



Interim Amendment Notice 2014-001

June 11, 2014

MCC/MCA Procurement Community

1. Procurement Notices

This is an Interim Amendment Notice issued in accordance with Part 7 of MCC's Program Procurement Guidelines (PPG). MCC issues notices from time to time to inform all MCC and MCA staff (including agents and implementing entities) of changes to the MCC Program Procurement Guidelines and the Standard Bidding Documents (SBDs). The changes indicated in this Interim Amendment Notice are effective as set out in the section below entitled "Effectiveness and Application of Interim Amendment." This Interim Amendment Notice will also be posted on the MCC's website.

2. MCC Program Procurement Guidelines

MCC and all MCA Entities will implement the changes to the PPG described in Attachment 1 - *Interim Amendment 2014-001*.

3. Effectiveness and Application of this Interim Amendment

This Interim Amendment is effective as of the date of issuance. The changes to the appropriate sections of the PPG will be taken into account immediately for all present and future procurement actions.

4. Rationale for PPG Amendments

- a. **Modification to PPG Part 1, Paragraphs P1.A.1.7; P1.A.1.9(a); P1.B.1.9; and P1.B.1.9(a) (Eligibility).** These changes are being made to ensure consistency between these provisions and Part 10 of the PPG with respect to the language and application of the eligibility criteria for participation in MCC-funded projects.
- b. **Modification to Part 10, Paragraph P10.1.3 (Introduction to Eligibility Verification Procedures).** This change is being made to clarify the ineligibility period of persons or entities blacklisted by The World Bank or debarred or suspended from participation in procurements funded by the United States Government.

Prabhat Garg
Practice Lead & Senior Director – Program Procurements
Sector Operations, Department of Compact Operations
Millennium Challenge Corporation

Attachment 1

MCC Program Procurement Guidelines
(October 23, 2009)

Interim Amendment 2014-001

This Interim Amendment modifies the October 23, 2009, version of the MCC Program Procurement Guidelines (PPG). The changes indicated in this Interim Amendment will be effective as set out in the accompanying Interim Amendment Notice under the section entitled “Effectiveness and Application of Interim Amendment.”

MCC and all MCA Entities (including Procurement Agents and Implementing Entities) will make the following changes to their copies of the PPG. The changes may be made by inserting changed pages into the documents or by marking the change to the appropriate paragraphs. It is also important to insert the Index of Interim Amendments found at the end of this Attachment 1. A copy of the PPG as amended by this Interim Amendment will be maintained by each MCA Procurement Director and the MCA Procurement Agent(s) in a file/binder for use as a reference by staff and auditors.

1. AMENDMENTS

- a.** Section P1.A.1.7 of the MCC Program Procurement Guidelines is amended by striking the existing text and replacing it with the following:

“To foster competition, MCC permits firms and individuals to offer goods, works, and non-consultant services for MCC-funded Projects, except firms and individuals that (i) are declared ineligible by The World Bank for any reason during the period of time that the firm or individual is sanctioned by The World Bank; (ii) are blacklisted by The World Bank; or (iii) are debarred or suspended from participation in procurements funded by the United States Federal Government or otherwise prohibited by applicable United States law or executive order or United States policies, including under any then-existing anti-terrorist policies.”

- b.** Section P1.A.1.9(a) of the MCC Program Procurement Guidelines is amended by striking the existing text and replacing it with the following:

“Firms of a country or goods manufactured in a country may be excluded if, (i) as a matter of law or official regulation, the country of the MCA Entity prohibits commercial relations with that country, provided that MCC is satisfied with such exclusion, or (ii) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the country of the MCA Entity prohibits any import of goods from or payments to a particular country, person, or entity.”

- c. Section P1.B.1.9 of the MCC Program Procurement Guidelines is amended by striking the existing text and replacing it with the following:

“To foster competition, MCC permits firms and individuals to offer goods, works, and non-consultant services for MCC-funded Projects, except firms and individuals that (i) are declared ineligible by The World Bank for any reason during the period of time that the firm or individual is sanctioned by The World Bank; (ii) are blacklisted by The World Bank; or (iii) are debarred or suspended from participation in procurements funded by the United States Federal Government or otherwise prohibited by applicable United States law or executive order or United States policies, including under any then-existing anti-terrorist policies.”

- d. Section P1.B.1.9(a) of the MCC Program Procurement Guidelines is amended by striking the existing text and replacing it with the following:

“Consultants may be excluded if: (i) as a matter of law or official regulation, the country of the MCA Entity prohibits commercial relations with the consultant’s country provided that MCC is satisfied with such exclusion, or (ii) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the country of the MCA Entity prohibits any payments to a particular firm or person or for particular goods.”

- e. Section P10.1.3 of the MCC Program Procurement Guidelines is amended by replacing the words “has been” with the word “is” in such section.

2. GENERAL PROVISIONS

- a. Except as expressly amended by this Interim Amendment, all of the terms and conditions of the MCC Program Procurement Guidelines remain unchanged and shall remain in full force and effect in accordance with their terms. This Interim Amendment shall be limited as provided for herein and shall not be deemed to be a waiver of, amendment of, consent to, or modification of any other term or provision of the MCC Program Procurement Guidelines.
- b. On and after the date of the Interim Amendment Notice associated with this Interim Amendment, each reference in the MCC Program Procurement Guidelines to “these Guidelines,” and any other reference to the MCC Program Procurement Guidelines will, unless otherwise stated, be construed to refer to the MCC Program Procurement Guidelines as amended by this Interim Amendment.

**MCC Program Procurement Guidelines
(October 23, 2009 Version)**

Index of Interim Amendments

Interim Amendment	Issue Date
2010-001 (Material Interim Amendment)	September 27, 2010
2011-001 (Material Interim Amendment)	May 23, 2011
2013-001 (Interim Amendment)	April 3, 2013
2014-001 (Interim Amendment)	June 11, 2014