

## 3-3Section 3: Evaluation and Qualification Criteria

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# 1. Evaluation

In addition to the criteria listed in ITB 35.2 (a)–(f), other relevant factors are as follows:

If the Bidder's offer has deviations to the Employer's Requirements, they shall be listed and described using the corresponding Form in the Section 4, List of non-compliance.

## 1.1 Adequacy of Technical Proposal

1. Compliance with key Plant item specifications Section 4 in the Employers Requirements (ERQ).

The Employer shall examine the technical aspects of the non-compliance, in particular to confirm that non-compliance does not affect the functional of the Facilities as described in Section VI. In case the functional requirements are no longer met, the non-compliance will be considered a major deviation and the Bid may be rejected.

Evaluation of the Bidder's Technical Proposal will include an assessment of the Bidder's technical capacity to mobilize key equipment and personnel for the Contract consistent with its proposal regarding Work Methods, Scheduling, and Material Sourcing in sufficient detail and fully in accordance with the requirements stipulated in Employer's Requirements (Section VI)

Non-compliance with equipment and personnel requirements described in Section 6 (Employer's Requirements) shall not normally be a ground for Bid rejection and such non-compliance will be subject to clarification during Bid Evaluation and rectification prior to Contract Award.

## 1.2 Completion Time

An alternative Completion Time, if permitted under ITB 13.2, will be evaluated as follows:

Time to complete the Plant and Installation Services after the issuance of the Letter of Acceptance by the Employer for determining time for completion of pre-commissioning activities is: **One (1) Year. No credit will be given for earlier completion.**

## 1.3 Technical Alternatives

Technical alternatives, if permitted under ITB 13.4, will be evaluated as follows: ***Not applicable***

## 1.4 Specialist Subcontractors

Only the specific experience of Specialist Subcontractors for key activities specified in criterion 2.4.2 Construction Experience in Key Activities will be considered. The experience of Specialist Subcontractors in contracts of similar size and nature, and their financial resources shall not be added to those of the Bidder for purposes of qualification of the Bidder.

**1.5 Quantifiable Nonconformities and Omissions**

Subject to ITB 14.2 and ITB 35.2, the evaluated cost of quantifiable nonconformities including omissions, is determined as follows:

Pursuant to ITB 30.3, the cost of all quantifiable nonmaterial nonconformities shall be evaluated, including omissions in Day work where competitively priced but excluding omission of prices in the Bill of Quantities. The Employer will make its own assessment of the cost of any nonmaterial nonconformities and omissions for the purpose of ensuring fair comparison of bids.

**1.6 Domestic Preference**

If domestic preference shall apply under ITB 33.1, the procedure will be as follows as: ***Not Applicable***

**1.7 Other Criteria**

Add any other relevant criteria to consider in Bid evaluation. Specify the Evaluation Methodologies: ***Not Applicable***

**1.8 Multiple Contracts**

***Not Applicable***

## 2. Qualification

### 2.1 Eligibility

Criteria	Compliance Requirements			Documents
Requirement	Single Entity	Joint Venture		Submission Requirements
		All Partners Combined	Each Partner	

#### 2.1.1 Nationality

Nationality in accordance with ITB 4.2.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Forms ELI – 1; ELI – 2 with attachments
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#### 2.1.2 Conflict of Interest

No conflicts of interest in accordance with ITB 4.3.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Letter of Bid
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#### 2.1.3 SIEA Eligibility

Not having been declared ineligible by SIEA, as described in ITB 4.4.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Letter of Bid
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#### 2.1.4 Government-Owned Enterprise

Bidder required to meet conditions of ITB 4.5.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Forms ELI - 1, ELI - 2 with attachments
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#### 2.1.5 United Nations Eligibility

Not having been excluded by an act of compliance with a United Nations Security Council resolution in accordance with ITB 4.8.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Letter of Bid
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## 2.2 Historical Contract Nonperformance

### 2.2.1 History of Nonperforming Contracts

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Nonperformance of a Contract did not occur as a result of contractor default since 1 <sup>st</sup> January 2021.	Must meet requirement	Must meet requirement	Must meet requirement	Not Applicable	Form CON-1

<sup>a</sup> Nonperformance, as decided by the Employer, shall include all contracts where (a) nonperformance was not challenged by the Contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the Contractor. Nonperformance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Nonperformance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted.

<sup>b</sup> This requirement also applies to contracts executed by the Bidder as Joint Venture member.

### 2.2.2 Suspension Based on Execution of Bid-Securing Declaration

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Not under suspension based on execution of a Bid-Securing Declaration pursuant to ITB 4.6.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Letter of Bid

### 2.2.1 Pending Litigation and Arbitration

Pending Litigation and Arbitration criterion shall not apply.

## 2.3 Financial Situation

### 2.3.1 Historical Financial Performance

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Submission of audited financial statements or, if not required by the law of the Bidder's country, other financial statements acceptable to the Employer, for the last <b>Three (3)</b> years (2022 through 2024) to demonstrate the current soundness of the Bidder's financial position. As a minimum, the Bidder's net worth for the last year, calculated as the difference between total assets and total liabilities should be positive.	Must meet requirement	Not applicable	Must meet requirement	Not applicable	Form FIN - 1 with attachments

### 2.3.2 Average Annual Construction Turnover

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Minimum average annual construction turnover of <i>Five Hundred Thousand US Dollars (USD\$0.5M)</i> , calculated as total certified payments received for contracts in progress or completed, within the last <b>Five (5)</b> years. years(2021 through 2025)	Must meet requirement	Must meet requirement	Must meet 40% of the requirement	Must meet 60% of the requirement	Form FIN - 2

### 2.3.3 Financial Resources

Criteria  Requirement	Compliance Requirements				Documents  Submission Requirements
	Single Entity	Joint Venture			
		All Partners Combined	Each Partner	One Partner	
<p>For Single Entities</p> <p>The Bidder must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its current contract commitments defined in FIN - 4, meet or exceed the total requirement for the Subject Contract of <i>Two Hundred Thousand United State Dollars (USD \$0.2M)</i></p>	Must meet requirement	Not applicable	Not applicable	Not applicable	Form FIN – 3 and Form FIN – 4
<p>For Joint Ventures</p> <p>(1) One partner must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its own current contract commitments defined in FIN - 4, meet or exceed its required share of <i>One Hundred Thousand United State Dollars (USD \$ 0.1M)</i> from the total requirement for the Subject Contract.</p> <p>AND</p>	Not applicable	Not applicable	Not applicable	Must meet requirement	Form FIN – 3 and Form FIN – 4
<p>(2) Each partner must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its own current contract commitments defined in FIN - 4, meet or exceed its required share of <i>One Hundred Thousand United State Dollars (USD\$ 0.1M)</i> from the total requirement for the Subject Contract.</p> <p>AND</p>	Not applicable	Not applicable	Must meet requirement	Not applicable	Form FIN – 3 and Form FIN – 4
<p>(3) The Joint Venture must demonstrate that the combined financial resources of all partners defined in FIN - 3, less all the partners' total financial obligations for the current contract commitments defined in FIN - 4, meet or exceed the total requirement for the</p>	Not applicable	Must meet requirement	Not applicable	Not applicable	Form FIN – 3 and Form FIN – 4

<b>Subject Contract of <i>Two Hundred Thousand United State Dollars (USD \$0.2M)</i></b>					
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## 2.4 Construction Experience

### 2.4.1 Contracts of Similar Size and Nature

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Participation as a Contractor, Joint Venture partner, in at least one contract that has been successfully or substantially completed within the last <b>Three (3)</b> years (2022 through 2025) and that is similar to the proposed works, where the value of the Bidder's participation exceeds <b>Five Hundred Thousand US Dollars (USD\$0.5M)</b> . The similarity of the Bidder's participation shall be based on: <ol style="list-style-type: none"> <li>1. Construction/Installation of Optical Ground Wire</li> <li>2. Removal of over Head Earth Wire on lattice steel towers</li> </ol>	Must meet requirement	Not applicable	Not applicable	Must meet requirement	Form EXP - 1
Participation as a Contractor, Joint Venture partner, in at least two contracts that have been successfully or substantially completed within the last Three (3) years and that are similar to the proposed works, where the value of the Bidder's participation under each contract exceeds <b>Five Hundred Thousands US Dollars (USD \$0.5M)</b> . The similarity of the Bidder's participation shall be based on: <ol style="list-style-type: none"> <li>1. Construction/Installation of Optical Ground Wire</li> <li>2. Removal of over Head Earth Wire on lattice steel towers</li> </ol>	Must meet requirement	Must meet requirement as follows: (i) Either one partner must meet requirement Or (ii) any two partners must each demonstrate one (1) successfully or substantially completed contract of similar size and nature	Not applicable	Not applicable	Form EXP - 1

### 2.4.2 Construction Experience in Key Activities

May be complied with by the Bidder or by Specialist Subcontractor. If Specialist Subcontractors are proposed by the Bidder for key activities, each Specialist Subcontract must have experience in related key activity as a single entity.

If the key activity is to be undertaken by a Specialist Subcontractor, the Employer shall require evidence of the subcontracting agreement from the Bidder.

Criteria	Compliance Requirements		Documents
Requirement	Single Entity or its Specialist Subcontractors	Joint Venture or its Specialist Subcontractors	Submission Requirements
For the above or other contracts executed during the period stipulated in 2.4.1, a minimum construction experience in the following key activities:	Must meet requirement	Must meet requirement	Form EXP – 2
1. Construction/Installation of Optical Ground Wire			
2. Removal of over Head Earth Wire on lattice steel towers			
3... etc. ....			