

STANDARD PROCUREMENT DOCUMENT

**Prequalification for
Procurement of Works
and
User's Guide**

The Inter-American Development Bank

November 2005

Foreword

This Standard Prequalification Document for Procurement of Works (SPQD) has been prepared by the Inter-American Development Bank (hereinafter called “the Bank”). The SPQD reflects the structure and the provisions of the Master Procurement Document “Prequalification Document for Procurement of Works” issued by the Multilateral Development Banks and International Financial Institutions, except where specific considerations of the procurement policies of the Inter-American Development Bank have required a change.

This SPQD incorporates the new features of the January 2005 Policies for the Procurement of Works and Goods financed by the Inter-American Development Bank (hereinafter called “the Policies”).

This document is to be used when a prequalification process takes place prior to the bidding process for procurement of works through International Competitive Bidding (ICB) in projects that are financed in whole or in part by the Bank.

Those wishing to submit comments or questions on these documents or to obtain additional information on procurement under Bank-financed projects are encouraged to contact:

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Standard Prequalification Document for Procurement of Works

Summary

PART 1 – PREQUALIFICATION PROCEDURES

Section I. Instructions to Applicants (ITA)

This Section specifies the procedures to be followed by Applicants in the preparation and submission of their Applications for Prequalification (AFPs). Information is also provided on opening and evaluation of AFPs. **Section I contains provisions that are to be used without modification.**

Section II. Prequalification Data Sheet (PDS)

This Section consists of provisions that are specific to each prequalification and supplement the information or requirements included in Section I, Instructions to Applicants.

Section III. Qualification Criteria and Requirements

This Section contains the methods, criteria, and requirements to be used to determine how Applicants shall be prequalified and later invited to bid.

Section IV. Application Forms

This Section contains the Application Submission Form and all the forms required to be submitted with the Application.

Section V. Eligible Countries

This Section contains information on eligible countries.

PART 2. WORKS REQUIREMENTS

Section VI. Scope of Works

This Section includes a summary description, delivery and completion schedules, technical specifications and drawings of the Works subject of this prequalification.

User's Guide for the Procurement Documents-Prequalification for Procurement of Works

This Guide to the Standard Procurement Documents for Prequalification contains detailed explanations and recommendations to Contracting Agencies on how to prepare a Prequalification Document for a specific procurement of Works and evaluate Applications. The Guide is not a part of the Prequalification Document.

PROCUREMENT DOCUMENTS**Issued on: _____****for****Prequalification for
Procurement of*****[Insert identification of the Works]*****Invitation for Prequalification No.: *[insert number]*****ICB No.: *[insert number]*****Project: *[insert name of Project]*****Contracting Agency: *[insert full legal name of
Contracting Agency]***

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PART 1 – Prequalification Procedures

Section I. Instructions to Applicants

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Section I. Instructions to Applicants

A. General

- 1. Scope of Application**

1.1 The Contracting Agency, as defined in the Prequalification Data Sheet (**PDS**), issues this Prequalification Document (**PQD**) to Applicants interested in bidding for the works described in Section VI, Scope of Works. The number of contracts and the name and identification of each contract, and the International Competitive Bidding (**ICB**) number corresponding to this prequalification, are provided in the **PDS**.
- 2. Source of Funds**

2.1 The Borrower or Recipient (indifferently hereinafter called “Borrower”) indicated in the **PDS** has applied for or received financing (hereinafter called “funds”) from the Inter-American Development Bank (hereinafter called “the Bank”) towards the cost of the project named in the **PDS**. The Borrower intends to apply a portion of the funds to eligible payments under the contract(s) resulting from the bidding for which this prequalification is conducted.
- 3. Fraud and Corruption**

3.1 The Bank requires that all Applicants follow the Bank’s Policies for the Procurement of Works and Goods financed by the Bank. In particular, the Bank requires that all borrowers (including grant beneficiaries), the executing agencies and contracting agencies, as well as all firms, entities and individuals bidding for or participating in a Bank-financed project, including, *inter alia*, Applicants, bidders, contractors, consulting firms and individual consultants (including their respective officers, employees and agents) adhere to the highest ethical standards, and report to the Bank all suspected acts of fraud or corruption of which it has knowledge or becomes aware, during the Bidding Process and throughout the negotiation or execution of a Contract. Fraud and corruption are prohibited. Fraud and corruption include acts of (a) bribery, (b) extortion or coercion, (c) fraud and (d) collusion. The definitions of actions set forth below cover the most common types of corrupt practices, but are not exhaustive. For this reason, the Bank shall also take action in the event of any similar deed or complaint involving alleged acts of corruption, even when these are not specified in the following list. The Bank shall in all cases proceed in accordance with the established procedure referred to in Clause 3.1 (c). In pursuance of this document:

 - (a) The Bank defines the terms set forth below as follows:

 - (i) “Bribery” meaning the offering or giving of anything of value to influence the actions or decisions of third

parties or the receiving or soliciting of any benefit in exchange for actions or omissions related to the performance of duties;

- (ii) “Extortion” or “Coercion” meaning the act of obtaining something, compelling an action or influencing a decision through intimidation, threat or the use of force, where potential or actual injury may befall upon a person, his/her reputation or property;
 - (iii) “Fraud” meaning any action or omission intended to misrepresent the truth so as to induce others to act in reliance thereof, with the purpose of obtaining some unjust advantage or causing damage to others; and
 - (iv) “Collusion” meaning a secret agreement between two or more parties to defraud or cause damage to a person or entity or to obtain an unlawful purpose;
- (b) If the Bank, in accordance with its administrative procedures, demonstrates that any firm, entity or individual bidding for or participating in a Bank-financed project including, *inter alia*, Applicants, bidders, contractors, consulting firms, individual consultants, borrowers (including grant beneficiaries), purchasers, executing agencies and contracting agencies (including their respective officers, employees and agents) engaged in an act of fraud or corruption in connection with Bank-financed projects, the Bank may:
- (i) decide not to finance any proposal to award a contract or a contract awarded financed by the Bank;
 - (ii) suspend disbursement of the operation if it is determined at any stage that evidence is sufficient to support a finding that an employee, agent or representative of the Borrower, Executing Agency or Contracting Agency has engaged in an act of fraud or corruption;
 - (iii) cancel and/or accelerate the payment of, the portion of a loan or grant earmarked for a contract, when there is evidence that the representative of the Borrower, or Beneficiary of a grant, has not taken the adequate remedial measures within a time period which the Bank considers reasonable,

and in accordance with the due process guarantees of the Borrowing country's legislation;

- (iv) issue a reprimand in the form of a formal letter of censure of the firm, entity or individual's behavior;
 - (v) issue a declaration that an individual, entity or firm is ineligible, either permanently or for a stated period of time, to be awarded contracts under Bank-financed projects except under such conditions as the Bank deems to be appropriate;
 - (vi) refer the matter to appropriate law enforcement authorities; and/or
 - (vii) may impose other sanctions that it deems to be appropriate under the circumstances, including the imposition of fines representing reimbursement of the Bank for costs associated with investigations and proceedings. Such other sanctions may be imposed in addition to or in lieu of other sanctions.
- (c) The Bank has established administrative procedures for cases of allegations of fraud and corruption within the procurement process or the execution of a contract financed by the Bank which are available at the Bank's website (www.iadb.org), as updated from time to time. To that effect any complaint shall be submitted to the Office of Institutional Integrity (OII) for the appropriated investigation. Allegations may be presented confidentially or anonymously;
- (d) Payments are expressly conditional upon the claimant's participation in the procurement process conformed with all applicable Bank policies on Fraud and Corruption described in this Clause 3.1; and
- (e) The imposition of any sanction referred to paragraph (b) of this Clause will be public.
- 3.2 The Bank will have the right to require that, in contracts financed by a Bank loan, a provision be included requiring Applicants to permit the Bank to inspect their accounts and records and other documents relating to the submission of Bids and contract performance and to have them audited by auditors appointed by the Bank. Under this policy, the Bank will have the right to require that Applicants to:
- (i) maintain all documents and records related to the Bank-financed project for five (5) years after completion of the work; and
 - (ii)

require the delivery of any document necessary for the investigation of allegations of fraud or corruption and the availability of employees or agents of the Applicant with knowledge of the Bank-financed project to respond to questions from the Bank. If the Applicant refuses to comply with the Bank's request, the Bank, in its sole discretion, may take appropriate action against the Applicant.

3.3 The Applicants shall represent and warrant:

- (a) that they have read and understood the Bank's prohibition against fraud and corruption and agree to abide by the applicable rules;
- (b) that they have not engaged in any violation of policies on fraud and corruption described herein;
- (c) that they have not misrepresented or concealed any material facts during the procurement or contract negotiation processes or performance of the contract;
- (d) that neither they nor any of their directors, officers or principal shareholders have been declared ineligible to be awarded Bank-financed contracts or have been convicted of a crime involving fraud or corruption;
- (e) that none of their directors, officers or principal shareholders has been a director, officer or principal shareholder of any other company or entity that has been declared ineligible to be awarded a Bank-financed contract or has been convicted of a crime involving fraud or corruption;
- (f) that all commissions, agents' fees, facilitating payments or revenue-sharing agreements related to the Bank-financed contract or consulting agreement have been disclosed;
- (g) that they acknowledge that the breach of any of these warranties constitute a basis for the imposition of any or a combination of the measures described in Clause 3.1 (b).

4. Eligible Applicants

- 4.1 An Applicant shall be a private, public or government owned legal entity, subject to ITA 4.7, or any combination of them in the form of a Joint Venture, Consortium or Association (JVCA) with the formal intent, as evidenced by a letter of intent), to enter into an agreement or under an existing agreement. In the case of a JVCA, unless otherwise specified in the **PDS**, (i) all parties shall be jointly and severally liable, and (ii) there shall be no limit on the number of partners.
- 4.2 The eligibility criteria listed in this Clause 4 shall apply to the Applicant, including the parties constituting the Applicant, i.e., its

proposed partners, subcontractors and suppliers for any part of the Contract including related services.

- 4.3 An Applicant and all parties constituting the Applicant, shall be nationals from member countries of the Bank. Applicants from other countries shall be disqualified from participating in contracts intended to be financed in whole or in part from Bank loans. Section V of this document establishes the Bank's member countries, as well as the criteria to determine the nationality of the Applicants and the country of origin of goods and services.
- 4.4 Applicants and all parties constituting the Applicant shall not have a conflict of interest. Applicants found to have conflict of interest shall be disqualified. Applicants may be considered to have a conflict of interest with one of more parties in this bidding process, if they:
 - (a) are or have been associated in the past, with a firm or any of its affiliates which have been engaged by the Contracting Agency to provide consulting services for the preparation of the design, specifications, and other documents to be used for the procurement of the works for which this prequalification is being conducted. Where a firm, or a firm from the same economic or financial group, in addition to consulting, also has the capability to manufacture or supply goods or to construct works, that firm, or a firm from the same economic or financial group, cannot normally be a supplier of goods or works, if it provided consulting services for the contract corresponding to this prequalification, unless it can be demonstrated that there is not a significant degree of common ownership, influence or control;
 - (b) submit more than one Application in this prequalification process, in accordance with ITA Clause 4.5
- 4.5 An Applicant shall submit only one Application in the same Prequalification process, either individually as an Applicant or as a partner of a JVCA. No Applicant can be a subcontractor while submitting an Application individually or as a partner of a JVCA in the same Prequalification process. A Subcontractor in any Application may participate in more than one Application, but only in that capacity. An Applicant who submits, or participates in, more than one Application will cause all the Applications in which the Applicant has participated to be disqualified.
- 4.6 An Applicant that is under a declaration of ineligibility during the period of time established by the Bank in accordance with ITA 3, shall be disqualified.

- 4.7 Government-owned entities in the Borrower's Country shall be eligible only if they can establish that they are (i) legally and financially autonomous, (ii) operate under commercial law, and (iii) not a dependent agency of the Borrower.
- 4.8 Applicants shall not be under execution of a Bid-Securing Declaration in the Contracting Agency's Country.
- 4.9 Applicants and all parties constituting the Applicant shall provide such evidence of their continued eligibility satisfactory to the Contracting Agency, as the Contracting Agency shall reasonably request.
- 4.10 Applicants from an eligible country may be excluded if, (a) as a matter of law or official regulations the Borrower's country prohibits commercial relations with that country, provided that the Bank is satisfied that such exclusion does not preclude effective competition for the supply of goods or the contracting of works required; or (b) 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 Borrower's country prohibits any import of goods or contracting of works or services from that country, or any payments to persons or entities in that country. Section V, Eligible countries provide lists of member countries, and the criteria to determine the nationality of Applicants, and the country of origin of goods and services pursuant to Sub Clauses 4.3 and 4.10.
- 5. Eligible Goods and Related Services** 5.1 All goods and related services to be supplied under the Contract to be financed by the Bank shall have as their origin in any Bank's member country in accordance with Section V, Eligible Countries with the exception indicated in ITA 4.10.

B. Contents of the Prequalification Document

- 6. Sections of Prequalification Document** 6.1 The Procurement Documents-Prequalification for Procurement of Works (hereinafter - "Prequalification Document") consists of parts 1 and 2 which comprise all the sections indicated below, and should be read in conjunction with any Addendum issued in accordance with ITA 8.

PART 1 Prequalification Procedures

- Section I. Instructions to Applicants (ITA)
- Section II. Prequalification Data Sheet (PDS)
- Section III. Qualification Criteria and Requirements
- Section IV. Application Forms
- Section V. Eligible Countries

PART 2 Works Requirements

- Section VI. Scope of Works

6.2 The “Invitation for Prequalification” issued by the Contracting Agency is not part of the prequalification document.

6.3 The Contracting Agency accepts no responsibility for the completeness of the prequalification document and its addenda unless they were obtained directly from the Contracting Agency.

6.4 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish all information or documentation required by the Prequalification Document.

7. Clarification of Prequalification Document

7.1 A prospective Applicant requiring any clarification of the Prequalification Document shall contact the Contracting Agency in writing at the Contracting Agency’s address indicated in the **PDS**. The Contracting Agency will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of Applications. The Contracting Agency shall forward copies of its response to all Applicants who have acquired the prequalification document directly from the Contracting Agency including a description of the inquiry but without identifying its source. Should the Contracting Agency deem it necessary to amend the prequalification document as a result of a clarification, it shall do so following the procedure under ITA 8 and in accordance with the provisions of ITA 17.2.

8. Amendment of Prequalification Document

8.1 At any time prior to the deadline for submission of Applications, the Contracting Agency may amend the Prequalification Document by issuing addenda.

8.2 Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the prequalification document from the Contracting Agency.

8.3 To give prospective Applicants reasonable time to take an addendum into account in preparing their Applications, the Contracting Agency may, at its discretion, extend the deadline for the submission of Applications.

C. Preparation of Applications

9. Cost of Applications

9.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Contracting Agency will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

10. Language of

10.1 The Application as well as all correspondence and documents relating

- Application** to the prequalification exchanged by the Applicant and the Contracting Agency, shall be written in the language specified in the **PDS**. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified in the **PDS**, in which case, for purposes of interpretation of the Application, the translation shall govern.
- 11. Documents Comprising the Application** 11.1 The Application shall comprise the following:
- (a) Application Submission Form, in accordance with ITA 12;
 - (b) documentary evidence establishing the Applicant’s eligibility, in accordance with ITA 13;
 - (c) documentary evidence establishing the Applicant’s qualifications, in accordance with ITA 14; and
 - (d) any other document required as specified in the **PDS**.
- 12. Application Submission Form** 12.1 The Applicant shall prepare an Application Submission Sheet using the form furnished in Section IV, Application Forms. This Form must be completed without any alteration to its format.
- 13. Documents Establishing the Eligibility of the Applicant** 13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Form and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV, Application Forms.
- 14. Documents Establishing the Qualifications of the Applicant** 14.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.
- 15. Signing of the Application and Number of Copies** 15.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it “ORIGINAL”. The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant.
- 15.2 The Applicant shall submit copies of the signed original Application, in the number specified in the **PDS**, and clearly mark them “COPY”. In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

- 16. Sealing and Identification of Applications**
- 16.1 The Applicant shall enclose the original and the copies of the Application in an envelope that shall be sealed and shall:
- (a) bear the name and address of the Applicant;
 - (b) be addressed to the Contracting Agency, in accordance with ITA 17.1; and
 - (c) bear the specific identification of this prequalification process indicated in the PDS 1.1.
- 16.2 The Contracting Agency will accept no responsibility for not processing any Application whose envelope was not identified as required.
- 17. Deadline for Submission of Applications**
- 17.1 Applicants may always submit their Applications by mail or by hand. When so specified in the **PDS**, Applicants shall have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **PDS**. Applications shall be received by the Contracting Agency at the address and no later than the deadline indicated in the **PDS**. A receipt will be given for all Applications submitted.
- 17.2 The Contracting Agency may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Contracting Agency and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.
- 18. Late Applications**
- 18.1 Any Application received by the Contracting Agency after the deadline for submission of Applications prescribed in ITA 17 will be returned unopened to the Applicant.
- 19. Opening of Applications**
- 19.1 Any specific electronic Application opening procedures required if electronic submission of Applications is permitted pursuant to Sub Clause 17.1 shall be as specified in the **PDS**. Contracting Agency shall prepare a record of the opening of Applications that shall include, as a minimum, the name of the Applicant. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

- 20. Confidentiality**
- 20.1 Information relating to the evaluation of Applications, and recommendation for prequalification, shall not be disclosed to Applicants or any other persons not officially concerned with such process until the notification of prequalification is made to all Applicants.
- 20.2 From the deadline for submission of Applications to the time of

notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Contracting Agency on any matter related to the prequalification process, may do so but only in writing.

- 21. Clarification of Applications**
- 21.1 To assist in the evaluation of Applications, the Contracting Agency may, at its discretion, ask any Applicant for a clarification of its Application which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing.
- 21.2 If an Applicant does not provide clarifications of the information requested by the date and time set in the Contracting Agency's request for clarification, its Application may be rejected.
- 22. Responsiveness of Applications**
- 22.1 The Contracting Agency may reject any Application which is not responsive to the requirements of the prequalification document.
- 23. Domestic Preference**
- 23.1 A margin of preference for domestic bidders shall not apply in the bidding process resulting from this prequalification.
- 24. Subcontractors**
- 24.1 Applicants planning to subcontract any of the key activities indicated in Section III, Qualification Criteria, shall specify the activities or parts of the works to be subcontracted in the Application Submission Form. Applicants shall clearly identify the proposed specialist subcontractors in Forms ELI-1.2 and EXP (experience)-4.2(b) in Section IV. Such proposed specialist subcontractor(s) shall meet the corresponding qualification requirements specified in Section III, Qualification Criteria and Requirements.
- 24.2 At this time, the Contracting Agency does not intend to execute certain specific parts of the Works by subcontractors selected in advance by the Contracting Agency (Nominated Subcontractors) unless otherwise stated in the **PDS**.

F. Evaluation of Applications and Prequalification of Applicants

- 25. Evaluation of Applications**
- 25.1 The Contracting Agency shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements to evaluate the qualifications of the Applicants. The use of other methods, criteria, or requirements shall not be permitted. The Contracting Agency reserves the right to waive minor deviations in the compliance with qualification criteria if they do not materially affect the capability of an Applicant to perform the contract.
- 25.2 Only the qualifications of subcontractors that have been identified in the Application may be considered in the evaluation of an Applicant.

However, the general experience and financial resources of subcontractors may not be added to those of the Applicant for purposes of prequalification of the Applicant.

- 25.3 In case of multiple contracts, the Contracting Agency shall prequalify each Applicant for the maximum number and types of contracts for which the Applicant meets the appropriate aggregate requirements of such contracts, as specified in Section III, Qualification Criteria and Requirements.
- 26. Contracting Agency's Right to Accept or Reject Applications** 26.1 The Contracting Agency reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to Applicants.
- 27. Prequalification of Applicants** 27.1 All Applicants whose Applications have met or exceeded ("passed") the specified threshold requirements will, to the exclusion of all others, be prequalified by the Contracting Agency.
- 28. Notification of Prequalification** 28.1 Once the Contracting Agency has completed the evaluation of the Applications it shall notify all Applicants in writing of the names of those Applicants who have been prequalified.
- 29. Invitation to Bid** 29.1 Promptly after the notification of the results of the prequalification the Contracting Agency shall invite bids from all the Applicants that have been prequalified.
- 29.2 In the bidding process, Bidders may be required to provide a Bid Security or a Bid-Securing Declaration acceptable to the Contracting Agency in the form and an amount to be specified in the Bidding Documents, and the successful Bidder shall be required to provide a Performance Security to be specified in the Bidding Documents.
- 30. Changes in Qualifications of Applicants** 30.1 An Applicant that has been prequalified in accordance with ITA 27 and invited to bid, shall submit to the Contracting Agency not later than 14 days after the date of the Invitation for Bids any change in the structure or formation of the Applicant. The change shall be subject to a written approval of the Contracting Agency prior to the deadline for submission of bids. Such approval shall be denied if as a consequence of the change the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria and Requirements, or if in the opinion of the Contracting Agency, a substantial reduction in competition may result.

Section II. Prequalification Data Sheet

A. General

ITA 1.1	The Contracting Agency is: <i>[insert full name, including name of Project Officer, and address]</i>
ITA 1.1	The list of contracts is: <i>[insert number, names and identification numbers]</i>
ITA 1.1	ICB name and number are: <i>[insert name and identification number]</i>
ITA 2.1	The name of the Borrower is: <i>[insert name of Borrower]</i>
ITA 2.1	The name of the Project is: <i>[insert name of Project]</i>
ITA 4.1	(i) The parties in a JVCA <i>[insert “shall” or “shall not”]</i> be jointly and severally liable. (ii) Maximum number of partners in the JVCA shall be: <i>[insert a number or insert “not limited”]</i>

B. Contents of the Prequalification Document

ITA 7.1	<p>For clarification purposes, the Contracting Agency's address is:</p> <p><i>[insert information or state “same as in 1.1 above”]</i></p> <p>Attention: <i>[insert name and room number of Project Officer]</i></p> <p>Address: <i>[insert street name and number]</i></p> <p><i>[insert floor and room number, if applicable]</i></p> <p>City: <i>[insert name of city or town]</i></p> <p>ZIP Code: <i>[insert postal (ZIP) code, if applicable]</i></p> <p>Country: <i>[insert name of country]</i></p> <p>Telephone: <i>[insert telephone number including country and city codes]</i></p> <p>Facsimile number: <i>[insert fax number including country and city codes]</i></p> <p>Electronic mail address: <i>[insert e-mail address of Project Officer]</i></p>
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C. Preparation of Applications

ITA 10.1	The language of the Application as well as of all correspondence is: <i>[Insert “English” or “French” or “Portuguese” or “Spanish”]</i> .
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ITA 11.1 (d)	The Applicant shall submit with its Application, the following additional documents: <i>[insert list of additional documents, if any]</i>
ITA 15.2	In addition to the original, the number of copies to be submitted with the Application is: <i>[insert number of copies]</i>
D. Submission of Applications	
ITA 17.1	<p>Applicants <i>[insert “shall” or “shall not”]</i> have the option of submitting their Applications electronically.</p> <p>If electronic submission of Applications shall be permitted, the electronic Application submission procedures shall be: <i>[insert description of the procedures]</i></p> <p>For Application submission purposes only, the Contracting Agency's address is:</p> <p><i>[insert information requested below or insert “Contracting Agency’s address is the same as that indicated in 1.1]</i></p>
	<p>Attention: <i>[insert name and room number of Project Officer]</i></p> <p>Address: <i>[insert street name and number]</i></p> <p><i>[insert floor and room number, if applicable]</i></p> <p>City: <i>[insert name of city or town]</i></p> <p>ZIP Code: <i>[insert postal (ZIP) code, if applicable]</i></p> <p>Country: <i>[insert name of country]</i></p> <p>Telephone: <i>[insert telephone number including country and city codes]</i></p> <p>Facsimile number: <i>[insert fax number including country and city codes]</i></p> <p>Electronic mail address: <i>[insert e-mail address of Project Officer]</i></p> <p>The deadline for Application submission is:</p> <p>Date: <i>[insert date]</i></p> <p>Time: <i>[insert time]</i></p>
19.1	If electronic submission of Applications shall be permitted, electronic Application opening procedures are: <i>[insert description of the procedures]</i>
E. Procedures for Evaluation of Applications	

ITA 24.2	<p>At this time the Contracting Agency <i>[insert “intends” or “does not intend”]</i> to execute certain specific parts of the Works by subcontractors selected in advance (Nominated Subcontractors).</p> <p><i>[If the above states “intends” list the specific parts of the works and the respective subcontractors]</i></p>

Section III. Qualification Criteria and Requirements

This Section contains all the methods, criteria, and requirements that the Contracting Agency shall use to evaluate Applications. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.

Contents

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Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association (JVCA)			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
1. Eligibility							
1.1	Nationality	Nationality in accordance with ITA Sub-Clauses 4.2 and 4.3	Must meet requirement	Existing or intended JVCA must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in ITA Sub-Clause 4.4	Must meet requirement	Existing or intended JVCA must meet requirement	Must meet requirement	N/A	Application Submission Form
1.3	Bank Ineligibility	Not having been declared ineligible by the Bank, as described in ITA Sub-Clause 4.6	Must meet requirement	Existing JVCA must meet requirement	Must meet requirement	N/A	Application Submission Form
1.4	Government Owned Entity	Applicant required to meet conditions of ITA Sub-Clause 4.7	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.5	United Nations resolution or Borrower's country law	Not having been excluded as a result of the Borrower's country laws or official regulations, or by an act of compliance with UN Security Council resolution, in accordance with ITA 4.10	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association (JVCA)			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
2. Historical Contract Non-Performance							
2.1	History of Non-Performing Contracts	Non-performance of a contract did not occur within the last <i>[insert number]</i> years prior to the deadline for Application submission based on all information on fully settled disputes or litigation. A fully settled dispute or litigation is one that has been resolved in accordance with the Dispute Resolution Mechanism under the respective contract and where all appeal instances available to the Applicant have been exhausted.	Must meet requirement by itself or as partner to past or existing JVCA	N/A	Must meet requirement by itself or as partner to past or existing JVCA	N/A	Form CON-2
2.2	Failure to Sign Contract	Not being under execution of a Bid Securing Declaration pursuant to Sub-Clause 4.8 for <i>[insert number]</i> years	Must meet requirement	N/A	Must meet requirement by itself or as partner to past or existing JVCA	N/A	Application Submission Form
2.3	Pending Litigation	All pending litigation shall in total not represent more than <i>[insert number]</i> %, <i>[insert percentage in words]</i> of the Applicant's net worth and shall be treated as resolved against the Applicant	Must meet requirement by itself or as a partner to past or existing JVCA	N/A	Must meet requirement by itself or as a partner to past or existing JVCA	N/A	Form CON – 2

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association (JVCA)			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
3. Financial Situation							
3.1	Financial Performance	Submission of audited balance sheets or if not required by the law of the Applicant's country, other financial statements acceptable to the Contracting Agency, for the last <i>[insert number]</i> years to demonstrate: (a) the current soundness of the Applicant's financial position and its prospective long term profitability, and (b) capacity to have a cash flow amount of US\$ <i>[insert number]</i> equivalent	Must meet requirement (a) Must meet requirement (b) Must meet requirement	N/A (a) N/A (b) Must meet requirement	Must meet requirement (a) Must meet requirement (b) N/A	N/A (a) N/A (b) N/A	Form FIN – 3.1 with attachments
3.2	Average Annual Construction Turnover	Minimum average annual construction turnover of US\$ <i>[insert amount in US\$ equivalent in words and figures]</i> , calculated as total certified payments received for contracts in progress or completed, within the last <i>[insert number]</i> years, <i>[insert number in words]</i> years	Must meet requirement	Must meet requirement	Must meet <i>[insert number]</i> %, <i>[insert percentage in words]</i> of the requirement	Must meet <i>[insert number]</i> %, <i>[insert percentage in words]</i> of the requirement	Form FIN – 3.2

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association (JVCA)			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
4. Experience							
4.1	General Construction Experience	Experience under construction contracts in the role of contractor, subcontractor, or management contractor for at least the last <i>[insert number]</i> years prior to the Application submission deadline, and with activity in at least nine (9) months in each year.	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1
4.2 (a)	Specific Construction Experience	Participation as contractor, management contractor or subcontractor, in at least <i>[insert number]</i> contracts within the last <i>[insert number]</i> years, each with a value of at least <i>[insert amount]</i> , that have been successfully and substantially completed and that are similar to the proposed works. The similarity shall be based on the physical size, complexity, methods/technology or other characteristics as described in Section VI, Scope of Works	Must meet requirement	Must meet requirement	N/A	Must meet require for one contract (can be a specialist subcontractor)	Form EXP 4.2(a)
4.2 (b)		For the above or other contracts executed during the period stipulated in 4.2	Must meet requirements	Must meet requirements	N/A	Must meet the following requirements	Form EXP – 4.2 (b)

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association (JVCA)			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
		(a) above, a minimum construction experience in the following key activities: <i>[list activities]</i>				for the key activities listed below (can be a specialist subcontractor) <i>[list key activities for this partner and the corresponding minimum requirements]</i>	

Section IV. Application Forms

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Application Submission Form

Date: *[insert day, month, year]*

ICB No. and title: *[insert ICB number and title]*

To: *[insert full name of Contracting Agency]*

We, the undersigned, apply to be prequalified for the referenced ICB and declare that:

- (a) we have examined and have no reservations to the Prequalification Documents *[including Addenda No, issued in accordance with Instructions to Applicants (ITA) Clause 8:] [insert the number and issuing date of each addendum]*.
- (b) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification process, have nationalities from eligible countries, in accordance with ITA Sub-Clause 4.3: *[insert the nationality of the Applicant, including that of all partners in case of a JVCA, and the nationality of each already identified subcontractor and supplier of related services, if applicable]*;
- (c) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification, do not have any conflict of interest, in accordance with ITA Sub-Clause 4.4;
- (d) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification, have not been declared ineligible by the Bank, or under the Borrower's country laws, official regulations, or under execution of a Bid Securing Declaration in the Contracting Agency's Country, or by an act of compliance with a decision of the United Nations Security Council, in accordance with ITA Sub-Clauses 4.6, 4.8 and 4.10;
- (e) *[insert either "we are not a Government owned entity" or "we are a Government entity, and we meet the requirements of ITA Sub-Clause 4.7]*;
- (f) we, in accordance with ITA Sub-Clause 24.1, plan to subcontract the following key activities and/or parts of the works:

[insert any of the key activities identified in Section III- 4.2 (b) which the Applicant intends to subcontract]
- (g) we declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding bidding process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
<i>[insert full name for each occurrence]</i>	<i>[insert street/number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount in US\$ equivalent]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If none has been paid or is to be paid, indicate “none”.]

- (h) We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to bid for the contract subject of this prequalification, without incurring any liability to the Applicants, in accordance with ITA Clause 26.

Signed *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name *[insert full name of person signing the Application]*

In the Capacity of *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of:

Applicant's Name *[insert full name of Applicant]* Address *[insert street number/town or city/country address]*

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*

Form ELI -1.1 Applicant Information

Date: *[insert day, month, year]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant's legal name <i>[insert full legal name]</i>
In case of Joint Venture, Consortium or Association (JVCA), legal name of each partner: <i>[insert full legal name of each partner in JVCA]</i>
Applicant's Actual or Intended country of constitution: <i>[indicate country of Constitution]</i>
Applicant's actual or Intended year of constitution: <i>[indicate year of Constitution]</i>
Applicant's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full legal name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
Attached are copies of original documents of <input type="checkbox"/> Documents of Constitution of the legal entity named above, in accordance with ITA 4.3. <input type="checkbox"/> In case of JVCA, letter of intent to form JVCA or JVCA agreement, in accordance with ITA 4.1. <input type="checkbox"/> In case of Government owned entity, documents establishing legal and financial autonomy and compliance with commercial law, in accordance with ITA 4.7.

Form ELI -1.2

Applicant's Party Information

[The following form shall be filled in for the Applicant's parties including partner(s) of a JVCA, subcontractors, suppliers and other parties]

Date: *~insert day, month, yearJ*

ICB No. and title: *~insert ICB number and titleJ*

Page *~insert page numberJ* of *~insert total numberJ* pages

JVCA Applicant legal name: <i>[insert full legal name]</i>
Applicant's Party legal name: <i>[insert full legal name of Applicant's Party]</i>
Applicant's Party country of constitution: <i>[indicate country of constitution]</i>
Applicant Party's year of constitution: <i>[indicate year of constitution]</i>
Applicant Party's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant Party's authorized representative information Name: <i>[insert full legal name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
Attached are copies of original documents of <input type="checkbox"/> Documents of Constitution of the legal entity named above, in accordance with ITA 4.3. <input type="checkbox"/> In case of a Government owned entity, documents establishing legal and financial autonomy and compliance with commercial law, in accordance with ITA 4.7.

Form CON – 2 Historical Contract Non-Performance

[The following table shall be filled in for the Applicant and for each partner of a JVCA]

Applicant’s Legal Name: *[insert full name]*
 Date: *[insert day, month, year]*
 JVCA Party Legal Name: *[insert full name]*
 ICB No. and title: *[insert ICB number and title]*
 Page *[insert page number]* of *[insert total number]* pages

Non-Performing Contracts in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> Contract non-performance did not occur during the <i>[number]</i> years specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed during the <i>[number]</i> years specified in Section III, Qualification Criteria and Requirements, requirement 2.1			
Year	Non performed portion of contract	Contract Identification	Total Contract Amount (current value, US\$ equivalent)
<i>[insert year]</i>	<i>[insert amount in original currencies and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Contracting Agency: <i>[insert full name]</i> Address of Contracting Agency: <i>[insert street/city/country]</i> Reason(s) for non performance: <i>[indicate main reason(s)]</i>	<i>[insert total amount in US\$ equivalent]</i> <i>[Insert total amounts in original currencies]</i> <i>[Insert rates of exchange used to obtain amounts in US\$ equivalent]</i>
Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3..			
<input type="checkbox"/> Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3 as indicated below.			

Year	Outcome as Percentage of Total Assets	Contract Identification	Total Contract Amount (current value, US\$ equivalent)
<i>[insert year]</i>	<i>[insert amount in original currencies and percentage]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Contracting Agency: <i>[insert full name]</i> Address of Contracting Agency: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i>	<i>[insert total amount in US\$ equivalent]</i> <i>[Insert total amounts in original currencies]</i> <i>[Insert rates of exchange used to obtain amount in US\$ equivalent]</i>

Form FIN – 3.1 Financial Situation

[The following table shall be filled in for the Applicant and for each partner of a JVCA]

Applicant's Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

Applicant's Party Legal Name: *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

1. Financial data

Current Financial information (US\$ equivalent 000s)		Historic information for previous _ <i>[insert number]</i> <i>[Insert in words]</i> years (US\$ equivalent in 000s)				
Current Year	[----]	Year 1	Year 2	Year 3	Year ...	Year n
Exchange rate						
Information from Balance Sheet						
1. Total Assets (TA)						
2. Total Liabilities (TL)						
3. Net Worth (NW) = [1-2]						
4. Current Assets (CA)						
5. Current Liabilities (CL)						
6. Working Capital (WC) = [4-5]						
7. Current Ratio = [4/5]						
Information from Income Statement						
8. Total Revenue (TR)						
9. Profits Before Taxes (PBT)						
10. Return on Equity = [9/3py*]						
11. Indebtedness ratio = [3/1]						

* py: previous year

2. Financial documents

The Applicant and its parties shall provide copies of the balance sheets and/or financial statements for [number] years pursuant Section III, Qualifications Criteria and Requirements, Sub-factor 3.1. The financial statements shall:

- (a) reflect the financial situation of the Applicant or partner to a JVCA, and not sister or parent companies.
 - (b) be audited by a certified accountant.
 - (c) be complete, including all notes to the financial statements.
 - (d) correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).
- Attached are copies of financial statements (balance sheets, including all related notes, and income statements) for the *[number]* years required above; and complying with the requirements

Form FIN - 3.2 Average Annual Construction Turnover

[The following table shall be filled in for the Applicant and for each partner of a JVCA]

Applicant's/JVCA Partner's Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

Applicant's Party Legal Name: *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

Annual turnover data (construction only)		
Year	Amounts in original Currencies	Amounts in US\$ equivalent
<i>[Insert year]</i>	<i>[Insert amounts and currencies]</i>	<i>[Insert amount in US\$ Equivalent.]</i> <i>[Insert exchange rates used to calculate amounts in US\$ equivalent]</i>
Average Annual Construction Turnover *		

* Average annual construction turnover calculated as total certified payments received for work in progress or completed, divided by the number of years specified in Section III, Qualification Criteria and Requirements, Sub-Factor 3.2.

Form EXP - 4.1 General Construction Experience

[The following table shall be filled in for the Applicant and for each partner of a JVCA]

Applicant's/JVCA Partner's Legal Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Applicant JVCA Party Legal Name: *[insert full name]*
 ICB No. and title: *[insert ICB number]*
 Page *[insert page number]* of *[insert total number]* pages

[Identify contracts that demonstrate continuous construction work over the past [number] years pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 4.1. List contracts chronologically, according to their commencement (starting) dates.]

Starting Month / Year	Ending Month / Year	Contract Identification	Role of Applicant
<i>[Indicate month/year]</i>	<i>[Indicate month/year]</i>	Contract name: _____ <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: _____ <i>[describe works performed briefly]</i> Amount of contract: _____ <i>[Insert amount in original currency]</i> _____ <i>[insert amount in US\$ equivalent]</i> Exchange rate: _____ <i>[Insert exchange rates used to calculate amount in US\$ equivalent]</i> Name of Contracting Agency: _____ <i>[indicate full name]</i> Address: _____ <i>Street/number/town or city/country]</i>	<i>[insert "Contractor" or "Subcontractor" or "Contract Manager"]</i>
		Contract name: _____ <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: _____ <i>[describe works performed briefly]</i> Amount of contract: _____ <i>[Insert amount in original currency]</i> _____ <i>[insert amount in US\$ equivalent]</i> Exchange rate: _____ <i>[Insert exchange rates used to calculate amount in US\$ equivalent]</i> Name of Contracting Agency: _____ <i>[indicate full name]</i> Address: _____ <i>Street/number/town or city/country]</i>	<i>[insert "Contractor" or "Subcontractor" or "Contract Manager"]</i>

	<p>Contract name: _____ <i>[insert full name]</i></p> <p>Brief Description of the Works performed by the Applicant: _____ <i>[describe works performed briefly]</i></p> <p>Amount of contract: _____ <i>[Insert amount in original currency]</i></p> <p>_____ <i>[insert amount in US\$ equivalent]</i></p> <p>Exchange rate: _____ <i>[Insert exchange rates used to calculate amount in US\$ equivalent]</i></p> <p>Name of Contracting Agency: _____ <i>[indicate full name]</i></p> <p>Address: _____ <i>Street/number/town or city/country]</i></p>	<p><i>[insert "Contractor" or "Subcontractor" or "Contract Manager"]</i></p>
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Form EXP - 4.2(a) Similar Construction Experience

[The following table shall be filled in for contracts performed by the Applicant, each partner of a JVCA, and specialist sub contractors]

Applicant's/JVCA Partner's Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

JVCA Party Name: *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

Similar Contract No. _____ <i>[insert number] of _____ [insert number of similar contracts required]</i>	Information		
Contract Identification	<i>[insert contract name and number, if applicable]</i>		
Award date	<i>[insert day, month, year, i. e., 15 June, 2015]</i>		
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>		
Role in Contract <i>[Check the appropriate box]</i>	Contractor <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>
Total contract Amount			
Original Amount _____ <i>[Insert total contract amount in original currency]</i>			
Amount in US\$ equivalent _____ <i>[insert total contract amount in US\$ equivalent]</i>			
Exchange rate _____ <i>[Insert exchange rate used to calculate US\$ equivalent]</i>			
If partner in a JVCA, or subcontractor, specify participation in total contract amount	_____ <i>[insert percentage amount]</i>	_____ <i>[Insert amount in original currency]</i>	_____ <i>[Insert amount in US\$ equivalent]</i> Exchange rate _____ <i>[Insert exchange used rate to calculate equivalent US\$]</i>
Contracting Agency's Name:	<i>[Insert full name]</i>		

Address:	<i>[indicate street / number / town or city / country]</i>
Telephone/fax number	<i>[insert telephone/fax numbers, including country and City area codes]</i>
E-mail:	<i>[Insert e-mail address, if available]</i>

Form EXP - 4.2(a) (cont.)
Similar Construction Experience (cont.)

Similar Contract No. _____ <i>[insert number] of _____ [insert number of similar contracts required]</i>	Information
Description of the similarity in accordance with Sub-Factor 4.2(a) of Section III:	
1. Amount	_____ <i>[Insert amount in original currency]</i> _____ <i>[Insert equivalent amount in US\$ in words and in Figures]</i> _____ <i>[Insert exchange rate used to calculate amount in US\$ equivalent]</i>
2. Physical size	_____ <i>[Insert physical size of activities]</i>
3. Complexity	_____ <i>[Insert description of complexity]</i>
4. Methods/Technology	_____ <i>[Insert specific aspects of the methods/technology involved in the contract]</i>
5. Other Characteristics	_____ <i>[Insert other characteristics as described in Section V, Scope of Works]</i>

Form EXP - 4.2(b) Construction Experience in Key Activities

Applicant's Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

Applicant's Party Legal Name: *[insert full name]*

Nominated Subcontractor's Legal Name (as per ITA 24.2): *[insert full name]*

ICB No. and title: *[insert ICB number and title]*

Page *[insert page number]* of *[insert total number]* pages

All Subcontractors for key activities must complete the information in this form as per ITA 24.2 and Section III, Qualification Criteria and Requirements, Sub-Factor 4.2.

1. Key Activity No. One: *[insert brief description of the Activity, emphasizing its specificity]*

	Information		
Contract Identification	<i>[insert contract name and number, if applicable]</i>		
Award date	<i>[insert day, month, year, i. e., 15 June, 2015]</i>		
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>		
Role in Contract <i>[Check the appropriate box]</i>	Contractor <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>
Total contract Amount			
Original Amount _____ <i>[Insert total contract amount in original currency]</i>			
Amount in US\$ equivalent _____ <i>[insert total contract amount in US\$ equivalent]</i>			
Exchange rate _____ <i>[Insert exchange rate used to calculate US\$ equivalent]</i>			

If party in a JVCA or subcontractor, specify participation of total contract amount	<u> </u> <i>[insert percentage amount]</i>	<u> </u> <i>[Insert amount in original currency]</i>	<u> </u> <i>[Insert amount in US\$ equivalent]</i> Exchange rate <u> </u> <i>[Insert exchange rate used to calculate equivalent US\$]</i>
---	---	---	---

	Information
Contracting Agency's Name:	<i>[insert full name]</i>
Address:	<i>[indicate street / number / town or city / country]</i>
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>
E-mail:	<i>[insert e-mail address, if available]</i>

2. Key Activity No. Two

3.

Section V. Eligible Countries

Eligibility for the Provision of Goods, Works and Services in Bank-Financed Procurement

[Note: *The expression “Bank” used in these documents includes the IDB, MIF and any other fund it administers.*

Depending on the financing source, the user must select one of the following 3 options for item number 1). The financing can come from the IDB, the Multilateral Investment Fund (MIF) or, occasionally, contracts may be financed out of special funds which further restricts eligibility criteria to a particular group of member countries. When the last option is selected, the eligibility criteria should be mentioned therein:

1) List of Member Countries when the Inter-American Development Bank is financing:

a) Borrower Countries:

(i) *Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Colombia, Costa Rica, Chile, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Trinidad & Tobago, Uruguay and Venezuela.*

b) Non Borrower Countries

(ii) *Austria, Belgium, Canada, Croatia, Denmark, Finland, France, Germany, Israel, Italy, Japan, Netherlands, Norway, Portugal, Republic of Korea, Slovenia, Spain, Sweden, Switzerland, United Kingdom and United States.*

1) List of Member Countries when the Multilateral Investment Fund is financing:

(a) List of Countries:

(i) *Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Colombia, Costa Rica, Chile, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Italy, Jamaica, Japan, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, Portugal, Republic of Korea, Spain, Suriname, Trinidad & Tobago, United States, Uruguay and Venezuela.*

1) List of Countries when a Fund administered by the Bank is financing

(Include the list of countries)]

2) Nationality and origin of Goods and Services Criteria

These policy provisions make it necessary to establish criteria to determine: a) the nationality of the firms and individuals eligible to bid or participate in a bank-financed contract and b) the country of origin of goods, and services. For these determinations, the following criteria shall be used:

A) Nationality.

a) **An individual** is considered to be a national of a member country of the Bank if he or she meets either of the following requirements:

- i. is a citizen of a member country; or
- ii. has established his/her domicile in a member country as a “bona fide” resident and is legally entitled to work in the country of domicile.

b) **A firm** is considered to have the nationality of a member country if it meets the two following requirements:

- i. is legally constituted or incorporated under the laws of a member country of the Bank; and
- ii. more than fifty percent (50%) of the firm’s capital is owned by individuals or firms from member countries of the Bank.

All members of a JVCA and all subcontractors must meet the nationality criteria set forth above.

B) Origin of Goods.

Goods have their origin in a member country of the Bank if they have been mined, grown,

harvested, or produced in a member country of the Bank. A good has been produced when through manufacture, processing or assembly another commercially recognized article results that differs substantially in its basic characteristics, function or purpose of utility from its parts or components.

For a good consisting of several individual components that need to be interconnected (either by the supplier, the purchaser or by a third party) to make the good operative and regardless of the complexity of the interconnection, the Bank considers that such good is eligible for financing if the assembly of the components took place in a member country, regardless of the origin of the components. When the good is a set of several individual goods that are normally packaged and sold commercially as a single unit, the good is considered to originate in the country where the set was packaged and shipped to the purchaser.

For purpose of origin, goods labeled “made in the European Union” shall be eligible without the need to identify the corresponding specific country of the European Union.

The origin of materials, parts or components of the goods or the nationality of the firm that produces, assembles, distributes or sells the goods, does not determine the origin of the goods.

C) Origin of Services.

The country of origin of services is that of the individual or firm providing the services as determined under the nationality criteria set forth above. These criteria apply to services ancillary to the supply of goods (such as transportation, insurance, erection, assembly, etc.), to construction services and to consulting services.

PART 2 – Works Requirements

Section VI. Scope of Works

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1. Description of the Works

2. Construction Period

3. Site and Other Data

STANDARD PROCUREMENT DOCUMENTS

**Prequalification
for
Procurement of Works and
User's Guide**

The Inter-American Development Bank

November 2005

Introduction

The Standard Procurement Documents - Prequalification for Procurement of Works (SPD) and User's Guide have been designed to: (i) simplify the Contracting Agency's preparation of a specific Prequalification Document (PD) for Procurement of Works; (ii) reduce the Applicants' preparation time and effort; and (iii) facilitate and simplify the Contracting Agency's evaluation of Applications; and (iv) minimize the Inter-American Development Bank's (hereinafter called "the Bank") time required for the prior review of the PD

The purpose of the Users' Guide (the Guide) is to provide guidance to Contracting Agencies on how to prepare prequalification documents for works based on the standard procurement document. In addition the Guide includes guidance on how to prepare the Invitation for Prequalification (IFP). The provisions in **Section I, Instructions to Applicants (ITA) of the SPD must be used without any modification to its text or format.** Any data and provisions that this section requires for a specific prequalification shall be included in **Section II, Prequalification Data Sheet.**

The remaining sections of the SPD, which are also explained in the Guide are: **Section III, Qualification Criteria and Requirements; Section IV, Application Forms; Section V, Eligible Countries; and Section VI, Scope of Works.**

At the end of each section of the Guide, "**Guidance Notes for Users,**" explain the rationale for certain Clauses of the SPD, and provide guidance to Contracting Agencies and their consultants in preparing a particular prequalification document and evaluating the submissions of Applicants. The last section of this Guide provides guidance on the evaluation of Applications.

Procurement under projects financed by the Inter-American Development Bank (hereinafter called "the Bank") is carried out in accordance with policies and procedures laid down in the Bank's *Policies for the Procurement of Works and Goods financed by the Inter-American Development Bank* (hereinafter referred to as the "Policies.")

The Standard Procurement Documents for Prequalification in this publication has been prepared for use by the Bank's Borrowers and their implementing agencies in the procurement of works primarily through International Competitive Bidding (ICB), but the principles may also be applied if prequalification is needed under National Competitive Bidding (NCB). The procedures presented are based on good international practice, and are in compliance with the Bank's Policies.

Prequalification is usually necessary for large or complex works, or in any other circumstances in which the high costs of preparing detailed bids could discourage competition, such as custom-designed equipment, industrial plant, specialized services, some complex information and technology and contracts to be let under turnkey, design and build, or management contracting. This also ensures that invitations to bid are extended only to those who have adequate capabilities and resources. Prequalification shall be based entirely upon the capability and resources of prospective bidders to perform the particular contract satisfactorily, taking into account their (a) experience and past performance on similar contracts, (b) capabilities with respect to personnel, equipment, and construction or manufacturing facilities, and (c) financial situation.

The Standard Procurement Documents for Prequalification in this publication has been prepared for use by the Bank's Borrowers and their contracting agencies in the procurement of works in all cases where the Loan Contract requires prequalification for Works Contracts.

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Acronyms & Abbreviations

PDS	Prequalification Data Sheet
FIDIC	Federation Internationale des Ingénieurs-Conseils (an association based in Switzerland that produces Conditions of Contract for different classes of works construction).
ICB	International Competitive Bidding
IFB	Invitation for Bids
IFP	Invitation for Prequalification
ITA	Instructions to Applicants
JVCA	Joint Venture, Consortium or Association
NCB	National Competitive Bidding
PQ	Prequalification
PD	Procurement Documents - Prequalification for Procurement of Works
SBD	Standard Bidding Documents
SPD	Standard Procurement Documents - Prequalification for Procurement of Works

Glossary

Contracting Agency	The legal entity entering into a contract with the Contractor to perform a works contract.
Contractor	The legal entity entering into a contract with the Contracting Agency to perform a works contract.
Joint Venture, Consortium or Association (APCA)	An association of firms that pool their resources and skills to undertake a large or complex contract in the role of "Contractor," with all firms (partners in the JVCA) being legally liable, jointly and severally, for the execution of the contract.
Management Contractor	A firm, acting in the role of "Contractor," that does not usually perform contract construction work directly, but manages the work of other (sub) contractors, while bearing full responsibility and risk for price, quality, and timely performance of the work contract.
Construction Manager	A consultant, acting as agent of the Contracting Agency, engaged to coordinate and monitor the timing of preparation, bidding award, and execution of a number of different contracts comprising a project, but does not take on the responsibility for price, quality, or performance of those contracts.
Nominated Subcontractor	A specialist enterprise selected and approved by the Contracting Agency to provide specified works included in the Bill of Quantities and nominated as subcontractor to the main Contractor for such purpose.
Postqualification	An evaluation made by the Contracting Agency during the evaluation of bids and prior to award of contract, to ensure that the lowest-evaluated, responsive, eligible Bidder is qualified to perform the contract in accordance with previously specified postqualification requirements.
Prequalification	An evaluation made by the Contracting Agency before inviting bids, of the appropriate level of experience and capacity of potential bidders expressing interest in undertaking a particular contract, before inviting them to bid.
Prime Contractor	A firm that performs a substantial part of a contract construction work itself and the balance, if any, by subcontractors, while bearing full responsibility for the whole contract.
Provisional Sum	A sum included provisionally in the Bill of Quantities of a contract, normally for a specialized part of the Works or for contingencies, which sum shall be used only on the instructions of the Contracting Agency for payments to the contractor and/or to nominated subcontractors.

Slice and Package	A procedure whereby a large homogeneous project is sliced into smaller similar contracts, which are bid simultaneously so as to attract the interest of both small and large firms; firms offer bids on individual contracts (slices) or on a group of similar contracts (packages), and award is made to the combination of bids offering the lowest cost to the Contracting Agency. Slices comprising a number of similar construction units together in a small area are sometimes referred to as “lots,” which are bid concurrently with other similar “lots” as part of the larger “package.”
Turnover	The gross revenue of a firm (in this context, a construction contractor), defined as the billings for contract work in progress and/or completed, normally expressed on an annual basis, and excluding income from other sources.
Works	The total work involvement in a construction contract, including the “Permanent” Works or finished product as specified, and the “Temporary” Works required in by the Contractor for the execution and completion of the contract.
In writing	For the purpose of this document, the term “in writing” means communicated in written form (e.g. by mail, e-mail, fax, telex) with proof of receipt.

The Prequalification Process

The prequalification process includes four main phases: (i) Advertising, (ii) Preparation and Issuing of the Prequalification Document, (iii) Application Preparation and Submission, and (iv) Application Evaluation, and Prequalification of Applicants.

Advertising (Procurement Policies; paras 2.7 and 2.8)

The Contracting Agency shall advertise prequalification GPN in UN Development Business¹ on-line (UNDB on line) and in the Bank's Internet Website. The Prequalification Document (PD) shall not be released to the public earlier than the date of publication of the GPN.

In addition the Contracting Agency shall advertise an upcoming prequalification process:

- (a) in at least one newspaper of national circulation in the Borrower's Country or in the official gazette (if it is available on the Internet), or on the electronic portal of free access where the Borrower advertises all government business opportunities, and
- (b) in UNDB online and in the Bank's Internet Website, and/or in well-known technical magazines (*the latter being mandatory if specified in the Loan Contract*)

When advertising, the Contracting Agency shall give enough time for potential Applicants to respond with well-prepared Applications.

Preparation and Issuing of the Prequalification Document

The Contracting Agency and the Applicant should keep in mind that:

- The Contracting Agency is responsible for the preparation and issuance of the Prequalification Document (PD).
- The Contracting Agency shall use the Standard Procurement Documents - Prequalification for Procurement of Works (SPD) issued by the Bank, as this is mandatory for contracts to be financed by the Bank.
- The Contracting Agency shall prepare the PD using the published version of the SPD without suppressing or adding text in Section I, Instructions to Applicants (ITA), which does not allow modifications. All information and data specific to an individual prequalification process must be provided by the Contracting Agency in the following sections of the PD:
 - Section II. Prequalification Data Sheet

¹ Advertising inquiries about the U.N. Development Business publication can be directed to: Development Business; Telephone: 1-212-963-1516; Facsimile: 1-212-963-1381; Internet: <http://www.devbusiness.com/>; E-mail: dbsubscribe@un.org

- Section III. Qualification Criteria and Requirements
- Section IV. Application Forms
- Section V. Eligible Countries
- Section VI. Scope of Works
- The Contracting Agency shall allow Applicants sufficient time for studying the prequalification documents, preparing complete and responsive Applications, and submitting the Applications (see Advertising above).

Application Preparation and Submission

The Applicant is responsible for the preparation and submission of its Application. During this stage, the Contracting Agency shall:

- Promptly respond to requests for clarifications from Applicants and amend, as needed, the PD,
- Amend the PD only with the Bank's "no objection" in contracts subject to the Bank's prior review.

Application Evaluation and Prequalification

The Contracting Agency is responsible for the evaluation of Applications and the prequalification of Applicants. To that effect, the Contracting Agency shall appoint experienced staff to conduct the evaluation of Applications. Mistakes committed at the Application evaluation stage may later prompt complaints from Applicants, hence requiring reevaluation of the Applications, with the consequent delays and waste of time and resources.

The Contracting Agency, in observance of best practices, shall:

- Maintain the Application evaluation process confidential;
- Reject any attempts or pressures to bias the evaluation, including through fraud and corruption;
- Comply with the fraud and corruption requirement of the Bank;
- Comply with the prior-review requirements of the Bank; and
- Strictly apply the qualification criteria specified in the Prequalification Document Section III, Qualification Criteria and Requirements.

Section I. Instructions to Applicants (ITA)

The Instructions to Applicants (ITA) specify the procedures that regulate the prequalification process. The ITA contains standard provisions that have been designed to remain unchanged and, therefore, their wording should not be modified. On the other hand, the ITA refer those Clauses that need to be complemented to suit the conditions of a particular prequalification process to the Prequalification Data Sheet (PDS); any such additional information should then be provided in the PDS.

Section II. Prequalification Data Sheet (PDS)

General

The Prequalification Data Sheet (PDS) contains information and provisions that are specific to a particular prequalification process. The Contracting Agency must specify in a PDS Clause only the information that the corresponding ITA Clause requests be specified. All requested information shall be provided; **no Clause of the PDS shall be left blank.**

To facilitate the preparation of the PDS, its Clauses are numbered with the same numbers as the corresponding ITA Clause. Section II, Prequalification Data Sheet, provides information to the Contracting Agency on how to enter all required information.

Guidance Notes

1. Slice and Package of Similar Contracts (ITA 1.1 and 25.3)

- (a) If a number of contracts of a similar nature are to be bid simultaneously on a “slice and package” basis, the nonstandard, contract-specific parts of the bidding documents (Bill of Quantities, Drawings, etc.) should be prepared for each individual contract (slice) to permit the award of individual contracts to different bidders. In the prequalification document, Section III should state the prequalification requirements for each slice based upon the Contracting Agency’s cost estimates, including contingencies. Applicants will be asked to indicate in their Applications the individual contract (slice) or combination of contracts (package) in which they are interested, and will be invited to bid on all those contracts for which their assessed capacity is sufficient.

Basic Principles

- (b) The Procurement Policies in para 2.4 refer to bidding on a slice and package basis as follows:

“For a project requiring similar but separate items of equipment or works, bids may be invited under alternative contract options that would attract the interest of both small and large firms, which could be allowed, at their option, to bid for individual contracts (slices) or for a group of similar contracts (package). All bids and combinations of bids shall be received by the same deadline and opened and evaluated simultaneously so as to determine the bid or combination of bids offering the lowest evaluated cost to the Borrower.”
- (c) The essential requirement for breaking a large Works construction project into a package of similar individual contracts or “slices” is that the Works, in the first instance, must be reasonably homogeneous, and that the execution of individual slices by different contractors on a “single responsibility” basis would still result in a timely and satisfactory completion of the whole package. For example: a number of similar

- building types (such as health clinics, schools, houses, etc.); irrigation canals; pipelines; rural roads; highways in similar terrain, etc.
- (d) The manner in which the Works are sliced is of importance. A highway sliced “horizontally” into separate radically different elements such as earthworks, culverts, bridges, road foundation, and paving is not suited for bidding such individual elements as separate contracts on a “slice and package” basis, because of potential problems with contract interfacing and assigning responsibility for any subsequent defects. However, a highway sliced “vertically” into sections with similar features is suited, since each slice is a complete, self-contained entity in itself.
 - (e) The procurement strategy for complex projects, where the risk of planning and coordinating the phasing and site relationships between contractors is high and where such risk is assumed by the Contracting Agency, should be discussed in detail during projects preparation and appraisal, before starting the preparation of the prequalification documentation. Works under these projects are often divided up in separate contracts of a different nature and with critical completion dates. Potential contractors for these separate contracts may be simultaneously prequalified and the contracts may also be simultaneously bid, but their packaging for prequalification and bidding purposes may become very complicated. As an example, the construction of a port could be divided up into several separate contracts for access roads, breakwater and quays, dredging, buildings, etc., with prequalification and bidding each carried out at the same time and the possibility of multiple awards to one or more contractors.

Number of Slices

- (f) The number of slices or individual contracts into which the works are divided is also of importance, and will affect the complexity of the prequalification evaluation and, subsequently, the bid evaluation and contract administration. The complexity of the prequalification and bid evaluation increases very rapidly with the number of slices. The number of combinations of individual contracts above five may require a complex matrix for evaluation purposes. Four or five maximum number of slices or individual contracts is recommended. A large number of small slices, while encouraging small domestic contractors, may discourage larger and more efficient contractors from bidding on a package of small contracts. Even with a reasonable number of slices, the evaluation of different combinations may be somewhat complex, particularly if different time periods are permitted for package construction. The Bank strongly recommends against an excessive number of slices.

2. Domestic Preference (ITA 23.1)

- (a) A margin of preference for domestic contractors shall not apply in the bidding process resulting from prequalification for Works.

3. Nominated Subcontractors (ITA 24.2)

In large, complex Works contracts, the construction strategy of the Contracting Agency may provide

for the execution of certain specialized parts of the Works by Nominated Subcontractors in accordance with the provisions of the FIDIC General Conditions of Contract.² A typical example would be the supply and installation of the ventilation and lighting systems for a tunnel contract.

² Those wishing more information may contact FIDIC Secretariat, P.O. Box 86, 1000 Lausanne 12, Switzerland. Facsimile: 41 21 653 5432. Telephone: 41 21 653 5003

Section III. Qualification Criteria and Requirements

The purpose of Section III. Qualification Criteria and Requirements is to specify the criteria and corresponding requirements that the Contracting Agency shall use to evaluate the Applications and prequalify the Applicants.

III.1 Qualification Criteria and Requirements (Table)

The Contracting Agency shall specify the “Qualification Criteria and Requirements” in the table below. The four main qualification criteria are:

1. Eligibility
2. Historical Contract Non-Performance
3. Financial Situation
4. Experience

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
1. Eligibility							
1.1	Nationality	Nationality in accordance with ITA Sub-Clauses 4.2 y 4.3	Must meet requirement	Existing or intended JVCA must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in ITA Sub-Clause 4.4	Must meet requirement	Existing or intended JVCA must meet requirement	Must meet requirement	N/A	Application Submission Form
1.3	Bank Ineligibility	Not having been declared ineligible by the Bank, as described in ITA Sub-	Must meet requirement	Existing JVCA must meet requirement	Must meet requirement	N/A	Application Submission Form

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
		Clause 4.6					
1.4	Government Owned Entity	Applicant required to meet conditions of ITA Sub-Clause 4.7	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.5	United Nations resolution or Borrower's country law	Not having been excluded as a result of the Borrower's country laws or official regulations, or by an act of compliance with UN Security Council resolution, in accordance with ITA 4.10	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
2. Historical Contract Non-Performance							
2.1	History of Non-Performing Contracts	Non-performance of a contract did not occur within the last <i>[insert number]</i> years prior to the deadline for Application submission based on all information on fully settled disputes or litigation. A fully settled dispute or litigation is one that has been resolved in accordance with the Dispute Resolution Mechanism under the respective contract and where all appeal instances available to the Applicant have been exhausted.	Must meet requirement by itself or as partner to past or existing JVCA	N/A	Must meet requirement by itself or as partner to past or existing JVCA	N/A	Form CON-2
2.2	Failure to Sign Contract	Not being under execution of a Bid Securing Declaration pursuant to Sub-Clause 4.8 for <i>[insert</i>	Must meet requirement	N/A	Must meet requirement by itself or as partner to past	N/A	Application Submission Form

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
		<i>number</i>] years			or existing JVCA		
2.3	Pending Litigation	All pending litigation shall in total not represent more than <i>[insert number]</i> %, <i>[insert percentage in words]</i> of the Applicant's net worth and shall be treated as resolved against the Applicant	Must meet requirement by itself or as a partner to past or existing JVCA	N/A	Must meet requirement by itself or as a partner to past or existing JVCA	N/A	Form CON – 2
<p><i>The established percentage does not have to be over fifty percent (50%).</i></p>							
3. Financial Situation							
3.1	Financial Performance	Submission of audited balance sheets or if not required by the law of the Applicant's country, other financial statements acceptable to the Contracting Agency, for the last <i>[insert number]</i> years to demonstrate: (a) the current soundness of the Applicant's financial position and its prospective long term profitability, and (b) capacity to have a cash flow amount of US\$ <i>[insert number]</i> equivalent	Must meet requirement (a) Must meet requirement (b) Must meet requirement	N/A (a) N/A (b) Must meet requirement	Must meet requirement (a) Must meet requirement (b) N/A	N/A (a) N/A (b) N/A	Form FIN – 3.1 with attachments
<p><i>Time period usually specified is 5 years; it may be reduced to three years minimum (in agreement with the Bank) under special country circumstances, such as to provide opportunity for a newly privatized construction industry with limited period of existence, but with suitable experience, etc. Firms owned by individuals and partnerships may not be required to maintain audited balance sheets by the laws of their countries of origin; in such cases, the Contracting Agency may relax the audit requirement, but should request other acceptable financial statements.</i></p>							

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
3.2	Average Annual Construction Turnover	Minimum average annual construction turnover of US\$ <i>[insert amount in US\$ equivalent in words and figures]</i> , calculated as total certified payments received for contracts in progress or completed, within the last <i>[insert number] years, [insert number in words] years</i>	Must meet requirement	Must meet requirement	Must meet <i>[insert number] %</i> , <i>[insert percentage in words]</i> of the requirement	Must meet <i>[insert number] %</i> , <i>[insert percentage in words]</i> of the requirement	Form FIN – 3.2
<p><i>The amount stated should normally not be less than twice the estimated annual turnover in the proposed Works contract (based on a straight-line projection of the Contracting Agency's estimated cost, including contingencies, over the contract duration). The multiplier of 2 may be reduced for very large contracts (say, greater than US\$200 million equivalent) but should not be less than 1.5.*</i></p> <p><i>The time period is normally five years or more, but may be reduced to not less than three years (in agreement with the Bank) under special country circumstances, such as to provide opportunities for a newly privatized construction industry with only a short record of experience, etc.</i></p> <p><i>An asterisk (*) means that some information on the matter is provided in III.2 Guidance Notes.</i></p>							
4. Experience							
4.1	General Construction Experience	Experience under construction contracts in the role of contractor, subcontractor, or management contractor for at least the last <i>[insert number] years</i> prior to the Application submission deadline, and with activity in at least nine (9) months in each year.	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1
<p><i>As for 3.2, The time period is normally five years or more, but may be reduced to not less than three years (in agreement with the Bank) under special country circumstances, such as to provide opportunities for a newly privatized construction industry with only a short record of experience.</i></p>							

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
4.2 (a)	Specific Construction Experience	Participation as contractor, management contractor or subcontractor, in at least <i>[insert number]</i> contracts within the last <i>[insert number]</i> years, each with a value of at least <i>[insert amount]</i> , that have been successfully and substantially completed and that are similar to the proposed works. The similarity shall be based on the physical size, complexity, methods/technology or other characteristics as described in Section VI, Scope of Works	Must meet requirement	Must meet requirement	N/A	Must meet require for one contract (can be a specialist subcontractor)	Form EXP 4.2(a)
<p><i>The range of contract numbers should be one to three (and is normally two), depending on the size and complexity of the subject contract, the exposure of the Contracting Agency to risk of contractor default, and country conditions. For example, for small- to medium-sized contracts in a country with newly privatized, but competitive construction firms (which have had some experience as parastatals), an Contracting Agency may be prepared to risk an award to an Applicant with only one previous similar contract completed. For contracts in a developed environment with high potential supply of construction services, three similar contracts may not limit Applications, but would reduce the risk of Contractor default. *</i></p> <p><i>The time range is normally five to ten years, and should be related to the number of similar contracts stated above and to the duration of the subject contract, e.g., ten years for two contracts of about five years' duration, or six years for two contracts of about three years' duration. *3</i></p>							
4.2 (b)		For the above or other contracts executed during the period stipulated in 4.2 (a) above, a minimum construction experience in the following key activities: <i>[list activities]</i>	Must meet requirements	Must meet requirements	N/A	Must meet the following requirements for the key activities listed below (can be a specialist	Form EXP – 4.2 (b)

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Subject	Requirement	Single Entity	Joint Venture, Consortium or Association			Submission Requirements
				All Parties Combined	Each Partner	One Partner	
						subcontractor) [list key activities for this partner and the corresponding minimum requirements]	
<p>List the monthly or annual production rate for the key construction activity (or activities) in the proposed contract or works, e.g., "one million m³ of rock placed in rockfill dams in one year; X tons of asphalt concrete per month place in road paving; Y m³ of concrete place in ... etc." The rates should be a percentage (say about 80 percent) of the estimated production rate of the key activity (or activities) in the contract or Works as needed to meet the expected construction schedule with due allowance for adverse climatic condition.*3</p>							

III.2 Guidance Notes

Qualification Criteria

1 The Policies establish that all Applicants that meet the prequalification requirements regarding (inter alia): general construction experience; particular or specialized experience; financial capabilities; personnel capabilities, and equipment availability should be prequalified and invited to bid. The procedure requires the Contracting Agency to set pass/fail criteria which, if all are not met substantially by the Applicants, would cause them to be disqualified.

2 The criteria adopted must relate to characteristics that are essential to ensure satisfactory execution of the contract (or each contract with slice and package bidding), and they must be precisely stated. Basically, the criteria must be chosen so that only Applicants that are qualified to carry out the work are prequalified and permitted to bid. The criteria must also be set so that they neither inhibit competition nor limit the number of eligible firms to be prequalified. All Applicants that meet the criteria should be invited to bid.

3 The verification of availability of resources (liquid assets or line of credit, key personnel and equipment) should be made at the time of contract award, rather than at the qualification stage. Therefore, such criteria have not been included in the SPD.

Average Annual Construction Turnover (sub-criterion 3.2)

4 The Applicant's general capabilities in managing construction contracts should be related to its record of recent experience and to the value of work undertaken. Experience requirements should be stipulated as a minimum annual value of general construction work carried out over a stated period, normally five years, calculated by applying an appropriate multiplier to the projected annual construction rate on the subject contract. The recommended multiplier is normally 2.0, but may be reduced to 1.5 for contracts over about US\$200 million.

5 Example: Estimating required minimum "Average Annual Turnover"

Subject Contract

Description :	Port Facility
Estimated Cost (Including contingencies):	US\$120m
Duration:	4 years
Contract:	SBDW Unit Rate

(a) Average expected annual construction billings (turnover), assuming a straightline projection: $\$120 \div 4 = \underline{\$30\text{m per year}}$.

(b) Applying the normal multiplier of 2.0
Required minimum turnover: $\$30\text{m} \times 2.0 = \underline{\$60\text{m per year}}$.

Specific Construction Experience (Sub-criterion 4.2)

6 Applicants should demonstrate that they have successfully carried out works, substantially of a nature, size, value, and complexity similar to that of the contract in question. There are two principal requirements for this criterion:

- (a) The Applicant should have carried out similar works of a size comparable to that of the package of Works for which prequalification is sought. Depending on the nature of the Works to be bid, the requirement should be for the Applicant to have completed or substantially completed one or more contracts each of an amount (not less than about 80 percent) close to that of the proposed contract, over the last five to ten years.
- (b) The Applicant (or a subcontractor designated in Forms ELI-1.2 and EXP4.2b) should have performed operations of a volume, quality, and rate of execution similar to those required for the timely completion of the subject contract. For example, where large-volume earthmoving, tunneling, or concrete placing is involved, the Applicant should demonstrate experience in those operations, having performed them at the rates necessary to meet a percentage (e.g., 80 percent) of the estimated monthly peak and/or annual rates required for the subject contract.

7 Applicants should not be required to have had direct experience in the Contracting Agency's country or region, but only under similar climatic, geological, and other general conditions.

Section IV. Application Forms

The Contracting Agency shall include in the PD all Application forms that Applicants must complete and submit together with their Applications. These forms are as specified in Section IV of the prequalification document:

- Application Submission Form
- Applicant Information Form
- Applicant's Party Information Form
- Historical Contract Non-Performance
- Financial Situation
- General Construction Experience
- Average Annual Construction Turnover
- Similar Construction Experience
- Construction Experience in Key Activities

Section V. Eligible Countries

Note: Section V of the Prequalification Document does not require further explanations or guidance

Section VI. Scope of Works

The Scope of Works should provide sufficient information for an Applicant to decide whether or not to compete for that type of works, and whether it will need to use subcontractors for specific parts of the Works, and form a JVCA. It should provide information on the three following aspects:

1. Description of the Works

Describe the Works in sufficient detail to identify location, nature, and complexity. Estimated quantities of major components of the works should be indicated in the bill of quantities.

2. Construction Period(s)

State expected construction period and time in weeks or months; if alternative time schedules are permitted, give the range of acceptable construction periods. Additional construction time may be permitted for combinations of contracts if prequalification is for multiple contracts. The evaluation shall then take into account the benefits foregone for the longer times of completion.

3. Site and other Data

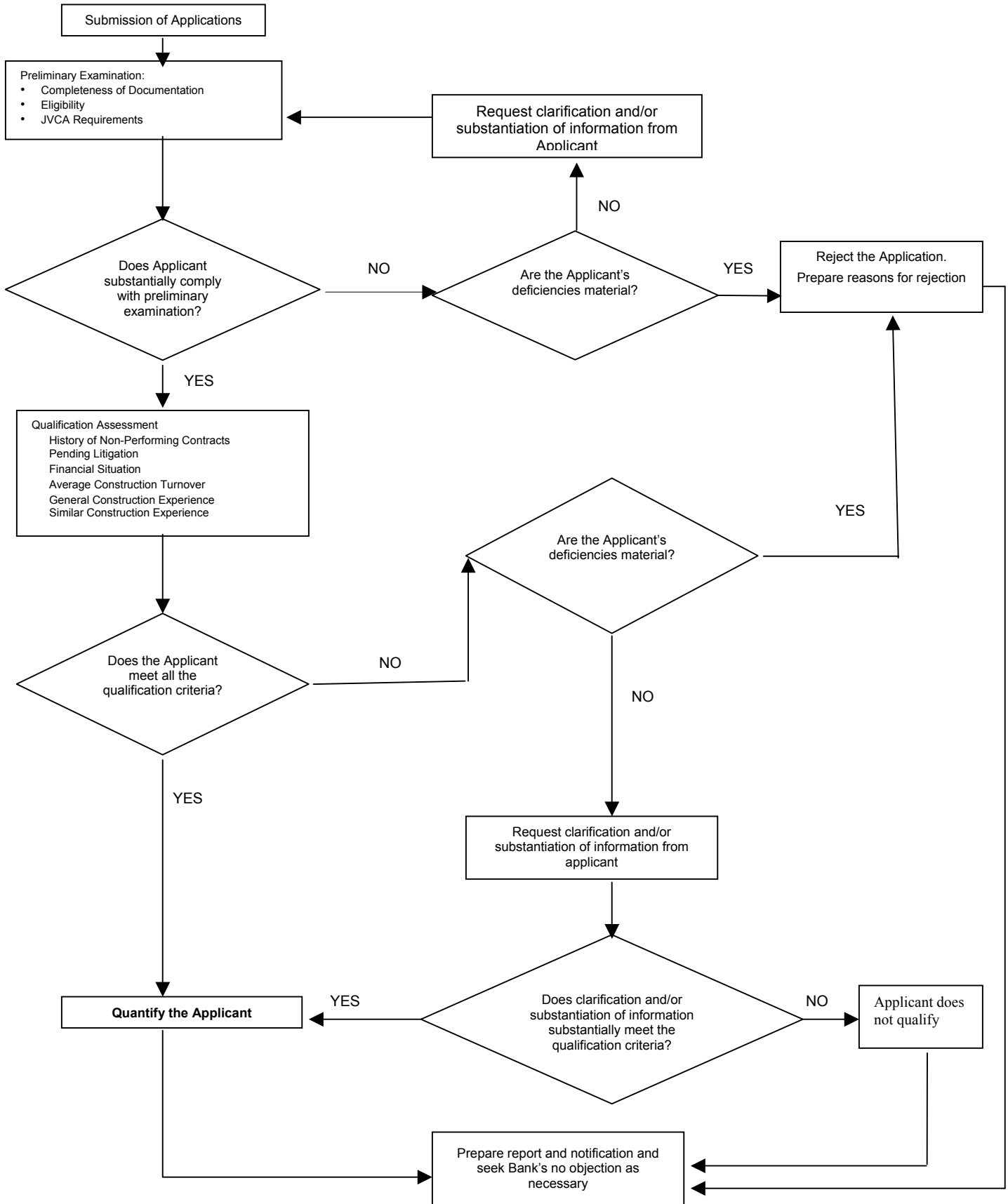
Provide general information on the climate, hydrology, topography, geology, access to site, transportation and communications facilities, medical facilities, project layout, facilities, services provided by the Contracting Agency, and other relevant data.

Section VII. Evaluation of Applications

Prequalification Evaluation Flow Chart

The attached flow chart indicates the successive steps of the evaluation process. The process is consistent with (i) Sections I and II, Instructions to Applicants and Prequalification Data Sheet and (ii) Section III, Qualification Criteria and Requirements. The flow chart should be reviewed by the evaluation team prior to the evaluation, and used as a Guide during the evaluation, concurrently with Section III

Prequalification Evaluation Flow Chart



Guidance Notes

The following notes are intended to give guidance on some of the principal issues confronting the evaluating team. They cover:

- 1 Single and multiple contract evaluation (slice and package)
- 2 The assessment of an Applicant's financial soundness
- 3 Prequalification evaluation summary
- 4 Notification to Applicants

1 Single and Multiple Contract Evaluation (Slice and Package)

1.1 Single Contract Evaluation (Slice)

- (a) The average annual amount of the Applicant's turnover on general construction stated by the Applicants in FIN-3.2 should be equal to or greater than that stated in Section III-3.2. If there has been a downward trend in turnover in more recent years over the specified period, a clarification should be sought by the evaluator with a view to a possible weighting of the more recent years in determining the annual average (a.p.) (see example below).

Example:

Year	Turnover		
	In original Currency	Exchange rate	US\$ equivalent
1. 2002 (to end June)	---	---	20
2. 2001	---	---	40
3. 2000	---	---	80
4. 1999	---	---	120
5. 1998	---	---	100
Totals: 4.5 years			\$360m
Average T/O p.a.: $360 \div 4.5 =$			\$80m a.p.
Minimum Average Requirement stated in Section III-3.2:			\$60m a.p.

Note: Although appearing to pass the qualifying criterion, the Applicant has only averaged \$56m/p.a. ($140 \div 2.5$) in the last two and one-half years, with decreasing turnover. In such cases, the Contracting Agency should make a thorough investigation of the financial soundness of the Applicant (from data submitted with FIN-3.1) and, failing a satisfactory resolution, the Applicant could be disqualified.

- (b) The particular experience on similar contracts, and minimum key production rates (number of contracts) as stated in Section III-4.2, should be compared with information provided in EXP-4.2a and 4.2b. The contribution of named specialist subcontractors may be a factor in satisfying these criteria.

1.2 Multiple Contract Evaluation (Package)

Alternative I

If Applicants have applied for prequalification on more than one particular contract, the procedure in “(1.1) Single Contract Evaluation (slice)” above may be used for evaluation by aggregating the specific requirements for each contract, and comparing the totals of different combinations with the information provided in relevant forms.

Alternative II

The procedure uses the basic information supplied by Applicants to assess the threshold limits (ceilings) for the aggregated total of contract value (or bidding capacity) for which Applicants are considered prequalified by the Contracting Agency.

The information provided by the Applicant in FIN-3.2 gives the average annual turnover; this amount is then divided by the multiplier of two (or other factor) as used by the Contracting Agency in Section III-3.2, and gives the limit of annual capacity of the Applicant for construction on the subject contracts.

The information provided in EXP-4.2a and 4.2b regarding similar contracts and the annual/monthly key production rates (number of contracts) may lead to a reduction of the ceiling or condition the prequalification.

After refining the initial maximum annual contract amount in the manner stated above, it should be extended over the duration of individual contracts, or over the average durations for multiple contract construction, to provide an indicator of the Applicant's maximum bidding capacity on individual or a group of contracts.

2. The Assessment of Financial Soundness (Section III-3.1)

General Information

2.1 The purpose of assessing the financial soundness of the Applicants is to reassure the Contracting Agency that the Applicant's financial standing in its whole does not have structural weaknesses that may result in the Applicant's financial inability to perform, and to give an indication of the scope and value of the work the Applicant would be able to undertake. To place a detailed analysis in context, it is necessary to look at trends in key figures over a number of years and to make comparisons of the firm's annual activities to the same firm's results from previous years.

2.2 Because of differing international accounting practices and tax laws, published information on the financial position of companies and financial ratios derived there from do not provide a uniform and satisfactory basis to compare the financial standing of an Applicant with other Applicants for prequalification purposes. Nevertheless, audited financial statements or balance sheets should be sought as a general guide to the financial situation of the Applicant. Firms owned by individuals

and partnerships may not be required to maintain audited accounts by the laws of their countries of origin. In such cases, balance sheets should be certified by a registered accountant and supported by tax returns.

2.3 The Contracting Agency should require Applicants to provide balance sheets or certified financial statements for the last five years or for the period stated in the Section III-3.1, supported respectively by audit statements or tax returns.

Indicators and Ratios

2.4 The financial information provided by an Applicant should be reviewed in its entirety to allow a truly informed judgment, and the *pass-fail decision* on the financial position of the Applicant should be given on this basis. To assist in this review, the indicators used most frequently are **working capital**, **net worth** and **indebtedness**. The following table summarizes the financial information of an example firm as would be reported by an Applicant in FIN-3.1, as well as an evaluation by the Contracting Agency of the Applicant's **working capital**, **net worth** and **indebtedness**.

EXAMPLE

Financial Information (US \$ million equivalent)

	Actual: Previous five years				
	5	4	3	2	1
1. Total assets	18.5	19.0	20.0	23.0	25.0
2. Current assets	12.0	13.0	14.5	14.0	15.0
3. Total liabilities	9.0	10.5	10.0	11.0	11.5
4. Current liabilities	7.0	6.5	7.0	7.5	7.8
5. Profits before taxes	1.4	1.3	1.3	1.4	1.8
6. Profits after taxes	1.0	0.9	0.9	1.0	1.3
7. Net worth (1) - (3)	9.5	8.5	10.0	12.0	13.5
8. Working Capital (2)-(4)	5	6.5	7.5	6.5	7.2
9. Current ratio (2)/(4)	1.7	2.0	2.1	1.9	1.9
10. Return on equity % (5)/(7 of prior year)		13.7	15.3	14.0	15.0
11. Indebtedness ratio (3)/(1)	0.48	0.55	0.5	0.47	0.24

2.5 **Working capital** is the difference between current assets and current liabilities, and measures the firm's ability to generate cash in the short term. Current assets are cash and other assets suitable for conversion into cash within one year. Current liabilities are monetary obligations that must be paid out within the current year. To help in the interpretation of the adequacy of **working capital**, the **current ratio**, which compares the current assets with the current liabilities, is more helpful than a figure for working capital (We recommend the current ratio to be equal or greater than 1). In the example, the current ratio of the firm varies from 1.7 to 2.1 over the previous five years and the projected ratios for the next two years are also within this range. This

indicates that the firm has had a consistent record of its working capital with at least \$1.7 in current assets to back each dollar of its current liabilities. Construction firms normally have small inventories and accounts receivable are easy to collect; they can therefore operate safely with a low current ratio. The example firm appears healthy from its **working capital** point of view.

2.6 **Net worth** or **net equity** is the difference between total assets and total liabilities. The **net worth** measures a firm's ability to produce profits over the long run as well as its ability to sustain losses. Although the yearly figures for the **net worth** indicate the growth of the firm, the **return on equity** gives a better indication of the efficiency with which equity is employed within the firm. This is obtained by dividing the annual profit before taxes by the net worth of the previous year and expressed as a percentage (We recommend this to be equal or greater than 0). In the example, for every dollar of equity, the firm made 13.7 to 15.3 cents during the five-year period. The example firm shows a rather consistent net worth record.

2.7 **Indebtedness Ratio** is the division between total liabilities and total assets, and measures the firm's indebtedness (We recommend this to be equal or less than 1). In the example, the firms has total liabilities from 9.0 to 11.5 and total assets from 18.5 to 25.0, the weighed average will be 10.4 for the total liabilities and 21.1 for the total assets, getting as a result $(10.4/21.1)$ 0.49.

2.8 Any discontinuities or abnormal features in the above indicators or ratios should alert the Contracting Agency to potential financial problems and the need to seek expert professional advice for further review and interpretation.

3. Prequalification Evaluation Report

3.1 After evaluating the Applications received, the Contracting Agency of the Borrower should prepare a report to be submitted to the Bank for review and comment. The report should address each of the pass-fail criteria set in the documents. Disqualification of Applicants who fail to meet the criteria should be explained. The Bank may ask the Borrower to justify the evaluation and provide further information or clarification.

4. Notification to Applicants (ITA 28.1)

4.1 The Contracting Agency should await the Bank's "no objection" to the proposals in the evaluation report before notifying Applicants of its decisions. After receiving the Bank's no objection, the Contracting Agency should:

- Notify all Applicants in writing of the names of those Applicants who have been prequalified.and
- Promptly after the notification of the results of the prequalification the Contracting Agency shall invite bids from all the Applicants that have been prequalified.

4.2 Bid documents should be issued only to prequalified Applicants. Verification of the information provided in the prequalification Application shall be confirmed at the time of award of contract, and award may be denied to a bidder that is judged to no longer have the capability or resources to successfully perform the contract.

4.3 After prequalification, all prequalified Applicants are deemed to have the capabilities to carry

out the contract or contracts. During the bidding period, however, Contracting Agencies may be approached for approval to changes in the formation or composition of Applicants prior to bid submission. The provisions of ITA 30.1 should be followed by the Contracting Agency in deciding whether to accept such changes, and the Bank should be notified.

Invitation for Prequalification

Notification and advertising of the Invitation for Prequalification (IFP) shall be conducted in accordance with Sub-Clauses 2.7 and 2.8 of the Procurement Policies. The IFP shall follow the Sample Format indicated hereafter, and shall be issued as a specific procurement notice in (i) at least one newspaper of national circulation in the Borrower's Country and in the official gazette (if it is available on the Internet), or in an electronic portal with free access, and (ii) in UN *Development Business* (UNDB online) and in The Bank's Internet Website. Optionally the Contracting Agency may advertise (i) in well-known technical magazines newspapers, and trade publications of wide international circulation for complex and highly specialized projects, and (ii) to embassies and trade representatives of countries in the Borrower's Country, of countries with likely potential bidders (*the options may be mandatory if specified in the Loan Contract*).

The IFP provides information that enables potential bidders to decide whether to participate. Apart from the essential items listed in the Standard Procurement Documents - Prequalification for Procurement of Works, the IFP shall also indicate any important or specialized prequalification requirements requested to qualify for the prequalification.

Upon completion of an IFP for publication in UNDB on-line and The Bank's Internet Website (<http://www.iadb.org>), the Contracting Agency should forward it to the appropriate Inter-American Development Bank staff for review and subsequent submission for publication. *Development Business* is published in paper form twice monthly, and is continuously updated on its Internet Web site at <http://www.devbusiness.com>.

Sample Format

SPECIFIC PROCUREMENT NOTICE Invitation for Prequalification

[Insert: name of Country]

[Insert: name of Project]

[Insert: Brief Description of Works]

[Insert: Loan No.]

This invitation for prequalification follows the general procurement notice for this project that appeared in *Development Business* No. *[insert number]* of *[insert date]*¹ UNDB on-line and in The Bank's Internet Website.

The *[insert name of borrower]* *[has received/has applied for/intends to apply for]* a *[loan]* from the *[Inter-American Development Bank]* toward the cost of the *[insert name of project]*, and it intends to apply part of the proceeds of this *[loan]* to payments under the contract for *[insert name/no. of contract if prequalification is being invited for more than one contract, describe each contract and indicate whether Applications may be made for prequalification for one or more of the contracts]*.² The *[insert name of implementing agency]* intends to prequalify contractors and/or firms for *[insert description of Works or goods to be procured]*.³ It is expected that invitations for bid will be made in *[insert month and year]*.⁴

Prequalification will be conducted through prequalification procedures specified in the Inter-American Development Bank's *Policies for the Procurement of Works and Goods financed by the Inter-American Development Bank*, January 2005, and is open to all bidders from eligible source countries, as defined in the Policies.⁵

Interested eligible Applicants may obtain further information from and inspect the prequalification document at the *[insert name of agency]* (address below) *[state address at end of document]* from *[insert office hours]*.⁶ A complete set of the prequalification document in *[insert name of language]* may be purchased by interested Applicants on the submission of a written Application to the address below and upon payment of a nonrefundable fee⁷ of *[insert amount in local currency]* or in *[insert amount in specified convertible currency]*. The method of payment will be *[insert method of payment]*.⁸ The document will be sent by *[insert delivery procedure]*, *[insert "alternatively the PQD can be purchased electronically under the procedures described in the attachment to this IFP" if electronic purchase and delivery is an option]*.

Applications for prequalification should be submitted in sealed envelopes, delivered to the address below⁹ by *[insert date]*,¹⁰ and be clearly marked "Application to Prequalify for *[insert name of project and the contract name(s) and number(s)]*."

[Insert name of office]
[Insert name of officer]
[Insert postal address] and/or [Insert street address]
[Insert telephone number, indicate country and city code]
[Insert facsimile or cable number]
[Insert Email address]

Notes for preparation

1. *Day, month, year; for example January 31, 2002*
2. *[Insert the following if applicable]. This contract will be jointly financed by [insert name of cofinancing agency]. Bidding will be governed by the Inter-American Development Bank's eligibly countries rules and procedures.*
3. A brief description of the works or goods should be provided, including quantities, location of project, and other information necessary to enable *potential* bidders to decide whether or not to respond to the invitation. Bidding documents may require bidders to have specialized experience or capabilities; such requirements should also be included in this paragraph.
4. Insert this sentence if applicable.
5. Occasionally, contracts may be financed out of special funds that would further restrict eligibility to a particular group of member countries. When this is the case, it should be mentioned in this paragraph.
6. For example, 0900 to 1200 hours.
7. The fee, to defray printing and mailing/shipping costs, should be nominal.
8. For example, cashier's check, direct deposit to specified account, etc.
9. The office for bid opening may not necessarily be the same as that for inspection or issuance of documents or for bid submission. If they differ, each address must appear at the end of the notice and be numbered; as, for example, (1), (2), (3). The text in the paragraph would then refer to address (1), (2), etc. Only one office and its address may be specified for submission, and it should be near the place where bids will be opened.
10. The time allowed for preparation of the prequalification submission should be sufficient for Applicants to gather all the information required, but in any case not less than six weeks after the date the documents are available or the last date of the advertisement, whichever is later. This period may be longer for very large projects, for which more time may be needed for the formation of JVCAs and assembly of the necessary resources.