

**Republic of Maldives**

**PREQUALIFICATION DOCUMENT**

**for**

**Installation of** **5MW Grid-tied Solar Photovoltaic System** **in the Greater Malé Region under Design, Build, Finance, Own, Operate, and Transfer Basis**

**IFB No.: 002/017182**

**Accelerating Sustainable Private Investment in Renewable Energy (ASPIRE)**

**SCF Grant No.: TF017182**

**Ministry of Environment**

**Republic of Maldives**

**Issued on: February 4, 2019**

**Issued by: National Tender**

**Ministry of Finance**

**Republic of Maldives**

**Contents**

**Prequalification Document**

[PART 1 – Prequalification Procedures 1](#_Toc527565477)

[Section I. Instructions to Applicants 3](#_Toc527565478)

[Section II. Prequalification Data Sheet 15](#_Toc527565479)

[Section III. Qualification Criteria and Requirements 18](#_Toc527565480)

[Section IV. Application Forms 24](#_Toc527565481)

[Section V. Eligible Countries 38](#_Toc527565482)

[Section VI. Bank Policy - Corrupt and Fraudulent Practices 39](#_Toc527565483)

[PART 2 – Project Requirements 41](#_Toc527565484)

[Section VII. Scope of the Project 43](#_Toc527565485)

PART 1 – Prequalification Procedures

Section I. Instructions to Applicants

**Table of Clauses**

[A. General 4](#_Toc527556732)

[1. Scope of Application 4](#_Toc527556733)

[2. Source of Funds 4](#_Toc527556734)

[3. Corrupt and Fraudulent Practices 4](#_Toc527556735)

[4. Eligible Applicants 4](#_Toc527556736)

[5. Eligibility 6](#_Toc527556737)

[B. Contents of the Prequalification Document 7](#_Toc527556738)

[6. Sections of Prequalification Document 7](#_Toc527556739)

[7. Clarification of Prequalification Document and Pre-Application Meeting 7](#_Toc527556740)

[8. Amendment of Prequalification Document 8](#_Toc527556741)

[C. Preparation of Applications 9](#_Toc527556742)

[9. Cost of Applications 9](#_Toc527556743)

[10. Language of Application 9](#_Toc527556744)

[11. Documents Comprising the Application 9](#_Toc527556745)

[12. Application Submission Form 9](#_Toc527556746)

[13. Documents Establishing the Eligibility of the Applicant 9](#_Toc527556747)

[14. Documents Establishing the Qualifications of the Applicant 9](#_Toc527556748)

[15. Signing of the Application and Number of Copies 10](#_Toc527556749)

[D. Submission of Applications 10](#_Toc527556750)

[16. Sealing and Identification of Applications 10](#_Toc527556751)

[17. Deadline for Submission of Applications 10](#_Toc527556752)

[18. Late Applications 11](#_Toc527556753)

[19. Opening of Applications 11](#_Toc527556754)

[E. Procedures for Evaluation of Applications 11](#_Toc527556755)

[20. Confidentiality 11](#_Toc527556756)

[21. Clarification of Applications 11](#_Toc527556757)

[22. Responsiveness of Applications 12](#_Toc527556758)

[23. Domestic Bidder Price Preference 12](#_Toc527556759)

[24. Sub-contractors 12](#_Toc527556760)

[F. Evaluation of Applications and Prequalification of Applicants 12](#_Toc527556761)

[25. Evaluation of Applications 12](#_Toc527556762)

[26. Employer’s Right to Accept or Reject Applications 13](#_Toc527556763)

[27. Prequalification of Applicants 13](#_Toc527556764)

[28. Notification of Prequalification 13](#_Toc527556765)

[29. Invitation for Bids 13](#_Toc527556766)

[30. Changes in Qualifications of Applicants 14](#_Toc527556767)

**Section I. Instructions to Applicants**

## A. General

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| --- | --- |
| 1. Scope of Application | 1.1 In connection with the Invitation for Prequalification[[1]](#footnote-2) indicated in Section II, Prequalification Data Sheet (PDS), the Employer, as defined in the **PDS,** issues this Prequalification Document (“Prequalification Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for prequalification to bid for the Project described in Section VII, Scope of the Project. In case the Works are to be bid as individual contracts (i.e. the slice and package procedure), these are listed in the PDS. The International Competitive Bidding (“ICB”) number corresponding to this prequalification is also provided in the **PDS.** |
| 2. Source of Funds | 2.1 *The applicants are expected to arrange financing for the project included in Section VII.* |
| 3. Corrupt and Fraudulent Practices | 3.1 The World Bank (the “Bank”) requires compliance with its policy in regard to corrupt and fraudulent practices as set forth in Section VI.  3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents to permit the Bank to inspect all accounts, records and other documents relating to the submission of the Application, bid submission (in case prequalified), and contract performance (in the case of award), and to have them audited by auditors appointed by the Bank. |
| 4. Eligible Applicants | 4.1 Applicants shall meet the eligibility criteria as per clause 5.1. For the purpose of applying the eligibility criteria listed in this Clause 4 and 5, references to the “Applicant” include all entities involved or intended to be involved with the proposed Project (including all partners and any of their affiliates that directly or indirectly control, or are controlled by or are under common control with the firm), specialized sub-contractors, consultants, manufacturers or suppliers (as mentioned in Form ELI-1.2 Applicant’s JV Member’s Information Form), and the personnel of each, for any part of the contract including related services.  4.2 An Applicant may be a firm that is a private entity, a government-owned entity—subject to ITA 4.9 - or a combination of such entities in the form of a joint venture (“JV”) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a JV, all members shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. The JV shall nominate an authorized representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, bidding (in the event the JV submits a bid) and during contract execution (in the event the JV is awarded the Contract).Unless specifiedin the **PDS**, there is no limit on the number of members in a JV |
|  | 4.3 A firm may apply for prequalification both individually, and as part of a joint venture, or as a sub-contractor. If prequalified, it will not be permitted to bid for the same contract both as an individual firm and as a part of the joint venture or as a sub-contractor. However, a firm may participate as a sub-contractor in more than one bid, but only in that capacity. Bids submitted in violation of this procedure will be rejected.  4.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its application for prequalification either individually, as joint venture or as a sub-contractor among them for the same contract. However, if prequalified only one prequalified applicant will be allowed to bid for the same contract. All bids submitted in violation of this procedure will be rejected. |
|  | 4.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. This criterion also shall apply to the determination of the nationality of proposed specialized sub-contractors or suppliers for any part of the Contract including related Services. |
|  | 4.6 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by the Employer or Borrower as Engineer for contract implementation of the works that are the subject of this prequalification. |
|  | 4.7 An Applicant that has been sanctioned by the Bank in accordance with the above ITA 3.1, including in accordance with the Bank’s Guidelines on Preventing and Combating Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants (“Anti-Corruption Guidelines”), shall be ineligible to be prequalified, to bid for, awarded a Bank-financed contract or benefit from a Bank-financed contract, financially or otherwise, during such period of time as the Bank shall have determined. |
|  | 4.8 The list of debarred firms and individuals is available as specified in the **PDS**. |
|  | 4.9 Government-owned enterprises or institutions in the Employer’s Country may participate only if they can establish that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not dependent agencies of the Employer[[2]](#footnote-3). To be eligible, a government-owned enterprise or institution shall establish to the Bank’s satisfaction, through all relevant documents, including its Charter and other information the Bank may request, that it: (i) is a legal entity separate from the government (ii) does not currently receive substantial subsidies or budget support; (iii) operates like any commercial enterprise, and, inter alia, is not obliged to pass on its surplus to the government, can acquire rights and liabilities, borrow funds and be liable for repayment of its debts, and can be declared bankrupt; and (iv) is not bidding for a contract to be awarded by the department or agency of the government which under their applicable laws or regulations is the reporting or supervisory authority of the enterprise or has the ability to exercise influence or control over the enterprise or institution. |
|  | 4.10 An Applicant shall not be under suspension from bidding by the Employer as the result of the execution of a Bid–Securing Declaration. |
|  | 4.11 An Applicant shall provide such evidence of eligibility satisfactory to the Employer, as the Employer shall reasonably request. |
| 5. Eligibility | 5.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated in Section V. The countries, persons or entities are ineligible 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 or services 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 any country, person, or entity in that country. |
|  | B. Contents of the Prequalification Document |
| 6. Sections of Prequalifica­tion Document | 6.1 This Prequalification Document consists of parts 1 and 2 which comprise all the sections indicated below, and which 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 * Section VI. Bank Policy – Corrupt and Fraudulent practices   PART 2 Project Requirements   * Section VII. Scope of the Project |
|  | 6.2 Unless obtained directly from the Employer, the Employer accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Employer shall prevail. |
|  | 6.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Application all information or documentation as is required by the Prequalification Document. |
| 7. Clarification of Prequali­fication Document and Pre-Application Meeting | 7.1 A prospective Applicant requiring any clarification of the Prequalification Document shall contact the Employer in writing at the Employer’s address indicated in the **PDS.** The Employer 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 the applications. The Employer shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Document directly from the Employer, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Employer shall also promptly publish its response at the web page identified in the **PDS**. Should the Employer 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.  7.2 If indicated in the **PDS**, the prospective Applicant’s designated representative is invited at the Applicant’s cost to attend a pre-Application meeting at the place, date and time mentioned in the **PDS**. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Prequalification Document.  7.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Prequalification Document. Any modification to the Prequalification Document that may become necessary as a result of the pre-Application meeting shall be made by the Employer exclusively through the use of an Addendum pursuant to ITA 8. Non-attendance at the pre-Application meeting will not be a cause for disqualification of an Applicant. |
| 8. Amendment of Prequalifica­tion Document | 8.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Prequalification Document by issuing an Addendum. |
|  | 8.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all prospective Applicants who have obtained the Prequalification Document from the Employer. The Employer shall promptly publish the Addendum at the Employer’s web page identified in the **PDS**. |
|  | 8.3 To give prospective Applicants reasonable time to take an Addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2. |
|  | 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 Employer will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process. |
| 10. Language of Application | 10.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, 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 12.1;  (b) documentary evidence establishing the Applicant’s eligibility, in accordance with ITA 13.1;  (c) documentary evidence establishing the Applicant’s qualifications, in accordance with ITA 14; and  (d) any other document required as specified in the **PDS**.  11.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application |
| 12. Application Submission Form | 12.1 The Applicant shall complete an Application Submission Form as provided 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.  14.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the USD equivalent using the rate of exchange determined as follows:  For turnover or financial data required for each year - Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted) was originally established.  Value of single contract - Exchange rate prevailing on the date of the contract.  Exchange rates shall be taken from the publicly available source identified in the **PDS**. Any error in determining the exchange rates in the Application may be corrected by the Employer. |
| 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. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.  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 a sealed envelope that shall:  (a) bear the name and address of the Applicant;  (b) be addressed to the Employer, 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 Employer will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above. |
| 17. Deadline for Submission of Applications | 17.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Employer at the address and no later than the deadline indicated in the **PDS.** When so specified in the **PDS,** Applicants have the option of submitting their Applications electronically, in accordance with electronic application submission procedures specified in the **PDS.** |
|  | 17.2 The Employer 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 Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended. |
| 18. Late Applications | 18.1 The Employer reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **PDS**. |
| 19. Opening of Applications | 19.1 The Employer shall open all Applications at the date, time and place specified in the **PDS**. Late Applications shall be treated in accordance with ITA 18.1.  19.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the **PDS.**  19.3 The Employer shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. 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 Applications, their evaluation and result shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 28. |
|  | 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 Employer on any matter related to the prequalification process (except as specified in 20.1 above), may do so only in writing. |
| 21. Clarification of Applications | 21.1 To assist in the evaluation of Applications, the Employer may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Employer and all clarifications from the Applicant shall be in writing. |
|  | 21.2 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Employer’s request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application. |
| 22. Responsive­ness of Applications | 22.1 The Employer may reject any Application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant. |
| 23. Domestic Bidder Price Preference | 23.1 Unless otherwise specified in the **PDS,** a margin of preference for domestic bidders[[3]](#footnote-4) shall not apply in the bidding processresulting from this prequalification. |
| 24. Sub-contrac­tors | 24.1 Unless otherwise stated in the **PDS,** the Employer does not intend to execute any specific elements of the Works by sub-contractors selected in advance by the Employer**.**  24.2 Applicants may propose subcontracting for the works mentioned in Section VII and as further described in ITA 25.2. |
|  | F. Evaluation of Applications and Prequalification of Applicants |
| 25. Evaluation of Applications | 25.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Employer reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the contract. |
|  | 25.2 Applicants planning to subcontract any work shall specify, in the Application Submission Form, the activity (ies) or parts of the works to be subcontracted along with complete details of the sub-contractors. The Applicant on its own (without taking into account the qualification and experience of the sub-contractor) should meet the prequalification criteria. |
|  | 25.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Employer shall prequalify each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements. The Qualification Criteria and Requirements are mentioned in Section III.  25.4 Only the qualifications of the Applicant shall be considered. In particular, the qualifications of a parent or other affiliated company that is not party to the Applicant under a JV in accordance with ITA 4.2 (or participating as a sub-contractor as per ITA 25.2) shall not be considered. |
| 26. Employer’s Right to Accept or Reject Applications | 26.1 The Employer 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 the Applicants. |
| 27. Prequalifica­tion of Applicants | 27.1 All Applicants who’s Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Employer.  27.2 An Applicant may be “conditionally prequalified,” that is, qualified subject to the Applicant submitting or correcting certain specified nonmaterial documents or deficiencies to the satisfaction of the Employer.  27.3 Applicants that are conditionally prequalified will be so informed along with the statement of the condition(s) which must be met to the satisfaction of the Employer before or at the time of submitting their bids. |
| 28. Notification of Prequalifica­tion | 28.1 The Employer shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.  28.2 Applicants that have not been prequalified may write to the Employer to request, in writing, the grounds on which they were disqualified. |
| 29. Invitation for Bids | 29.1 Promptly after the notification of the results of the prequalification, the Employer shall invite bids from all the Applicants that have been prequalified or conditionally prequalified. |
|  | 29.2 Bidders may be required to provide a Bid Security or a Bid-Securing Declaration acceptable to the Employer in the form and an amount to be specified in the Bidding Documents.  29.3 The successful Bidder shall be required to provide a Performance Security as specified in the Bidding Documents.  29.4 If applicable, the successful Bidder shall be required to provide a separate Environmental, Social, Health and Safety (ESHS) Performance Security.  29.5 Bidders shall be required to provide the Code of Conduct which will apply to their employees and sub-contractors to ensure compliance with the Environmental, Social (including sexual exploitation and abuse (SEA) and gender-based violence (GBV)), Health and Safety (ESHS) requirements.  29.6 Bidder shall be required to submit management strategies and implementation plans to ensure compliance with key Environmental, Social (including sexual exploitation and abuse (SEA) and gender-based violence (GBV)), Health and Safety (ESHS) requirement. |
| 30. Changes in Qualifications of Applicants | 30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to bid (including, in the case of a JV, any change in the structure or formation of any member thereto) shall be subject to the written approval of the Employer prior to the deadline for submission of bids. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) 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 (iii) in the opinion of the Employer, the change may result in a substantial reduction in competition. Any such change should be submitted to the Employer not later than fourteen (14) days after the date of the Invitation for Bids. |

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| Section II. Prequalification Data Sheet | | |
| **A. General** | | |
| **ITA 1.1** | | The identification of the Invitation for Prequalification is:  **(IUL)13-K/13/2019/35**  The Employer is:  **Ministry of Environment**  ICB name and number are:  **Installation of 5MW Grid-tied Solar Photovoltaic System in the Greater Malé Region under Design, Build, Finance, Own, Operate, and Transfer Basis**  **IFB No.: 002/017182** |
| **ITA 2.1** | | The name of the Project is:  **Accelerating Sustainable Private Investment in Renewable Energy (ASPIRE) Project** |
| **ITA 4.2** | | Maximum number of members in the JV shall be: **3 (Three)** |
| **ITA 4.8** | | A list of debarred firms and individuals is available on the Bank’s external website: <http://www.worldbank.org/debarr.> |
| **B. Contents of the Prequalification Document** | | |
| **ITA 7.1** | | For **clarification purposes,** the Employer's address is:  **National Tender**  **Ministry of Finance**  **Ameenee Magu, Maafannu,**  **Male’, 20379**  **Republic of Maldives**  **Tel: (960) 3349102, (960) 3349106**  **E-Mail:** [**ibrahim.aflah@finance.gov.mv**](mailto:ibrahim.aflah@finance.gov.mv)  **Copy to:** [**tender@finance.gov.mv**](mailto:tender@finance.gov.mv)  Requests for clarification should be received by the Employer no later than:  **Date: FEBRUARY 25, 2019**  **Time: 1330 Hours Maldivian Time** |
| **ITA 7.1 & 8.2** | | Web page: [**www.finance.gov.mv**](http://www.finance.gov.mv) |
| **ITA 7.2** | | Pre-Application Meeting will be held: **Yes**  **National Tender**  **Ministry of Finance**  **Ameenee Magu, Maafannu,**  **Male’, 20379**  **Republic of Maldives**  **Date: FEBRUARY 18, 2019**  **Time: 1300 Hours Maldivian Time** |
| **C. Preparation of Applications** | | |
| **ITA 10.1** | This Prequalification document has been issued in the *English* language*.*  All correspondence exchange shall be in *English* language.  The Application as well as all correspondence shall be submitted in *English*. | |
| **ITA 11.1 (d)** | The Applicant shall submit with its Application, the following additional documents: **None** | |
| **ITA 14.2** | The source for determining exchange rates is:  **Maldives Monetary Authority** | |
| **ITA 15.2** | In addition to the original, the number of copies to be submitted with the Application is: **One (01) Original, One (01) Copy of the applicant’s document and One (01) Softy Copy of the applicant’s document** | |
| **D. Submission of Applications** | | |
| **ITA 17.1** | **The deadline for Application submission is:**  **Date: MARCH 18, 2019**  **Time: 1300 Hours (Local Time)**  Applicants ***shall not***have the option of submitting their Applications electronically.  For **application submission purposes only,** the Employer's address is:  **National Tender**  **Ministry of Finance**  **Ameenee Magu, Maafannu,**  **Male’, 20379**  **Republic of Maldives**  **Tel: (960) 3349102, (960) 3349106** | |
| **ITA 18.1** | Late Applications will be returned unopened to the Applicants. | |
| **ITA 19.1** | The opening of the Applications shall be at  **National Tender**  **Ministry of Finance**  **Ameenee Magu, Maafannu,**  **Male’, 20379**  **Republic of Maldives**  **Date: MARCH 18, 2019**  **Time: 1300 Hours (Local Time)** | |
| **ITA 19.2** | If electronic submission of Applications shall be permitted, electronic Application opening procedures are: **Not Permitted** | |
| **E. Procedures for Evaluation of Applications** | | |
| **ITA 23.1** | A margin of preference ***shall not*** apply for domestic bidders. | |
| **ITA 24.1** | At this time the Employer ***does not intend***to execute certain specific parts of the Project by sub-contractors selected in advance. | |
| **ITA 24.2** | Applicants planning to subcontract any works shall specify, in the Application Submission Form, the activity (ies) or parts of the works to be subcontracted along with complete details of the sub-contractors.  Sub-contractors’ qualification and experience will not be considered for evaluation of the Applicant. The Applicant on its own (without taking into account the qualification and experience of the sub-contractor) should meet the prequalification criteria. | |

Section III. Qualification Criteria and Requirements

**Contents**

[1. Eligibility 19](#_Toc107899636)

[2. Historical Contract Non-Performance 20](#_Toc107899637)

[3. Financial Situation 21](#_Toc107899638)

[4. Experience 22](#_Toc107899639)

| **Eligibility and Qualification Criteria** | | | **Compliance Requirements** | | | | **Documentation** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **No.** | **Subject** | **Requirement** | **Single Entity** | **Joint Venture (existing or intended)** | | | **Submission Requirements** |
| **All Parties Combined** | **Each Member** | **One Member** |
| 1. Eligibility | | | | | | | |
| 1.1 | **Nationality** | Nationality in accordance with ITA 4.5 | Must meet requirement | 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 accordance with ITA 4.6 | Must meet requirement | Must meet requirement | Must meet requirement | N/A | Application Submission Form |
| 1.3 | **Bank Eligibility** | Not having been declared ineligible by the Bank, as described in ITA 4.7 and 5.1 | Must meet requirement | Must meet requirement | Must meet requirement | N/A | Application Submission Form |
| 1.4 | **Government Owned Entity of the Borrower country** | Meet conditions of ITA 4.9 | 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 prohibition in the Borrower’s country laws or official regulations against commercial relations with the Applicant’s country, or by an act of compliance with UN Security Council resolution, both in accordance with ITA 5.1 and Section V. | 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[[4]](#footnote-5) did not occur as a result of contractor’s default since ***1st January 2014***. | Must meet requirement5 | Must meet requirements | Must meet requirement[[5]](#footnote-6) | N/A | Form CON-2 |
| 2.2 | **Suspension Based on Execution of Bid Securing Declaration by the Employer** | Not under suspension based on execution of a Bid Securing Declaration pursuant to ITA 4.10. | Must meet requirement | Must meet requirement | Must meet requirement | N/A | Application Submission Form |
| 2.3 | **Pending Litigation** | Applicant’s financial position and prospective long-term profitability still sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved against the Applicant | Must meet requirement | N/A | Must meet requirement | N/A | Form CON – 2 |
| 2.4 | **Litigation History** | No consistent history of court/arbitral award decisions against the Applicant[[6]](#footnote-7) since ***1st January 2014.*** | Must meet requirement | Must meet requirement | Must meet requirement | N/A | Form CON – 2 |
| **2.5** | **Declaration: Environmental, Social, Health, and Safety (ESHS) past performance** | Declare any contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance of any environmental, or social (including sexual exploitation and abuse (SEA) and gender-based violence (GBV)), or health or safety requirements or safeguard in the past five years[[7]](#footnote-8). | Must make the declaration. Where there are Specialized Sub-contractor/s, the Specialized Sub-contractor/s must also make the declaration | N/A | Each must make the declaration. Where there are Specialized Sub-contractor/s, the Specialized Sub-contractor/s must also make the declaration. | N/A | Form CON-3 ESHS Performance Declaration |
| 3. Financial Situation and Performance | | | | | | | |
| 3.1 | **Financial Capabilities** | (i) The Applicant Net Worth shall not be less than **US$ 1,500,000**or equivalent in any other currency. For this purpose, the Bidder's Net Worth is defined as the average of the net worth reflected in the audited annual accounts of the most-recent **three years** of business operations. For this purpose, the most recent year of business operation shall be the most recent financial year defined by the regulatory agency of the respective country of business registration of the Bidder.  (ii) The audited balance sheets or, if not required by the laws of the Applicant’s country, other financial statements acceptable to the Employer, for the last ***03 years*** shall be submitted. | Must meet requirement | Must meet requirement | **At least 25%** of the requirement | **At least 40%** of the requirement | Form FIN – 3.1, with attachments |
| 4. Experience | | | | | | | |
| 4.1 (a) | **Specific Experience - Developing Projects** | (i) A minimum number of similar[[8]](#footnote-9) contracts specified below that have been satisfactorily and substantially[[9]](#footnote-10) completed as a prime contractor, joint venture member[[10]](#footnote-11), management contractor or sub-contractor10 between ***1st January 2014*** and application submission deadline: (i) cumulative experience of **1 MW (solar rooftop/ground mounted)** with at least one solar rooftop project of **250kW**; | Must meet requirement | NA | N/A | Must meet requirement | Form EXP 4.1(a) |

Section IV. Application Forms

**Table of Forms**

[Application Submission Form 25](#_Toc527566393)

[Applicant Information Form 27](#_Toc527566394)

[Applicant's JV Information Form 28](#_Toc527566395)

[Historical Contract Non-Performance, Pending Litigation and Litigation History 29](#_Toc527566396)

[ESHS Performance Declaration 31](#_Toc527566397)

[Financial Situation and Performance 33](#_Toc527566398)

Application Submission Form

Date: *[insert day, month, and year]*ICB No. and title: *[insert ICB number and title]*

To: *[insert full name of Employer]*

**Installation of 5MW Grid-tied Solar Photovoltaic System in the Greater Malé Region under Design, Build, Finance, Own, Operate, and Transfer Basis**

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 Document, including Addendum(s) No(s). issued in accordance with Instructions to Applicants (ITA) 8: *[insert the number and issuing date of each addendum].*

(b) We have no conflict of interest in accordance with ITA 4.6;

(c) We meet the eligibility requirements as stated ITA 4.1, we have not been suspended by the Employer based on execution of a Bid Securing Declaration in accordance with ITA 4.10;

(d) We, in accordance with ITA 24.2, plan to subcontract the following activities and/or parts of the works:

*[Insert activities which the Applicant intends to subcontract along with complete details of the sub-contractors]*

(e) 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:

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Recipient | Address | Reason | Amount |
| *[insert full name for each occurrence]* | *[insert street/ number/city/country]* | *[indicate reason]* | *[specify amount currency, value, exchange rate and US$ equivalent]* |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

*[If no payments are made or promised, add the following statement: “No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application]*

(f) 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 process, without incurring any liability to the Applicants, in accordance with ITA 26.1.

(g) All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

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 or the name of the JV]*

Address *[insert street number/town or city/country address]*

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

[For an a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

**Form ELI -1.1**

Applicant Information Form

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 name  *[insert full name]* |
| In case of Joint Venture (JV), name of each member:  *[insert full name of each member in JV]* |
| Applicant's actual or intended country of registration:  *[indicate country of Constitution]* |
| Applicant's actual or intended year of incorporation:  *[indicate year of Constitution]* |
| Applicant's legal address [in country of registration]:  *[insert street/ number/ town or city/ country]* |
| Applicant's authorized representative information  Name: *[insert full name]*  Address: *[insert street/ number/ town or city/ country]*  Telephone/Fax numbers: *[insert telephone/fax numbers, including country and city codes]*  E-mail address: *[indicate e-mail address]* |
| 1. Attached are copies of original documents of  🞎 Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA 4.5.  🞎 In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.2.  🞎 In case of Government-owned enterprise or institution, in accordance with ITA 4.9 documents establishing:   * Legal and financial autonomy * Operation under commercial law * Establishing that the Applicant is not dependent agency of the Employer   2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership. |

**Form ELI -1.2**

Applicant's JV Information Form

*[The following form is additional to Form ELI – 1.1., and shall be completed to provide information relating to each JV member (in case the Applicant is a JV) as well as any Specialized Sub-contractor proposed to be used by the Applicant for any part of the Contract resulting from this prequalification]*

Date: *[insert day, month, year]*ICB No. and title: *[insert ICB number and title]*Page *[insert page number]* of *[insert total number]* pages

|  |
| --- |
| Applicant name:  *[insert full name]* |
| Applicant's JV Member’s name:  *[insert full name of Applicant's JV Member]* |
| Applicant's JV Member’s country of registration:  *[indicate country of registration]* |
| Applicant JV Member’s year of constitution:  *[indicate year of constitution]* |
| Applicant JV Member’s legal address in country of constitution:  *[insert street/ number/ town or city/ country]* |
| Applicant JV Member’s authorized representative information  Name: *[insert full name]*  Address: *[insert street/ number/ town or city/ country]*  Telephone/Fax numbers: *[insert telephone/fax numbers, including country and city codes]*  E-mail address: *[indicate e-mail address]* |
| 1. Attached are copies of original documents of  🞎 Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.5.  🞎 In case of a Government-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and absence of dependent status, in accordance with ITA 4.9.  2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership. |

**Form CON – 2**

Historical Contract Non-Performance, Pending Litigation and Litigation History

*[The following table shall be filled in for the Applicant and for each member of a Joint Venture]*

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

|  |  |  |  |
| --- | --- | --- | --- |
| Non-Performed Contracts in accordance with Section III, Qualification Criteria and  Requirements | | | |
| 🞎 Contract non-performance did not occur since 1st January *[insert year]* specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.  🞎 Contract(s) not performed since 1st January *[insert year]* specified in Section III, Qualification Criteria and Requirements, requirement 2.1 | | | |
| **Year** | **Non- performed portion of contract** | **Contract Identification** | **Total Contract Amount (current value, currency, exchange rate and US$ equivalent)** |
| *[insert year]* | *[insert amount and percentage]* | Contract Identification: *[indicate complete contract name/ number, and any other identification]*  Name of Employer: *[insert full name]*  Address of Employer: *[insert street/city/country]*  Reason(s) for non-performance: *[indicate main reason(s)]* | *[insert amount]* |
| Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements | | | |
| 🞎 No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2. | | | |
| 🞎 Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2 as indicated below. | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **Year of dispute** | **Amount in dispute (currency)** | **Contract Identification** | **Total Contract Amount (currency), USD Equivalent (exchange rate)** |
| *[insert year]* | *[insert amount]* | Contract Identification: [indicate complete contract name, number, and any other identification]  Name of Employer: *[insert full name]*  Address of Employer: *[insert street/city/country]*  Matter in dispute: *[indicate main issues in dispute]*  Party who initiated the dispute: *[indicate “Employer” or “Contractor”]*  Status of dispute: *[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]* | *[insert amount]* |
| 🞎 No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2.  🞎 Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2 as indicated below. | | | |
| **Year of award** | **Outcome as percentage of Net Worth** | **Contract Identification** | **Total Contract Amount (currency), USD Equivalent (exchange rate)** |
| *[insert year]* | *[insert percentage]* | Contract Identification: [indicate complete contract name, number, and any other identification]  Name of Employer: *[insert full name]*  Address of Employer: *[insert street/city/country]*  Matter in dispute: *[indicate main issues in dispute]*  Party who initiated the dispute: *[indicate “Employer” or “Contractor”]*  Status of dispute: *[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]* | *[insert amount]* |

**Form CON – 3**

ESHS Performance Declaration

*[The following table shall be filled in for the Applicant, each member of a Joint Venture and each Specialized Subcontractor]*

Applicant’s Name: *[insert full name]*Date: *[insert day, month, year]*Joint Venture Member’s or Specialized Subcontractor’s Name: *[insert* *full name]*ICB No. and title: *[insert ICB number and title]*Page *[insert page number]* of *[insert total number]* pages

|  |  |  |  |
| --- | --- | --- | --- |
| Environmental, Social, Health, and Safety Performance Declaration  in accordance with Section III, Qualification Criteria, and Requirements | | | |
| 🞎 **No suspension or termination of contract**: An employer has not suspended or terminated a contract and/or called the performance security for a contract for reasons related to Environmental, Social, Health, or Safety (ESHS) performance since the date specified in Section III, Qualification Criteria, and Requirements, Sub-Factor 2.5.  🞎 **Declaration of suspension or termination of contract**: The following contract(s) has/have been suspended or terminated and/or Performance Security called by an employer(s) for reasons related to Environmental, Social, Health, or Safety (ESHS) performance since the date specified in Section III, Qualification Criteria, and Requirements, Sub-Factor 2.5. Details are described below: | | | |
| **Year** | **Suspended or terminated portion of contract** | **Contract Identification** | **Total Contract Amount (current value, currency, exchange rate and US$ equivalent)** |
| *[insert year]* | *[insert amount and percentage]* | Contract Identification: *[indicate complete contract name/ number, and any other identification]*  Name of Employer: *[insert full name]*  Address of Employer: *[insert street/city/country]*  Reason(s) for suspension or termination: *[indicate main reason(s) e.g. for gender-based violence (GBV)/ sexual exploitation and abuse (SEA) breaches]* | *[insert amount]* |
| *[insert year]* | *[insert amount and percentage]* | Contract Identification: *[indicate complete contract name/ number, and any other identification]*  Name of Employer: *[insert full name]*  Address of Employer: *[insert street/city/country]*  Reason(s) for suspension or termination: *[indicate main reason(s)]* | *[insert amount]* |
| *…* | *…* | *[list all applicable contracts]* | *…* |
| **Performance Security called by an employer(s) for reasons related to ESHS performance** | | | |
| Year | Contract Identification | | Total Contract Amount (current value, currency, exchange rate and US$ equivalent) |
| *[insert year]* | Contract Identification: *[indicate complete contract name/ number, and any other identification]*  Name of Employer: *[insert full name]*  Address of Employer: *[insert street/city/country]*  Reason(s) for calling of performance security: *[indicate main reason(s) e.g. for GBV/ SEA breaches]* | | *[insert amount]* |
|  |  | |  |

**Form FIN – 3.1**

Financial Situation and Performance

*[The following table shall be filled in for the Applicant and for each member of a Joint Venture]*

Applicant’s Name: *[insert full name]*Date: *[insert day, month, year]*Joint Venture Member 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**

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of Financial information in**  **(currency)** | **Historic information for previous** *[insert number] years,*  *[insert in words]*  **(amount in currency, currency, exchange rate\*, USD equivalent)** | | |
|  | Year 1 | Year 2 | Year 3 |
| Statement of Financial Position (Information from Balance Sheet) | | | |
| Equity Share Capital |  |  |  |
| Reserves |  |  |  |
| Revaluation Reserves |  |  |  |
| Intangible Assets |  |  |  |
| Miscellaneous Expenditures |  |  |  |
| Total Equity/Net Worth (NW) |  |  |  |

\* Refer ITA 14 for the exchange rate

Net worth = Equity share capital

Add: Reserves

Subtract: Revaluation Reserves

Subtract: Intangible Assets

Subtract: Miscellaneous Expenditures to the extent not written off and carry forward losses

**2. Financial documents**

The Applicant and its parties shall provide copies of financial statements for last ***3***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 in case of JV member, and not an affiliated entity (such as parent company or group member).

(b) be independently audited or certified in accordance with local legislation.

(c) be complete, including all notes to the financial statements.

(d) correspond to accounting periods already completed and audited.

🞎 Attached are copies of financial statements[[11]](#footnote-12) for the last ***3***years required above; and complying with the requirements

**Form EXP - 4.1(a)**

**Specific Experience - in "Developing Projects"**

***"Developing Projects" (ground mounted/rooftop projects) in the solar energy industry means successful commissioning of a project and declaring commercial operation, in which the Applicant – (i) was an EPC contractor; or (ii) held an equity stake of not less than [51] % at the time of declaring commercial operation; or (iii) The Applicant developed the project on his own balance sheet.***

*[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]*

Applicant’s Name: *[insert full name]*Date: *[insert day, month, year]*Joint Venture Member 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.**  *[insert number]* of *[insert number of similar contracts required]* | **Information** | | | | |
| Contract Identification | *[insert contract name and number, if applicable]* | | | | |
| Award date | *[insert day, month, year, i.e., 15 June, 2015]* | | | | |
| Completion date | *[insert day, month, year, i.e., 03 October, 2017]* | | | | |
| Role in Contract  *[check the appropriate box]* | Prime Contractor 🞎 | | Member in  JV  🞎 | Management Contractor  🞎 | Sub-contractor 🞎 |
| Size of Contract | *[insert size of the contract in KWp]* | | | | |
| Total Contract Amount | *[insert total contract amount in local currency]* | | | US$ *[insert*  *Exchange rate and total contract amount in US$*  *equivalent] \** | |
| If member in a JV or sub-contractor, specify participation in total Contract amount | *[insert a percentage amount]* | *[insert total contract amount in local currency]* | | *[insert exchange rate and total contract amount in US$ equivalent] \** | |
| Employer's Name: | *[insert full name]* | | | | |
| Address:  Telephone/fax number  E-mail: | *[indicate street / number / town or city / country]*  *[insert telephone/fax numbers, including country and*  *city area codes]*  *[insert e-mail address, if available]* | | | | |

\* Refer ITA 14 for date and source of exchange rate.

**Form EXP - 4.1(a) (cont.)**

**Specific Experience (cont.)**

|  |  |
| --- | --- |
| **Similar Contract No.**  *[insert number]* of *[insert number of similar contracts required]* | **Information** |
| Description of the similarity in accordance with Sub-Factor 4.1(a) of Section III: | |
| 1. Amount | *[insert amount in local currency, exchange rate, US$ in words and in Figures]* |
| 2. Physical size of required works items | *[insert physical size of items]* |
| 3. Complexity | *[insert description of complexity]* |
| 4. Methods/Technology  5. Rates for key activities | *[insert specific aspects of the methods/technology involved in the contract]*  *[insert rates and items]* |
| 6. Other Characteristics | *[insert other characteristics as described in Section VII, Scope of Works]* |

Section V. Eligible Countries

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

In reference to ITA 5.1, for the information of the Applicants, at the present time firms and individuals, supply of goods, or contracting of works or services, from the following countries are excluded from this prequalification process:

Under ITA 5.1 (a) ***none****.*

Under ITA 5.1 (b) ***none****.*

Section VI. Bank Policy - Corrupt and Fraudulent Practices

Guidelines for Procurement of Goods, Works, and Non-Consulting Services under IBRD Loans and IDA Credits & Grants by World Bank Borrowers, dated January 2011

“**Fraud and Corruption**

1.16 It is the Bank’s policy to require that Borrowers (including beneficiaries of Bank loans), bidders, suppliers, contractors and their agents (whether declared or not), sub-contractors, sub-consultants, service providers or suppliers, and any personnel thereof, observe the highest standard of ethics during the procurement and execution of Bank-financed contracts.[[12]](#footnote-13) In pursuance of this policy, the Bank:

(a) defines, for the purposes of this provision, the terms set forth below as follows:

(i) “corrupt practice” is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;[[13]](#footnote-14)

(ii) “fraudulent practice” is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation;[[14]](#footnote-15)

(iii) “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;[[15]](#footnote-16)

(iv) “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;[[16]](#footnote-17)

(v) "obstructive practice" is

(aa) deliberately destroying, falsifying, altering, or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede a Bank investigation into allegations of a corrupt, fraudulent, coercive or collusive practice; and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation, or

(bb) acts intended to materially impede the exercise of the Bank’s inspection and audit rights provided for under paragraph 1.16(e) below.

(b) will reject a proposal for award if it determines that the bidder recommended for award, or any of its personnel, or its agents, or its sub-consultants, sub-contractors, service providers, suppliers and/or their employees, has, directly or indirectly, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question;

(c) will declare misprocurement and cancel the portion of the loan allocated to a contract if it determines at any time that representatives of the Borrower or of a recipient of any part of the proceeds of the loan engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices during the procurement or the implementation of the contract in question, without the Borrower having taken timely and appropriate action satisfactory to the Bank to address such practices when they occur, including by failing to inform the Bank in a timely manner at the time they knew of the practices;

(d) will sanction a firm or individual, at any time, in accordance with the prevailing Bank’s sanctions procedures,[[17]](#footnote-18) including by publicly declaring such firm or individual ineligible, either indefinitely or for a stated period of time: (i) to be awarded a Bank-financed contract; and (ii) to be a nominated[[18]](#footnote-19)

(e) will require that a clause be included in bidding documents and in contracts financed by a Bank loan, requiring bidders, suppliers and contractors, and their sub-contractors, agents, personnel, consultants, service providers, or suppliers, to permit the Bank to inspect all accounts, records, and other documents relating to the submission of bids and contract performance, and to have them audited by auditors appointed by the Bank;”

PART 2 – Project Requirements

Section VII. Scope of the Project

**Contents**

[1. Overview 44](#_Toc527559046)

[2. Scope of Work 49](#_Toc527559047)

[3. Environmental, Social, Health and Safety (ESHS) Requirements 52](#_Toc527559048)

[4. Proposed sites 53](#_Toc527559049)

1. Overview

The Republic of Maldives is a South Asian Island country, located southwest of Sri Lanka and India. It is comprised of 1,192 coral islands grouped into 26 geographical atolls, spreading over an area of 115,300 sq. km and occupying a total land area of 224 sq. km. Maldives is recognized as an upper middle-income economy by the World Bank, with a GDP growth rate of 6.5% in 2017[[19]](#footnote-20).

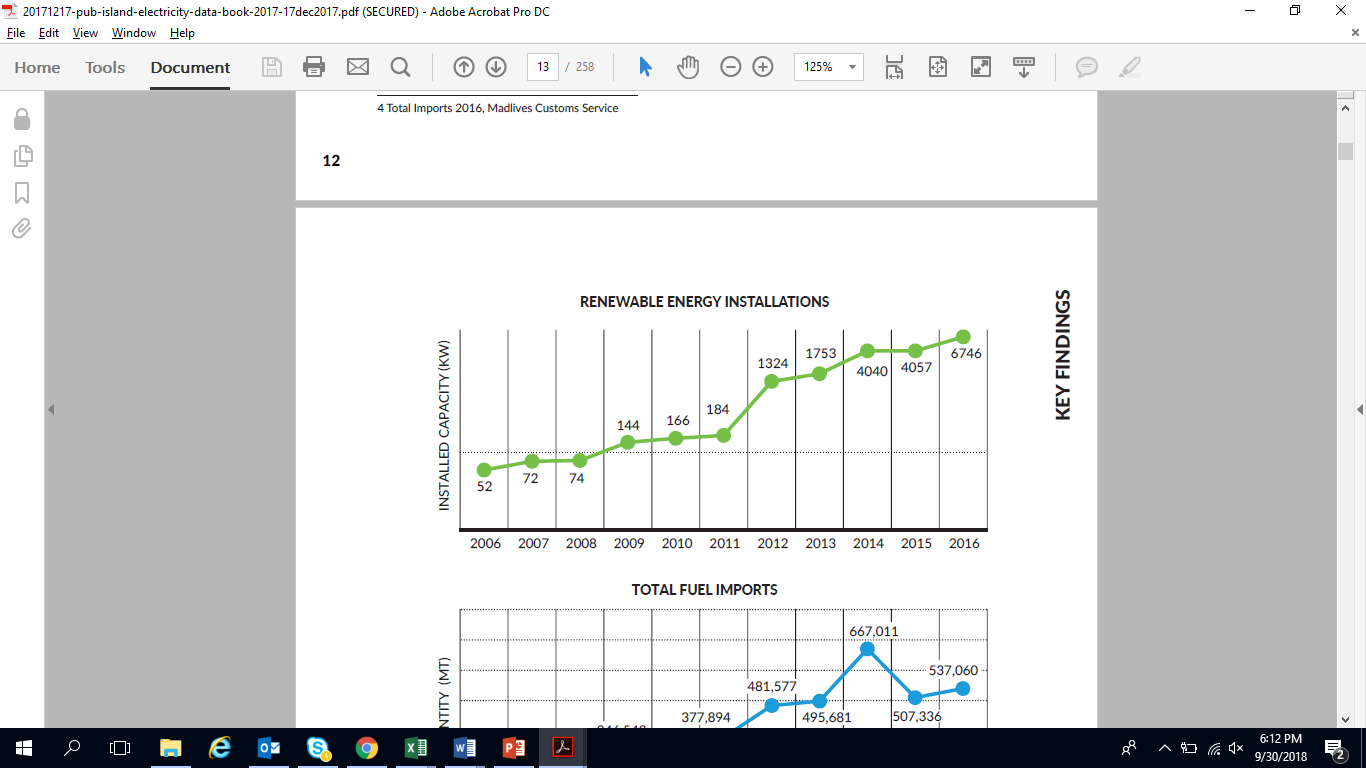
Out of the total 1192 islands, 187 are inhabited, 123 are self-contained tourist resorts and 128 are used for other industrial and commercial activities. The total population of Maldives is 341,256. The dispersed nature of the islands requires each island to have a separate power generation and distribution system. The powerhouses are operated mainly by three utility companies namely, State Electric Company Limited (STELCO), FENAKA Corporation Ltd. (FENAKA) and Male’ Water and Sewerage Company Pvt. Ltd. (MWSC). Maldives has achieved provision of 24 hours electricity service throughout the country in 2008. The inhabited islands of the Maldives have a total installed capacity of 214 MW of diesel generators to cater to the electricity demand.

The electricity generation for the capital Malé (Malé, Villingili and Hulhumalé) accounts for about 60% of the total electricity generation of all the inhabited islands. This is the largest electricity consuming region with consumption of about 375.6 GWh/year and having an installed capacity of 87.68 MW.

In order to ensure energy security, the Government of the Republic of Maldives (GoM) has embarked on a plan to transform the electricity sector through private sector investments in renewable energy development on a large scale. The Republic of Maldives provides an attractive destination for the private investors due to the enabling policies and programs of the GoM. Maldives Energy Policy and Strategy 2016 seeks to promote renewable energy in the country and to encourage private sector renewable energy development and deployment.

Furthermore, Maldives is located at the Equator and receives abundant solar energy. It has on average 280 – 300 sunny days per annum. The Daily Average Global Irradiation in Maldives is around 4.5-6 kWh/m2/day. There are several solar PV projects that have already been installed/awarded in the country through various modes under different programs. By the end of 2016, the total power generation from renewable energy in Maldives was 6 MW.[[20]](#footnote-21)

**Renewable energy installations in Maldives**



Some of the selected solar projects with installation size are provided in the table below:

| **Description** | **Project size (kWp)** |
| --- | --- |
| Solar PV installation at the MEE Building, Male’ | 25 kWp |
| Solar PV grid connected system in R.Ungoofaaru and Dh.Kudahuvadhoo | 324 kWp |
| Solar PV hybrid system in Vaavu atoll Rakeedhoo Island | 29 kWp |
| Solar PV installation at Billabong School, Male’ | 70 kWp |
| Solar rooftop PV in 3 public buildings in Gdh. Thinadhoo | 558 kWp |
| Rooftop installations in 12 public buildings, Male’ and Hulhumale’ | 740 kWp |
| Installation of Solar PV system in 05 islands under POISED Project at various public buildings rooftops | 2500 kWp |
| Solar PV installation at Hulhumale’ under ASPIRE project on rooftops of 33 blocks. | 1500 kWp |

Maldives is one of the countries participating in the Scaling up Renewable Energy Program (SREP), a funding window of the Climate Investment Funds. The main objective of Maldives SREP is to transform the electricity sector through deployment of renewable energy on a large scale in line with the sustainable development priorities of the country. Maldives SREP Investment Plan (2013-17) was adopted by the Government of Maldives in October 2012, as a critical plan to meet the policy priorities.

ASPIRE (Accelerating Sustainable Private Investment in Renewable Energy) Program under the SREP aims to scale up over 20 MW of solar PV. Key focus of this program is to create project structure conducive for private sector participation, which includes design of an appropriate project framework and agreements that result in making the project bankable and attractive to private sector

The first phase of ASPIRE project has already been completed with 1.5 MW of solar photovoltaic rooftop systems installed across housing units in Hulhumale’ island. The project was commissioned on February 2018. The investors have signed a Roof Lease Agreement (RLA) with the Housing Development Corporation Ltd. and a long term Power Purchase Agreement (PPA) with the State Electricity Company Limited (STELCO) for offtake of the energy generated. The project is a first of its kind Public Private Partnership (PPP) investment in the country. The World Bank is supporting it through a SREP grant and a guarantee partially covering termination payment.

For the second phase, the GoM is seeking for 5 MW DC nominal electrical capacity to be installed covering (i) public rooftops and public spaces in Greater Malé region and (ii) Hulhumale’ and Hulhule’ Link Road (this would also include creation of structures (such as a ground mounted raised canopy) to be built onto which the PV systems will be installed).

With this Pre-Qualification document, the GoM invites Applicants who are technically and financially qualified to submit their Applications. Selected Qualified Applicants will be invited to submit Bids for the design, build, finance, own, operate, and transfer basis grid-tied solar rooftop photovoltaic system(s) under the second phase of the ASPIRE project.

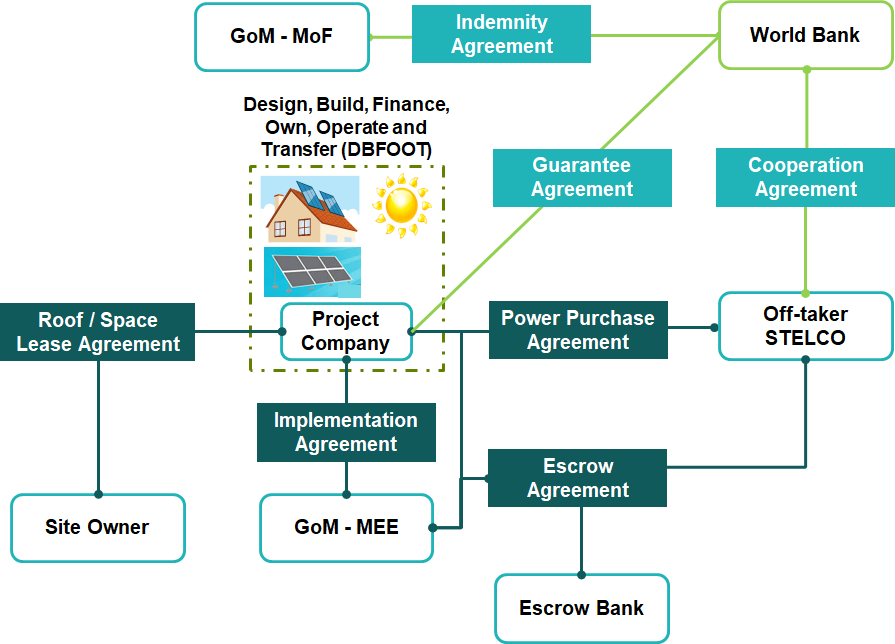
The selected bidder would be required to sign a standard Power Purchase Agreement (PPA) with STELCO for 20 years, the largest state owned power utility in the country. The roofs/sites would be made available through separate roof/space lease agreements facilitated by GoM between the roof owners and selected bidder as per the terms and conditions specified in the Roof/Space Lease Agreement. The bidder shall commission the project by a scheduled commercial operations date.

Selected bidder will be responsible for *design, build, finance, own, operate and transfer* of all facets of the project and for generating the required minimum generation output as described in this bidding document. The scope of services requested shall include, but not be limited to site assessment, providing all labor, services and equipment necessary to develop, permit, design, engineer, procure, install, construct, test, commission, monitor, operate, and maintain fully operational generating facilities, including overhaul of the plant, equipment, works, switch yard and transmission lines and equipment up to the Interconnection Point of the project in accordance with the PPA.

A capital buy down in the range of USD 1-1.9 million for the total project capacity is likely to be provided to the winning bidder once the plant has been commissioned. The exact allocation of amount along with corresponding requirements will be provided at the Bidding stage.

The program structure is represented further illustrated in the figure below:

**Figure 1: Program Structure - ASPIRE**



The selected bidder will be required to enter into the following Project Agreements:

* **Power Purchase Agreement (PPA)** with STELCO for offtake of energy generated. Key features of PPA:
* Full tariff payment up to contracted energy
* Deemed generation charges payable for supply curtailment beyond threshold level.
* Monthly bills payable within a fixed timeframe of invoicing, which is backed by Payment Security Mechanism (PSM) to include an escrow with a balance of 6 months of tariff payment on contracted energy.
* PPA indemnifies project against force majeure
* World Bank guarantee partially backing GoM termination payment
* **Roof/Space Lease Agreements (RLAs/SLAs)** with the owners of sites utilized for the project. RLAs/SLA’s will define the rights and obligation of the selected bidder and the rooftop owners. Key features of RLA:
* The roofs/sites would be made available through separate lease roof/space lease agreements facilitated by GoM between the roof owners and selected bidder as per the terms and conditions specified in the Roof/Space Lease Agreement.
* Right of way for project construction provided
* Non-availability of roof/space will require the Off-taker/GoM to identify an alternate site
* Lease commencing and co-terminus with PPA
* Lessee to insure facility and maintain general liability insurance.
* Lessor to either maintain insurance for building or carry out all major repairs at its cost
* **Implementation Agreement (IA) with Maldives:** The IA will define obligations between the selected bidder and Maldives. Key features of IA:
* Government to procure execution of Roof/Space Lease Agreements for all the sites.
* Arrangement of alternate sites in case of unavailability of site due to Political Force Majeure event and Government to pay for cost of relocation of the facility.
* Government to set up and maintain escrow account with the commercial bank. Escrow to provide payment security cover.
* Partial payment guarantee for termination events.
* **Escrow Agreement (EA) with Maldives, STELCO, and a selected escrow bank.** In order to provide security to the selected bidder against payment defaults by STELCO on its monthly invoices under the PPA, an escrow account will be established by GoM and STELCO. In the event of a payment default by STELCO on its monthly invoices, the selected bidder will be entitled to draw down on the escrow account for the unpaid amount (to the extent it is not disputed by STELCO) of the relevant invoice(s). STELCO will thereafter be obliged to replenish the escrow account, failing which GoM will be responsible for ensuring the replenishment of the escrow account.
* **Guarantee Package: Guarantee Agreement with the World Bank (optional) –** The World Bank is committed to support the ASPIRE program. The bidder may choose to obtain a partial risk guarantee from the International Development Association (IDA) which partially guarantees any termination payment that may be due following a termination of the PPA, commensurate with the structured obligation rating profile. Under the IDA Guarantee Agreement, in case of a default by GoM of its obligation under the Implementation Agreement to pay a termination payment, the World Bank would pay the guaranteed portion of the termination payment directly to the developer. In addition to the IDA Guarantee Agreement, the World Bank would execute an Indemnity Agreement with the GoM and a Cooperation Agreement with the STELCO.

The agreements mentioned above may be amended following bidders’ queries. Once amended, they should be considered final and no substantial amendment shall occur after submission of bids and award. These documents would be shared with the shortlisted bidders at the proposal stage.

2. Scope of Work

1. **Broad Scope**

The broad scope of works of the project includes (but not limited to):

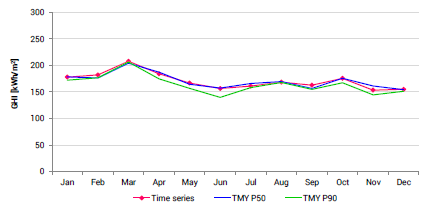
1. Assessment of existing site conditions including structural assessment.
2. Preliminary design based on the assessment and the design criteria.
3. Detailed survey and design of an optimal System.
4. Fulfil the requirements in the EIA regulations, 2007.
5. Procure, transport, clearances and duties, and install the System as per the approved design at the site.
6. Monitoring system and data management from each site to central Utility Building of each island.
7. Necessary works for installation of the PV systems and adjustments for the interconnection of the System to the grid maintained by the respective utility in accordance with the regulation of Maldives Energy Authority (MEA).
8. Appropriate measures to prevent any operational malfunction or physical damage on the existing distribution system, diesel engine generators and/or every other distribution networks.
9. All necessary materials for earthing in addition to the materials specified in the Technical Specification and connect to every necessary box, surge absorber, etc. to protect the System and buildings from lightning or electrical faults.
10. Pre-commissioning and commissioning tests of the PV systems under the witness of Employer or an independent third party approved by the Employer.
11. Operation and Maintenance of all facets of the project and for generating the required electricity as described in the bidding documents.
12. If so required, scope of works includes removal/demolition, transportation and disposal of any waste materials and temporary structures installed for the purposes of carrying out the works.
13. **Solar Radiation Data**

The bidder is entirely responsible for system design.

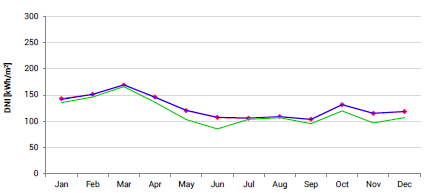
The solar resource information for Maldives is available from various sources, including that from NASA Atmospheric Science Data Center.

Further, to provide accurate data on solar radiation in Maldives, the GoM has published solar resource overview of the Maldives, which is based on the project Renewable Energy Resource Mapping for the Republic of Maldives implemented by the World Bank. The project involves solar measurements at four locations (Hanimaadhoo, Hulhule, Kahdhoo and Gan). Ground measurements at these sites were used to site adapt satellite derived solar data for the period 1999-2016. Based on the interim findings of the study, the values for Hulhule’ meteorological site are shown below:

**Figure 2: GHI Monthly values derived from time series and TMY P50 and P90 at Hulhule’ site**



**Figure 3: DNI monthly values derived from time series and TMY P50 and P90 at Hulhule’ site**



For details, bidders may refer to the report “SOLAR resource overview of Maldives, 2017” (Source:[**http://www.environment.gov.mv/v2/en/types/publications**](http://www.environment.gov.mv/v2/en/types/publications))

Maldives Meteorological Service (MMS) is the host of solar measuring stations in Maldives.

The Typical Meteorological Year (TMY) contains hourly data derived from the time series covering complete 18 years (1999 to 2016). The data history of 18 years is compressed into one year. TMY data includes all the important parameters such as Global Horizontal Irradiance (GHI), Direct Normal Irradiance (DNI), Diffuse Horizontal Irradiance (DHI), Air Temperature (TEMP) and others.

P50 TMY dataset represents, for each month, the average climate conditions and the most representative cumulative distribution function, therefore extreme situations (e.g. extremely cloudy weather) are not represented in this dataset. The long-term annual summary of GHI and DNI are considered as the most critical parameters to consider.

Global Horizontal Irradiance is the total solar radiation incident on a horizontal surface. It is the sum of Direct Normal Irradiance (DNI), Diffuse Horizontal Irradiance (DHI), and ground-reflected radiation. This value is of particular interest to photovoltaic installations. An application such as HOMER uses Solar GHI to compute flat-panel PV output.

Direct Normal Irradiance is the amount of solar radiation received per unit area by a surface that is always held perpendicular (or normal) to the rays that come in a straight line from the direction of the sun at its current position in the sky. Typically, you can maximize the amount of irradiance annually received by a surface by keeping it normal to incoming radiation. This quantity is of particular interest to concentrating solar thermal installations and installations that track the position of the sun.

1. **Installation quality and safety**

The entire contract must be carried out in accordance with the latest revisions and amendments of relevant IEC standards as in force in Maldives. Furthermore, the installations much comply with the technical requirements prescribe by the Maldives Energy Authority, as well as any other laws or regulations of Maldives.

1. **Doing business in Maldives**

The Ministry of Economic Development, Government of Maldives has set up an agency, called “Invest Maldives” for promoting and facilitating foreign investments into the Maldives and is responsible for investment promotion, facilitation and registration.

Invest Maldives offers a one-stop shop that takes investors through the A-Z of investing in the Maldives. It is a process that has been streamlined through changes in laws and regulations, and well-defined procedures, designed to offer clarity, security, convenience and speed for investors looking at investing in the Maldives.

Key incentives for Foreign Investment includes:

* The right to incorporate businesses with 100% foreign ownership
* Freedom to use foreign managerial, technical and unskilled workers
* No foreign exchange restrictions
* No restrictions on repatriation of profits and capital proceeds
* Provision of a legally backed investment guarantees
* Allows for the availability of international arbitration in dispute settlement

For details, bidders may log in to <http://investmaldives.gov.mv/>

3. Environmental, Social, Health and Safety (ESHS) Requirements

All bidders will be expected to submit the following documents at the bidding stage:

* Environment Social Management System of the company.
* Independent audit reports and certifications attained for the Environment Social Management System. Audits of past two years should be submitted.

All bidders will be assessed against:

1. Environment and Social Safeguards standards of the World Bank. (<https://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards#ess2>)
2. Environment and Social Safeguards Framework for ASPIRE ([www.environment.gov.mv/v1/download/675](http://www.environment.gov.mv/v1/download/675))

4. Proposed sites

The proposed sites for Phase 2 are in rooftops of public buildings of Male’ and Huluhmale’, Link Road between Hulhule’ and Hulhumale’. The list of reserved sites and estimated capacity is mentioned in the table below. The project is for 5 MW, while the sites below add up to a total of ~7.6 MW. Exact sites will be indicated at the bidding stage.

| **Site Name** | **Site Location** | **Latitude/ Longitude** | **Est. Area (m2)** | **Est. PV Capacity (kW)** |
| --- | --- | --- | --- | --- |
| **Public buildings in Male’ and Hulhumale’** | | | | |
| N1 Commercial Block | Hulhumale' | 4°12'59.17"N  73°32'34.82"E | 2794.18 | 481.75 |
| N3 Commercial Block | Hulhumale’ | 4°12'39.86"N  73°32'31.15"E | 568.3508 | 97.99 |
| Kudakudhinge Hiya / Fiyavathi | Hulhumale' | 4°13'8.53"N  73°32'39.57"E | 701.97 | 121 |
| Mini Mall | Hulhumale' | 4°12'57.51"N  73°32'33.29"E | 831 | 143.28 |
| Rehendhi School | Hulhumale' | 4°12'33.78"N  73°32'28.35"E | 1937 | 333.97 |
| Mortuary (Cemetry Mosque & Cemetry House) | Hulhumale' | 4°12'27.00"N  73°32'20.30"E | 470 | 81.03 |
| HDC Building | Hulhumale' | 4°13'0.30"N  73°32'35.79"E | 879.6 | 151.67 |
| Masjid Azeeza mosque | Hulhumale' | 4°12'45.14"N  73°32'32.26"E | 382 | 65.86 |
| N1 Pre School | Hulhumale' | 4°13'9.66"N  73°32'40.37"E | 623.4 | 107.48 |
| Ameeniyya School - New Block | Male' | 4°10'36.86"N ,  73°30'36.40"E | 767 | 132.24 |
| Arabiyya School | Male' | 4°10'37.43"N  73°30'33.88"E | 612 | 105.52 |
| Edhuru hiya flats | Male' | 4°10'12.27"N  73°30'35.75"E | 300 | 51.72 |
| Shaheed Hussain Adam Building | Male' | 4°10'43.84"N  73°30'43.32"E | 1189 | 205.00 |
| Iskandharu koshi | Male' | 4°10'19.69"N  73°30'20.15"E | 450 | 77.59 |
| Waqf Building (Darul Iman) | Male' | 4°10'29.79"N  73°30'7.78"E | 500 | 86.21 |
| **Hulhumale' link road** | | | | |
| Hulhumale' south side road | N/A | (Refer to images) | 3948 | 680.69 |
| Hulhule' Hulhumale' link road | N/A | (Refer to images) | 21255 | 3,664.66 |
| Island on link road | N/A | (Refer to images) | 6000 | 1,034.48 |

Hulhumale’ – Hulhule’ Link Road



Note: Actual construction of link road marked here in google maps had already been completed. The following shows updated images of link road



Actual image of Link Road

1. The Invitation for Prequalification (IFP) provided information for potential bidders to decide whether to participate, including the essential items listed in the Standard Prequalification Document and also any important or specialized prequalification requirements requested to qualify for the prequalification. [↑](#footnote-ref-2)
2. Other than Force Account units, as permitted under paragraph 3.9 of the Procurement Guidelines [↑](#footnote-ref-3)
3. An individual firm is considered a domestic bidder for purposes of the margin of preference if it is registered in the country of the Employer, has more than 50 percent ownership by nationals of the country of the Employer, and if it does not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign contractors. JVs are considered as domestic bidders and eligible for domestic preference only if the individual member firms are registered in the country of the Employer, have more than 50 percent ownership by nationals of the country of the Employer, and the JV shall be registered in the country of the Borrower. The JV shall not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign firms. JVs between foreign and national firms will not be eligible for domestic preference. [↑](#footnote-ref-4)
4. Non performance, as decided by the Employer, shall include all contracts where (a) non performance 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. Non performance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Non performance 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 applicant have been exhausted. [↑](#footnote-ref-5)
5. This requirement also applies to contracts executed by the Applicant as JV member. [↑](#footnote-ref-6)
6. The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant or any member of a joint venture may result in failure of the application. [↑](#footnote-ref-7)
7. The Employer may use this information to seek further information or clarifications during the bidding stage and the associated due diligence. [↑](#footnote-ref-8)
8. The similarity shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section VI, Scope of Works. Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted. [↑](#footnote-ref-9)
9. Substantial completion shall be based on 80% or more works completed under the contract. [↑](#footnote-ref-10)
10. For contracts under which the Applicant participated as a joint venture member or sub-contractor, only the Applicant’s share, by value, shall be considered to meet this requirement. [↑](#footnote-ref-11)
11. If the most recent set of financial statements is for a period earlier than 12 months from the date of application, the reason for this should be justified. [↑](#footnote-ref-12)
12. In this context, any action to influence the procurement process or contract execution for undue advantage is improper. [↑](#footnote-ref-13)
13. For the purpose of this sub-paragraph, “*another party*” refers to a public official acting in relation to the procurement process or contract execution. In this context, “*public official*” includes World Bank staff and employees of other organizations taking or reviewing procurement decisions. [↑](#footnote-ref-14)
14. For the purpose of this sub-paragraph, “party” refers to a public official; the terms “benefit” and “obligation” relate to the procurement process or contract execution; and the “act or omission” is intended to influence the procurement process or contract execution. [↑](#footnote-ref-15)
15. For the purpose of this sub-paragraph, “parties” refers to participants in the procurement process (including public officials) attempting either themselves, or through another person or entity not participating in the procurement or selection process, to simulate competition or to establish bid prices at artificial, non-competitive levels, or are privy to each other’s bid prices or other conditions. [↑](#footnote-ref-16)
16. For the purpose of this sub-paragraph, “party” refers to a participant in the procurement process or contract execution. [↑](#footnote-ref-17)
17. A firm or individual may be declared ineligible to be awarded a Bank financed contract upon: (i) completion of the Bank’s sanctions proceedings as per its sanctions procedures, including, inter alia, cross-debarment as agreed with other International Financial Institutions, including Multilateral Development Banks, and through the application the World Bank Group corporate administrative procurement sanctions procedures for fraud and corruption; and (ii) as a result of temporary suspension or early temporary suspension in connection with an ongoing sanctions proceeding. See footnote 14 and paragraph 8 of Appendix 1 of these Guidelines. [↑](#footnote-ref-18)
18. A nominated sub-contractor, consultant, manufacturer or supplier, or service provider (different names are used depending on the particular bidding document) is one which has either been: (i) included by the bidder in its pre-qualification application or bid because it brings specific and critical experience and know-how that allow the bidder to meet the qualification requirements for the particular bid; or (ii) appointed by the Borrower. [↑](#footnote-ref-19)
19. Source : https://data.adb.org/dashboard/maldives-numbers [↑](#footnote-ref-20)
20. http://www.environment.gov.mv/v2/wp-content/files/publications/20171217-pub-island-electricity-data-book-2017-17dec2017.pdf [↑](#footnote-ref-21)