

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



Ministry of Finance

Ameenee Magu, Male', Republic of Maldives

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އެމީނީ މާގު ، ފަލުޅު ، ރިޕުބްލިކް ޕްރޮ ދިވެހިރާއްޖެ

ADDENDUM 5

މަޢުލޫމާތު 5

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|--|--|---------------------------|--|
| ނަންބަރު No: | TES/2019/W-173 | | |
| މަތިރި ކުރަން ބޭނުން ވާ ޕްރޮޖެކްޓް Project: | Survey, Design & Harbour Reconstruction of 2 islands (Ga.Kolamaafushi & GDh.Hoadhdhoo) | | |
| ބޭނުން ކުރަން ވާ ދުވަސް Issued Date | 20 th February 2020 | | |
| ސަފުޙާ ގެ އަދަދު No. of Pages: -09 | އަދަދު BoQ: -00 | ނަންބަރު Drawings: -00 | |

Please include this amendment when submitting the bid. ބިދު ހުށަހަޅާ ފަދަ ވަރަށް ފަސޭހައިން މި ޖަހާ ޖެހިގެން ހުށަހަޅާށެވެ.

- Attached please find the revised Section III. Evaluation and Qualification Criteria

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Name: Fathimath Rishfa Ahmed

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Signature:



| 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 ITB 4.3 | 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 ITB 4.2 | Must meet requirement | Must meet requirement | N/A | Letter of Bid |
| 1.3 | Fund Eligibility | Not having been declared ineligible by the Fund, as described in ITB4.4, 4.5, 4.6 and 4.7 | Must meet requirement | Must meet requirement | N/A | Letter of Bid |
| 1.4 | Government Owned Entity of the Beneficiary country | Meets conditions of ITB 4.5 | Must meet requirement | Must meet requirement | N/A | Forms ELI – 1.1 and 1.2, with attachments |
| 1.5 | United Nations resolution or Beneficiary's country law or Boycott Regulations of OFID. | Not having been excluded as a result of prohibition in the Beneficiary's country laws or official regulations against commercial relations with the Bidder's country, in accordance with ITB 4.7 and Section V. | Must meet requirement | Must meet requirement | N/A | Forms ELI – 1.1 and 1.2, with attachments |



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| Eligibility and Qualification Criteria | | Compliance Requirements | | | Documentation | | |
|---|--|---|-------------------------------------|--------------------------------------|------------------------------------|------------|---------------------|
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| 2. Historical Contract Non-Performance | | | | | | | |
| 2.1 | History of Non-Performing Contracts | Non-performance of a contract ¹ did not occur as a result of contractor default for the last five (05) years. | Must meet requirement ¹² | Must meet requirements | Must meet requirement ² | N/A | Form CON-2 |
| 2.2 | Suspension Based on Execution of Bid Securing Declaration by the Employer or withdrawal of the Bid within Bid validity | Not under suspension based on execution of a Bid Securing Declaration pursuant to ITB4.6 or withdrawal of the Bid pursuant ITB 19.9. | Must meet requirement | Must meet requirement | Must meet requirement | N/A | Bid Submission Form |
| 2.3 | Pending Litigation | Bidder's financial position and prospective long term profitability sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved against the Bidder | Must meet requirement | N/A | Must meet requirement | N/A | Form CON – 2 |
| 2.4 | Litigation History | No consistent history | Must meet | Must meet | Must meet | N/A | Form CON – 2 |

¹Non performance, 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. 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 Bidder have been exhausted.

³This requirement also applies to contracts executed by the Bidder as JV member.



| Eligibility and Qualification Criteria | | Compliance Requirements | | Documentation |
|--|---------|---|----------------------|--------------------------------------|
| No. | Subject | Requirement | Single Entity | Joint Venture (existing or intended) |
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| | | of court/arbitral award decisions against the Bidder ³ for the last 5 years. | requirement | One Member |
| | | | requirement | requirement |
| | | | | Submission Requirements |

4 The Bidder shall provide accurate information on the letter of Bid about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of court/arbitral awards against the Bidder or any member of a joint venture may result in disqualifying the Bidder.



| No. | Eligibility and Qualification Criteria | | Compliance Requirements | | | Documentation Requirements | |
|---|--|--|-------------------------|-----------------------|--|----------------------------|----------------------------------|
| | Subject | Requirement | Single Entity | All Parties Combined | Joint Venture (existing or intended) Each Member | | One Member |
| 3. Financial Situation and Performance | | | | | | | |
| 3.1 | Financial Capabilities | (i) The Bidder shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as USD \$ 1,800,000.00 for the subject contract(s) net of the Bidders other commitments (ii) The Bidders shall also demonstrate, to the satisfaction of the Employer, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments. | Must meet requirement | N/A | Must meet requirement | N/A | Form FIN – 3.1, with attachments |
| | | | Must meet requirement | Must meet requirement | N/A | N/A | |



| Eligibility and Qualification Criteria | | Compliance Requirements | | | Documentation | |
|--|--------------------------------------|--|-----------------------|--------------------------------------|----------------------------------|-------------------------|
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| | | | All Parties Combined | Each Member | One Member | |
| | | (iii) The audited balance sheets or, if not required by the laws of the Bidder's country, other financial statements acceptable to the Employer, for the last 5 years shall be submitted and must demonstrate the current soundness of the Bidder's financial position and indicate its prospective long-term profitability. | Must meet requirement | N/A | Must meet requirement | N/A |
| 3.2 | Average Annual Construction Turnover | Minimum average annual construction turnover of USD \$ 2,000,000.00 calculated as total certified payments received for contracts in progress and/or completed within the last 5 years, divided by 5 years | Must meet requirement | Must meet 30 % of the requirement | Must meet 30% of the requirement | Form FIN – 3.2 |



| Eligibility and Qualification Criteria | | Compliance Requirements | | | Documentation | |
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| 4. Experience | | | | | | |
| 4.1 (a) | General Construction Experience | Experience under construction contracts in the role of prime contractor, JV member, sub-contractor, or management contractor for at least the last 10 years | Must meet requirement | Must meet requirement | N/A | Form EXP – 4.1 |
| 4.2 (a) | Specific Construction & Contract Management Experience | (i) A minimum number of similar ⁴ contracts specified below that have been satisfactorily and substantially ⁵ completed as a prime contractor, joint venture member ⁶ , management contractor or sub-contractor between last 10 years and application submission deadline: | Must meet requirement | Must meet requirement ⁷ | N/A | Form EXP 4.2(a) |

⁵ The similarity shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section VII, Work's Requirements. Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted.

⁶ Substantial completion shall be based on 80% or more works completed under the contract.

⁷ For contracts under which the Bidder participated as a joint venture member or sub-contractor, only the Bidder's share, by value, shall be considered to meet this requirement.

⁸ In the case of JV, the value of contracts completed by its members shall not be aggregated to determine whether the requirement of the minimum value of a single contract has been met. Instead, each contract performed by each member shall satisfy the minimum value of a single contract as required for single entity. In determining whether the JV meets the requirement of total number of contracts, only the number of contracts completed by all members each of value equal or more than the minimum value required shall be aggregated.



| Eligibility and Qualification Criteria | | Compliance Requirements | | | Documentation | |
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| 4.2 (b) | | (i) 2 contracts, each of minimum value USD \$ 2,000,000.00; Or (ii) Less than or equal to 5 contracts, each of minimum value USD \$ 1,500,000.00, but with total value of all contracts equal or more than USD \$ 7,500,000.00 For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or sub-contractor ⁹ on or after the first day of the calendar year during the period stipulated in 4.2 (a) above, a minimum construction experience in the | Must meet requirements | N/A | Must meet the following requirements for the key activities listed below ¹⁰ [list key activities and the corresponding minimum requirements] | Form EXP – 4.2 (b) |

⁹ For contracts under which the Bidder participated as a joint venture member or sub-contractor, only the Bidder's share shall be counted to meet this requirement.

¹¹ Requirement can be met through a Specialized Sub-contractor



| Eligibility and Qualification Criteria | | Compliance Requirements | | | Documentation |
|--|---------|---|---------------|---|-------------------------|
| No. | Subject | Requirement | Single Entity | Joint Venture (existing or intended) All Parties Combined Each Member One Member | Submission Requirements |
| | | following key activities successfully completed ⁹ : -Construction of breakwaters -Construction quay walls - Dredging works | | | |

¹⁰ Volume, number or rate of production of any key activity can be demonstrated in one or more contracts combined if executed during same time period. The rate of production shall be the annual production rate for the key construction activity (or activities).

