

**Terms of References (ToR)
for
Primary Survey on**

**“Public Procurement in Bangladesh’s Power Sector:
A Framework for Transparent, Efficient and Accountable System towards
Energy Transition”**

ToR for Procurement of a Survey Firm

**Prepared by
Centre for Policy Dialogue (CPD)**



17 August 2025

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1. Background and Objectives

On 28 November 2024, the interim government of Bangladesh repealed the *Quick Enhancement of Electricity and Energy Supply (Special Provision) Act 2010*. Simultaneously, 31 renewable power plant projects that had received Letters of Intent (LOIs) under the Special Act were cancelled. Shortly thereafter, the Ministry of Power, Energy & Mineral Resources (MoPEMR) issued tender advertisements for 55 solar power plants, grouped into four lots.

Over the past decade, the Special Provision Act 2010 significantly shaped the power sector by overriding the *Public Procurement Act (PPA) 2006* and the *Public Procurement Rules (PPR) 2008*. Section 3 of the Act explicitly allowed power sector procurement to bypass the PPA and PPR, enabling expedited contract awards. However, these provisions also attracted criticism for reducing transparency, allowing non-competitive awards, and creating scope for lobbying and favoritism, particularly under Section 4, which permitted unsolicited proposals for electricity or energy imports without proper scrutiny.

With the repeal of the Special Act, procurement in the power sector has reverted to the PPA 2006 and PPR 2008 framework. While these laws provide a structured, competitive, and transparent process, they have historically faced challenges in power sector procurement, including delays, procedural rigidity, and an overemphasis on compliance over timely outcomes (World Bank, 2023). These issues raise questions about their suitability for renewable energy procurement in a context where investment climate, transparency, and efficiency are critical.

Given the scale of the new solar power plant tenders and the policy shift back to the PPA and PPR framework, it is important to assess how these procurement laws are functioning in practice for renewable energy projects and to identify the factors influencing bidder participation in this new regulatory environment.

2. Objectives of Procuring a Survey Firm

The survey firm will be engaged to implement a structured primary data collection process on behalf of CPD. Specifically, the firm will be responsible for conducting the survey, ensuring high-quality collection, and performing initial data cleaning and validation. The final dataset will be delivered in a format suitable for in-depth analysis of public procurement practices, transparency, efficiency, accountability of the public procurement act (2006) and public procurement rules (2008), investment climate, and project-specific characteristics in Bangladesh's renewable energy sector, with a focus on tenders on solar power plants. The objective is to provide CPD with reliable, comprehensive, and analyzable data to inform research, policy recommendations, and further quantitative analysis, including regression modeling.

3. Scope, Activities and Deliverables of Survey Firm

The survey firm will be responsible for data collection and final data submission. It will not be required to design survey instruments or produce research reports. CPD will provide two structured and translated survey questionnaires, complete with coding, for data collection. The firm must ensure high-quality data collection, cleaning, and delivery while adhering to ethical and methodological standards set by CPD.

Table 1: Activities and Deliverables

| Activity | Description | Deliverables |
|---------------------------------------|--|---|
| Survey Digitalization | Convert the provided questionnaires into KoboToolbox or SurveyCTO format to ensure correct mapping of questions and coding for seamless data entry | The survey form links with CPD for checking and vetting |
| Enumerator Training | Conduct training sessions on survey tools, ethical considerations, and data collection procedures. Provide hands-on practice with digital survey tools to minimize errors | CPD will facilitate the session |
| Data Collection | Conduct field surveys and telephone surveys targeting 104 firms (including around 25-30 foreign firms) | Primary check of the data |
| Data Cleaning & Submission | Validate, clean, and standardize the dataset, checking for inconsistencies and missing responses. Deliver the final cleaned dataset to CPD in a structured format (the required format is in MS Excel and Stata). | Encoded final data |

4. Sampling Methodology for the Survey

4.1 Target Population

The target population for the survey consists of firms that are associated with solar power plant procurement in Bangladesh. The classification of the target population is as follows:

- Purchasers–Non-Submitters:** The firms that have purchased the tender data set (TDS) for at least one package of solar power plant and did not submit it. There are 69 such firms.
- Purchasers–Submitters:** The firms that have purchased the tender data set (TDS) for at least one package of solar power plant and submitted it. There are 48 such firms.
- LOI–Cancelled Non-Purchasers:** The firms that got LOI under the special provision act (the LOI got cancelled along with the cancellation of the act) and did not purchase the tender data set (TDS). There are 23 such firms.

Thus, the total population for the survey is 140 firms.

4.2 Sampling Method

A single stage stratified random sampling design was employed. The total population was first divided into the three strata described above. The sample was then selected from each stratum using simple random sampling without replacement (SRSWOR), with proportional allocation to ensure representativeness of all strata in the final sample.

4.3 Sample Size

The total sample size (n_t) was determined by the following formula for finite population (Yamane, 1967) :

$$n_t = \frac{N}{1 + N e^2}$$

where N is the population size (140 firms) and e is the desired margin of error (which is assumed to be 5%). The resulting sample size was then allocated proportionally across strata using the following formula:

$$n_s = \frac{N_s * n_t}{N}$$

where N_s is the size of each stratum and n_s is the number of firms to be sampled from that stratum. Table 1 presents the distribution of the sample across strata.

The total number of firms we are planning to survey is 104. Majority of the firms have offices at Dhaka.

Table 2: Sample Size Determination and Allocation

| Stratum | Population (N_s) | Proportion (%) | Sample size (n_s) |
|------------------------------|----------------------|----------------|-----------------------|
| Purchasers–non-submitters | 69 | 49.3% | 51 |
| Purchasers–Submitters | 48 | 34.3% | 36 |
| LOI–Cancelled Non-Purchasers | 23 | 16.4% | 17 |
| Total | 140 | 100 | 104 |

Source: Author's estimation

5. Work Plan

The assigned activities will take place from **1st week of September 2025 to 4th week of September 2025.**

Table 1: Activity Schedule

| Activities | Date |
|---|----------------------|
| Detailed Plan of Activities | 3 September 2025 |
| Development of Computer Aided Survey Form in Kobo/CTO | 5 September 2025 |
| Conducting Training on Enumerators | 7-8 September 2025 |
| Conducting Field Survey | 10-20 September 2025 |
| Data Cleaning and Validation | 25 September 2025 |

| Activities | Date |
|--------------------|-------------------|
| Sharing Final Data | 26 September 2025 |

6. Issues to be Considered

Survey Equipment and Software: The data will be electronically collected using tablet computers running on an Android platform and uploaded to a server daily, allowing for remote quality control and tracking study team. Hardware and software to be used by organisational convenience. We propose to use Survey CTO or KoboToolbox for conducting this survey.

Implementation of training for the Survey Team: For survey implementation, training will be provided to the interviewers and field officers according to the questionnaire of the field survey.

Survey Fieldwork: The survey firm is responsible for writing, getting approval for, and sending letters and/or e-mails, making phone calls, setting appointments, visiting in person, and otherwise making attempts to secure high levels of participation. Fieldwork is needed to complete the survey responses. Substantial effort and resources should be allocated to the preparation and logistics before the fieldwork begins. The survey firm will be required to ensure participation in the survey, access the targeted regions, and maximise participation and response rates to each question. The Research team can help provide support, such as official letters from the Research team if required. The survey firm is expected to collect and verify the phone number and addresses of all respondents whenever available. GPS coordinates of the interviewed respondent's addresses need to be collected.

Survey completion: For a survey to be completed, relevant information must be obtained and entered into the database. No questions should be left blank except the ones skipped due to correctly applied skip patterns. The integrity and accuracy of the data are vital. The firm will establish procedures to check the quality of the interviews. At least ten percent (10%) of the completed interviews will be backchecked by telephone by the Consultant; the proportion of callbacks will also depend on the quality control feedback provided by the Research team. Managers of the survey will randomly check enumerators and accompany interviewers on some interviews. Representatives of the Research team may accompany survey teams to monitor effectiveness, ensure quality and check for progress in the field.

Data Entry, Format and Sharing: The survey firm will share the access of the database to the Research team so that the researchers can check the data in real time during the data collection process. The Research team may download the data for checking inconsistencies and to advise accordingly. The final data set will be delivered after the completion of 100% of the interviews. The survey data will be delivered to the Research team in Microsoft Excel (including codebook) and STATA electronic format. The consultancy team/s and the study team will adhere to the safeguarding, PSEA, Harassment, Data Protection and Privacy standard policies throughout the activities.

7. Data Quality and Non-Participation

In order to ensure data quality and consistency, a survey data quality control procedure is in place. The first checking of the data will be completed and documented by the survey firm—

- There are no errors in variables codes, questionnaire flow, skip patterns, number of missing values, etc.

- There is no “double counting
- Monitoring of collected data
- Flagging implausible data
- There are no errors in data’s logical consistency or outliers
- Checking for straight-line answers, etc.

Ethical Consideration: The survey be guided by the following ethical considerations:

- Safeguarding – demonstrating the highest standards of behaviour towards respondents
- Sensitive – to gender rights, inclusion, and cultural contexts
- Openness – of information given to the highest possible degree to all involved parties
- Confidentiality and data protection - measures will be put in place to protect the identity of all participants and any other information that may put them or others at risk.

It is expected that: Informed consent will be used where possible.

8. Submission Procedure

Bidders are requested to submit their proposals via email to procurement@cpd.org.bd by **1st September**. Proposals submitted after this deadline will not be accepted.

When submitting, bidders must use the subject line **Proposal for Public Procurement Survey**.

Proposals should be concise and must include three parts: **technical proposal, financial proposal, and relevant documents**.

a. Technical Proposal:

In the technical proposal the bidders are requested to:

- Provide a detailed description of the tasks to be undertaken, including a clear and concise strategy for completing the activities, without replicating the Terms of Reference (ToR).
- Prepare a timeline for task delivery, including a brief description and a Gantt chart.
- Provide a description of why the bidding organization is well-suited for the task.
- Provide brief descriptions of previous experiences with similar work, including contact information for at least two organizations where such work has been successfully completed.
- Provide a brief description of the project personnel and their relevant experience.

b. Financial Proposal:

For the financial proposal the bidders are requested to:

- Provide a detailed breakdown of the costs for each material and task.
- Include applicable VAT and taxes as per the government rules.

c. Relevant Documents

For this part, bidders are requested to provide:

- Acknowledgment receipt for the last annual TAX return
- TIN Certificate
- Bank Account details

- Incorporation certificate
- Provide the contact information of the organization.
- Contact information of the project focal person.
- CVs of the project personnel

The table below outlines the page limit for the contents of the proposal.

Table 04: Page Limits for Proposal Contents

| Topic | Page limit (max.) |
|--|--------------------------|
| Cover page | 1 |
| Table of content | 1 |
| Technical Proposal | |
| Detailed description of the tasks and strategy | 3 |
| Timeline for task delivery | 1 |
| Suitability of the organisation | 1 |
| Brief descriptions of previous experiences | 1 |
| Brief descriptions of the project personnel | 1 |
| Any other relevant information (if necessary) | 1 |
| Financial Proposal | |
| Budget detailing out the total fee (including VAT and tax as per the government rules) | 1 |
| Relevant Documents | |
| Acknowledgment receipt for the last annual TAX return | 1 |
| BIN Certificate | 1 |
| Bank Account details | 1 |
| Incorporation certificate | 1 |
| Contact information of the project focal person | 1 |
| *CVs of the project personnel | N/A |

Note: *The CVs of the personnel involved in the project work can be sent as a separate file annexed to the proposal; they should not be included as part of the main proposal document.

9. Evaluation Criteria

The table below outlines the evaluation criteria

Table 05: Evaluation Criteria

| Area(s) | Criteria | Weight |
|--------------|--|------------|
| Technical | Understanding of the Assignment | 25 |
| | Qualification of the key team members | 5 |
| | Timeline and Strategy for the assignment | 5 |
| | Experience in similar Projects | 30 |
| Financial | Competitive pricing with a reasonable and justifiable financial proposal | 35 |
| Total | | 100 |

10. Finance Related Special Notes

- All payments for the selected vendor will be made through Account Payee Cheque in favour of the selected vendor.
- CPD will deduct TDS from the billed amount as per Section 52A, Income Tax Ordinance 1984.
- Selected vendor will need to provide CPD Mushak-6.3 with the bill at 15% rate, as per Statutory Regulatory Order (SRO) 235.
- The selected vendor must provide Mushak-6.3.
- The selected vendor will need to produce original invoices for each delivery made under each Purchase Order within this contract period

11. Disclaimers

- CPD reserves the right to select or reject any vendor who will drop the proposal for providing the service.
- Any attempt to unlawfully acquire and/or persuade to get the assignment will lead to immediate rejection of the respective service-provider, and CPD may also take legal actions, if required.
- Failure to deliver according to the terms of the contract shall subject the vendor to penalties as will be stipulated in the final contract.
- CPD will not be liable to indemnify any third party in respect for any claims, debt, damage, or demand arising out of this contract.
- CPD will not accept any Liability for the compensation for death, disability or hazards. Which maybe suffered by the Supplier/Supply chain through this contract while supplying CPD, no such claims will be made against CPD.
- If the bidder breaches any term or condition of this agreement (part or all), or the conditions set out in any given Purchase Order/Contract, including, but not limited to, quality of the

Goods/Services, Price and Delivery requirements, the buyer shall be entitled to immediately purchases goods/services from any other source/Suppliers, in addition to any remedy available in law or equity.

- Bidders must avoid actions conflicting with CPD's principles or creating real or perceived conflicts of interest and must uphold integrity, independence, and impartiality, refraining from public statements that could harm their relationship with CPD.
- CPD enforces zero tolerance for fraud, corruption, or terrorist financing, requiring vendors and consultants to act with honesty and integrity. Violations may result in disciplinary measures, legal action, and reporting to law enforcement for prosecution.
- CPD may unconditionally terminate any agreement if a supplier violates national labour laws or fails to protect children's rights, including safeguarding them from violence, abuse, exploitation, or harm.
- CPD enforces zero tolerance for sexual exploitation and abuse (SEA) and requires adherence to its Safeguarding Policy by all staff, vendors, and associated personnel.

12. Contact Person

The study will be coordinated by the following person, and any queries regarding the ToR can be clarified by him:

- **Atikuzzaman Shazeed**

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