Report	All	None	None
	GOE Determination of Proposed Short List	All	None	All
	Rejection of all proposals	All	None	Above 200,000USD
	Review Report with Proposed Award	All	None	Above 200,000USD
	GOE Determination of Proposed Winner	A	None	All
	Final Contract	All	None unless (i) the value of the proposed contract is more than 10% higher than the estimated budget in the approved Procurement Plan, or (ii) the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.	None unless the contract has a substantial change in the legal clauses or technical requirements from the terms or requirements stated in the bidding documents.
	Record of Bid Challenges	All	All	All

Consultant Services				
Procurement Procedure or Method	Decision	LEVEL OF APPROVAL (Thresholds expressed in USD)		
		MCA Entity Director of Procurement	Governing Body of MCA Entity	MCC
Sole Source Selection	GOE Determination of Proposed Consultant	All	None	All
	Proposed Contract	All	None	Above 50,000USD
	Final Contract	All	Above 50,000USD	None <i>unless the final contract has substantial change in terms, conditions or price from the proposed contract. A price increase of more than 10% would be a substantial change.</i>
	Record of Bid Challenges	All	All	All
Individual Consultants	Technical Evaluation Panel	All	None	None
	Evaluation Report with Proposed Award	All	None	None
	Final Contract	All	None <i>unless the value of the proposed contract is more than 10% higher than the estimated budget in the approved Procurement Plan.</i>	None
	Record of Bid Challenges	All	All	All
All Procurement Actions	Contract Modifications and Change Orders for contracts valued at more than 25,000USD	All	If an individual contract modification or change order (i) raises a contract which did not require approval above an approval threshold, or (ii) extends the original contract duration by 25% or more, or (iii) increases the original contract value by 10% or 1 million USD or more (whichever may apply).	If an individual or collective contract modifications or change orders (i) raise the contract value of a contract that did not require approval above an approval threshold, or (ii) extend the original contract duration by 25% or more, or (iii) increase the original contract value by 10% or 1 million USD or more (whichever may apply). Once the 10% contract [or 1 million USD] threshold for modifications or change orders has been reached for a contract, any

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				subsequent contract modification or change order that individually or collectively exceed 3% of the original contract value will also require MCC approval.
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