

Procurement Complaint Handling Protocol (PCH - P)

Meghalaya Basin Management Agency (MBMA) is committed to transparent and accountable practices when seeking goods, works, consultancy and non-consultancy services from suppliers. It is committed to ensuring its procurement processes work effectively and fairly for all suppliers. A bidder can offer a suggestion or raise a grievance regarding a bidding/selection process, and in general, the tendering process. Mere fact of lodging of a complaint shall not warrant suspension of the procurement/selection process.

Any bidder who is not satisfied with any procurement process may lodge a complaint with MBMA as per the following process:

1. Bidder can submit their complaints online through the website at <https://www.cllmp.com/procurement/> or send an email to procurementcomplaints.mbma@gmail.com
2. Once a bidder submits an online complaint, the complaint gets registered and a Unique Complaint ID is generated by the system which will shall be used in all correspondences related to the complaint. Complaints sent via email to the designated email ID are also registered with MBMA and assigned a complaint reference number.
3. The complainant needs to furnish complete and valid details as mentioned in the complaint form, regardless of online or email submission, quote the valid bid reference no. and upload supporting documents (as appropriate)
4. On receipt of a procurement related complaint, MBMA:
 - i. Acknowledges the complaint within 3 business days of receipt
 - ii. Provides a response to the complainant after analysis of the points raised by the complainant within 10 business days of receipt
5. Meghalaya Community Led Landscape Management Project has a three-tier structure to ensure timely redressal of procurement related complaints:
 - i. **Level 1:** Additional Project Director, Meghalaya Community-led Landscape Management Project, MEG-LIFE Office, Shillong, Meghalaya: The complainant must first bring its complaint before the procuring entity itself with the intent of speedy, impartial, fair and efficient resolution, and then at a higher administrative review may be invoked. MBMA is empowered to set up a separate Review Committee with representation based on the complexity and seriousness of each complaint
 - ii. **Level 2:** Project Director, Meghalaya Community-led Landscape Management Project, Additional Secretariat, Shillong, Meghalaya
 - iii. **Level 3:** Member Secretary, State Tender Committee, Planning Department, Additional Secretariat, Shillong, Meghalaya
6. Importance of Timeliness, Timelines, Accuracy and Completeness of Information:
 - i. Every effort shall be made by MBMA to ensure that complaints handling process shall not cause delay in the awarding of a contract. Similarly, every effort shall be made by the bidding and consulting community to ensure that only genuine complaints are submitted.
 - ii. Absence of relevant information is likely to cause delay in review of the complaint by MBMA. Complaints must contain factual details, verifiable

facts and related matters and must be submitted through the link provided above.

- iii. They should not be vague or contain sweeping general allegations.
7. It is also important to note that:
- i. In responding to any procurement related complaint, MBMA has an obligation to maintain the confidentiality of the procurement process and of proprietary information provided by the complainant as part of its bid or otherwise
 - ii. All complaints related to a procurement/selection process which are received before finalization of technical and financial evaluation report shall be discussed in the evaluation report[s] along with their analysis and findings
 - iii. Complaints can be withdrawn at any time giving the reference to the unique ID number and in writing to procurementcomplaints.mbma@gmail.com
 - iv. All complaint involving issues related to fraud or corruption in World Bank-financed projects shall be forwarded to the Chief Secretary who is also the State Vigilance Commissioner, and also be reported to the Office of Institutional Integrity [INT] [www.worldbank.org/integrity]. For prior review cases, these shall also be copied to the World Bank. Bidders may kindly note that when allegations of fraud and corruption are substantiated, companies involved in misconduct are sanctioned from engaging in any new Bank-Group-financed activity
 - v. Additional provisions as required by applicable Procurement Regulations of the World Bank will also be complied in case of complaints related to Bank funded procurement. Copies of all replies by MBMA to complaints received shall be made available to internal auditors, the Auditor General staff, World Bank team, or to other officials as appropriate, and statistics of procurement related complaints received will be available in the on-line portal
 - vi. MBMA will maintain a record/complaint registers, for maintaining record of all complaints, results of analysis and findings and the process of their disposal

Workflow for Procurement Complaint Handling of MBMA

