

German Financial Cooperation with Montenegro

Regional Program for Energy Efficiency in Transmission "Component II: Montenegrin Coast: Lustica Region Development"

Prequalification Document

for

Procurement of Plant and Design-Build of

LOT 2 – 110 kV Cables

Employer:	Crnogorski Elektroprenosni Sistem A.D. Bulevar Svetog Petra Cetinjskog 18 81000 Podgorica, Montenegro
Date:	December, 2021
BMZ No.	2011 66 412
Procurement No.	507813

Overall Contents of the Prequalification Dossier

Prequalification Document for Procurement of Works

Part 1 - Prequalification Procedures

- Section I: Instructions to Applicants
- Section II: Prequalification Data Sheet
- Section III: Qualification and Evaluation
- Section IV: Application Forms
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- Section VI: **KfW** Policy - Sanctionable Practice - Social and Environmental Responsibility

Part 2 - Works Requirements

- Section VII: Scope of Works

Documents available on KfW's website: www.kfw.de

“Guidelines for the Procurement of Consulting Services, Works, Plant, Goods and Non-Consulting Services in Financial Cooperation with Partner Countries” (January 2019):

https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Vergaberichtlinien-2019-Englisch-Internet_2.pdf

Part 1: Prequalification Procedures



SECTION I

INSTRUCTIONS TO APPLICANTS



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A. General

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| Scope of Application | 1.1 In connection with the Invitation for Prequalification 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 Works described in Section VII, Scope of Works. 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 . |
| Source of Funds | 2.1 The Employer as indicated in the PDS has applied for or received financing (hereinafter called "funds") from KfW Development Bank (hereinafter called " KfW ") towards the cost of the project named in the PDS . The Employer intends to apply a portion of the funds to eligible payments under the contract(s) resulting from the bidding for which this prequalification is conducted. |
| Corrupt and Fraudulent Practices | <p>3.1 KfW requires compliance with its policy in regard to corrupt and fraudulent practices as set forth in Section VI.</p> <p>3.2 In further pursuance of this policy, Applicants shall permit and shall cause its agents to provide information and permit KfW or an agent appointed by KfW to inspect on site 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 or agents appointed by KfW.</p> |
| Eligible Applicants | 4.1 An Applicant may be a firm that is a private entity, a government-owned entity - subject to Section V - or a combination of such entities in the form of a joint venture (" JV ") under an existing JV Agreement or with the intent to enter into such an agreement supported by Declarations of Association. 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 Applicant shall nominate an authorized representative who shall have the authority to conduct all business for and on behalf of the Applicant and any and all its members, if the Applicant is a JV , during the prequalification process, bidding (in the event the Applicant submits a bid) and during contract execution (in the event the Applicant is awarded the Contract). Unless specified in the PDS , there is no limit on the number of members in a JV . |

- 4.2 A firm may apply for prequalification both individually, and as part of a **JV**, or as a subcontractor. 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. However, a firm may participate as a subcontractor in more than one bid, but only in that capacity. Bids submitted in violation of this procedure will be rejected.
- 4.3 **KfW**'s eligibility criteria for prequalification are described in Section V - Eligibility Criteria.
- 4.4 Applicants shall not have a conflict of interest. Any Applicant found to have a conflict of interest shall be disqualified. An Applicant may be considered to have a conflict of interest for the purpose of this prequalification process, if the Applicant:
- (a) Directly or indirectly controls, is controlled by or is under common control with another Applicant; or
 - (b) Receives or has received any direct or indirect subsidy from another Applicant; or
 - (c) Has the same legal representative as another Applicant; or
 - (d) Has a relationship with another Applicant, directly or through common third parties, that puts it in a position to influence the application of another Applicant, or influence the decisions of the Employer regarding this prequalification process; or
 - (e) Any of its affiliates participated as a consultant in the preparation of the design or technical specifications of the works that are the subject of the prequalification; or
 - (f) Any of its affiliates has been hired (or is proposed to be hired) by the Employer as Engineer for the Contract implementation; or
 - (g) Has a close business or family relationship with a professional staff of the Employer (or of the project implementing agency, or of a recipient of a part of the loan) who: (i) are directly or indirectly involved in the preparation of the prequalification documents or specifications of the contract, and/or the prequalification evaluation process; or (ii) would be involved in the implementation or supervision of such contract unless the conflict stemming from such relationship has been resolved in a manner acceptable to **KfW** throughout the procurement process and execution of the contract.
- 4.5 An Applicant shall not be under suspension from bidding by the Employer as the result of the execution of a Bid-Securing Declaration.
- 4.6 An Applicant shall provide such evidence of eligibility satisfactory to the Employer, as the Employer shall reasonably request.

Eligible
Materials,
Equipment, and
Services

- 5.1 The materials, equipment and services to be supplied under the Contract and financed by **KfW** may have their origin in any country subject to the restrictions specified in Section V - Eligibility criteria, and all expenditures under the Contract will not contravene such restrictions.

B. Contents of Prequalification Documents

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| Sections of Prequalification Documents | <p>6.1 These Prequalification Documents consist of parts 1 and 2 which comprise all the sections indicated below, and which shall be read in conjunction with any Addendum issued in accordance with ITA 8.</p> <p>PART 1 Prequalification Procedures</p> <p>Section I. Instructions to Applicants (ITA);
 Section II. Prequalification Data Sheet (PDS);
 Section III. Qualification and Evaluation;
 Section IV. Application Forms;
 Section V. Eligibility Criteria;
 Section VI. KfW Policy - Corrupt and Fraudulent practices - Social and Environmental Responsibility;</p> <p>PART 2 - Employer's Requirements</p> <p>Section VII. Scope of Works.</p> <p>6.2 Unless obtained directly from the Employer, the Employer accepts no responsibility for the completeness of the Prequalification Documents, responses to requests for clarification, or Addenda in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Employer shall prevail.</p> <p>6.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Documents and to furnish with its Application all information or documentation as is required by the Prequalification Documents.</p> |
| Clarification of Prequalification Documents | <p>7.1 A prospective Applicant requiring any clarification of the Prequalification Documents 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 Documents 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 Documents 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.</p> |
| Amendment of Prequalification Documents | <p>8.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Prequalification Documents by issuing an Addendum.</p> |

- 8.2 Any Addendum issued shall be part of the Prequalification Documents and shall be communicated in writing to all prospective Applicants who have obtained the Prequalification Documents 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

- Cost of Application 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.
- 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.
- Documents Comprising the Application 11.1 The Application shall comprise the following:
- (a) The Application Submission Sheet, indicating the Applicant's name, address, telephone, fax and email. If the Applicant is an association, the Application Submission Sheet shall also describe the form of association and list the association members;
 - (b) A Power of Attorney authorizing the representative of the Applicant, designated in accordance with ITA 4.1 to submit the Application on behalf of the Applicant. If the Applicant is a **JV**, the Power of Attorney shall be provided by the Lead Member nominated in the **JV** Agreement or in the Declarations of Association, submitted in accordance with ITA 4.1. If the representative of the Applicant is the owner, member or director of the Applicant or the Applicant's Lead Member, if so nominated in accordance with ITA 4.1, a Power of Attorney shall not be necessary.
 - (c) Presentation of the Applicant (maximum 10 pages, no brochures). If the Applicant is a single entity, the Presentation shall describe the Applicant's type of entity, ownership structure and organization chart, as well as its main business areas as they apply to the project. If the Applicant is a **JV**, the Presentation shall provide this information about each **JV** member as well as a description of the intended form of collaboration of the members within the **JV**. Where the Applicant's qualifications to carry out the assignment have been acquired as a result of a merger or acquisition, the presentation must include a detailed business history of the Applicant.

- (d) Statements and Declarations: False information provided in the following Statements and Declarations by the Applicant or in the case of an **JV** by any of the **JV** members shall lead to the exclusion of the Applicant from the tender process:
- (I) If the Applicant is an existing **JV**, the Applicant shall submit a proof of the existing Association Agreement, indicating the Lead Member. If the Applicant is a **JV**, which the members intend to form for the purpose of executing the contract, each member of the association shall submit a Declaration of Association, indicating the Lead Member, in the format provided in Annex Section IV, Application Forms.
 - (II) Declaration of Undertaking in the format provided in Section IV, Application Forms. If the Applicant is a **JV**, only one Declaration of Undertaking must be submitted, i.e. the representative of the **JV** can sign on behalf of the **JV** subject to a power of attorney.
 - (III) Financial Capacity Statement in the format provided in Section IV, Application Forms and supported by the Applicant's Balance Sheets and Profit and Loss Statements. If the Applicant is a **JV**, separate statements, including the supporting Balance Sheets and Profit and Loss Statements, shall be provided by each member of the **JV**. All Balance Sheets and Profit and Loss Statements shall be certified by a reputable auditor.
 - (IV) List of project references in the format provided in Section IV, Application Forms. Unless otherwise stated in the **PDS** the references shall be limited to a maximum of 10 projects carried out during the 5 years preceding the publication of this prequalification document. The Employer reserves the right to contact the clients indicated in the references to ascertain the information provided by the Applicant.
 - (V) List of Available Expertise and Human Resource Capacity in the format provided in Section IV, Application Forms.
- (e) All Application forms and required attachments, provided in Section IV, Application Forms. If the Applicant is a single entity, in accordance with ITA 4.1, it should not include form ELI 1.2 in its Application.
- (f) Any other documents required 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.

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| 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. |
| Documents Establishing the Eligibility of the Applicant | 13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete and sign the Declaration of Undertaking as provided in Section IV, Application Forms without any alteration to its format and furnish supporting documentation as specified in Forms ELI 1.1, ELI 1.2(a) and ELI 1.2(b). |
| Documents Establishing the Qualifications of the Applicant | 14.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification and Evaluation, the Applicant shall provide the information requested in the corresponding Forms included in Section IV, Application Forms. |
| Signing of the Application and Number of Copies | <p>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, designated in accordance with ITA 4.1, on behalf of the JV.</p> <p>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.</p> |

D. Submission of Applications

- 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.
- Deadline for Submission of Applications
- 17.1 Applicants may either submit their Applications by mail or by hand. Applications shall be submitted in accordance with the instructions, including the address and deadline, stipulated in the **PDS**.
- 17.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Documents 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.
- Late Applications
- 18.1 Late Applications received after the deadline indicated in ITA 17.1 will be rejected.
- 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 The Employer shall prepare a record of the opening of Applications, which shall include, as a minimum, the name of the Applicant and whether the Application has been received in time.

E. Procedures for Evaluation of Applications

- 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.
- Clarification of Applications 21.1 To assist in the evaluation of Applications, the Employer may, at its discretion, ask an Applicant for a clarification 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.
- Responsiveness of Applications 22.1 The Employer shall reject an Application that is not substantially responsive to the requirements of this prequalification document. An Application shall be considered as responsive if the following documents are submitted:
- Responsiveness Criteria**

 1. Declaration of Undertaking (ITA 11.1 d) (II))
 2. Financial Capability Statements and supporting documentation (ITA 11.1 d) (III))
 3. Application Submission Form (ITA 11.1 a)
 4. Power(s) of Attorney authorizing the representative of the Applicant (ITA 11.1 b)
 5. If the Applicant is an association, either proof of the existing Association Agreement or a Declaration of Association (ITA 11.1 d) (I))
- Domestic Bidder Price Preference 23.1 A margin of preference for domestic bidders shall not apply in the bidding process resulting from this prequalification unless otherwise specified in the **PDS**.

- Subcontractors
- 24.1 Unless otherwise stated in the **PDS**, the Employer does not intend to execute any specific elements of the Works by subcontractors selected in advance by the Employer (nominated subcontractors).
- 24.2 A "specialized sub-contractor" is a sub-contractor hired for specialized work as defined by the Employer in Section III 4.2 - Experience. If no specialized work is specified by the Employer as such, subcontractors experience shall not be considered for Applications evaluation.

F. Evaluation of Applications and Prequalification of Applicant

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| Evaluation of Applications | <p>25.1 The Employer shall evaluate the responsive Applications using the factors, methods, criteria, and requirements defined in Section III, Qualification and Evaluation, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used.</p> <p>25.2 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 4.1 shall not be considered.</p> <p>25.3 In case of multiple contracts, Applicants should indicate in their Applications the individual 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 and Evaluation are mentioned in Section III.</p> |
| Employer's Right to Reject All Applications | <p>26.1 The Employer reserves the right to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.</p> |
| Prequalification of Applicants | <p>27.1 The Employer shall assess the responsive Applications in terms of the Eligibility and Qualification Criteria and methods set out in Section III, Qualification and Evaluation.</p> <p>27.2 The Employer shall determine the fulfilment of minimum requirements on a pass/fail basis as per Section III, Qualification and Evaluation.</p> <p>27.3 The Employer shall assign a numeric score to each of the sub-criteria, for which a maximum score is provided in accordance with ITA 27.1. All Sub-criteria Scores shall be summed to determine the Applicant's Pre-Qualification Score.</p> <p>27.4 For the purposes of scoring individual Qualification Criteria in accordance with 27.3 the Employer shall apply the following qualitative approach:</p> <ul style="list-style-type: none">(a) 100% of the max. score: Excellent, if the Application substantially exceeds the requirement in accordance with the respective sub-criterion. No errors or omissions are noted.(b) 75% of the max. score: Good, if the Application meets or marginally exceeds the requirement in accordance with the respective sub-criterion. Minor errors or omissions noted; |

- (c) 50% of the max. score: Unsatisfactory, if the Application marginally falls short of the requirement in accordance with the respective sub-criterion. Major errors or omissions noted;
- (d) 25% of the max. score: Poor, if the Application substantially deviates from or indicates misunderstanding of the requirement in accordance with the respective sub-criterion. Major errors or omissions are noted comprising the fulfilment of the sub-criterion;
- (e) 0 % of the max. score: Insufficient / Fail, if the Application does not meet the requirement at all in accordance with the respective sub-criterion, or does not provide any information regarding the requirement.

27.5 An Applicant shall be considered prequalified if:

- (a) its Application is considered responsive in accordance with ITA 22.1 and;
- (b) its Application has met the pass/fail requirements in accordance with ITA 27.2 and;
- (c) the Application scored at least 70 points out of 100 points in accordance with ITA 27.3.

Notification of
Prequalification

28.1 The Employer shall notify all Applicants in writing of the names of those Applicants who have been 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.

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.

29.2 Bidders may be required to provide a Bid Security acceptable to the Employer in the form and an amount to be specified in the Bidding Documents, and the successful Bidder shall be required to provide a Performance Security as specified in the Bidding Documents.

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) as a consequence of the change, the Applicant no longer meets the qualification criteria set forth in Section III, Qualification and Evaluation; or (ii) 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.

SECTION II

PREQUALIFICATION DATA SHEET



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A. General

ITA 1.1	<p>The Employer is:</p> <p>Mr. Sreten Vujović, Project Coordinator Crnogorski Elektroprenosni Sistem A.D. Bulevar Svetog Petra Cetinjskog 18 81000 Podgorica, Montenegro</p> <p>The list of contracts (lots) comprising the ICB is:</p> <p>Lot 2: 110 kV Cables</p> <p>ICB name and number are:</p> <p>ICB Name:</p> <p>Lustica Region Development - Lot 2 - 110 kV Cables</p> <p>ICB Number</p> <p>BMZ No. 2011 66 412 - Procurement No. 507813 - Lot 2</p>
ITA 2.1	<p>The name of the Project is:</p> <p>Regional Program for Energy Efficiency in Transmission "Component II: Montenegrin Coast: Lustica Region Development"</p>
ITA 4.2	<p>Maximum number of members in the JV shall be:</p> <p>Four (4) members including Lead Member</p> <p>Each member of JV shall have not less than 10% shares, and Lead member of JV shall have not less than 50 % shares.</p>

B. Contents of the Prequalification Documents

ITA 7.1	<p>For clarification purposes, the Employer's address is:</p> <p>Attention: Mr. Stevan Čanović, Project Manager Address: Crnogorski Elektroprenosni Sistem A.D. Bulevar Svetog Petra Cetinjskog 18 City: Podgorica ZIP Code: 81000 Country: Montenegro Fax: +382 (20) 407 665 E-mail: stevan.canovic@cges.me</p> <p>The Implementation Consultant's address is:</p> <p>Attention: Ognjen Paleka, Project Manager Address: GOPA-International Energy Consultants GmbH Hindenburgring 18, City: Bad Homburg ZIP Code: 61348 Country: Germany Fax: +49 (6172) 944 95 20 E-mail: Ognjen.Paleka@gopa-intec.de</p> <p>It is sufficient if requests for clarification are sent by e-Mail notice to both, the Employer and the Implementation Consultant.</p>
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C. Preparation of Applications

ITA 10.1	<p>The Application as well as all correspondence shall be submitted in:</p> <p style="text-align: center;">English language.</p> <p>Language for translation of supporting documents and printed literature is:</p> <p style="text-align: center;">English language.</p> <p style="text-align: center;">Translation shall be accomplished by an official court or certified translator</p> <p style="text-align: center;">Articles of Incorporation and Registration documents shall be notarized</p> <p style="text-align: center;">Supporting technical documents shall be submitted in original language and shall be translated in English language, without certified translation.</p>
ITA 15.2	<p>In addition to the original prequalification documents, the number and type of copies to be submitted with the Application is:</p> <p style="text-align: center;">two (2) hard copies and two (2) electronic copies (CD-Rom / USB / Flash Disk)</p> <p>In case of any discrepancy between hard copies and electronic copy original hard copy prevails.</p>

D. Submission of Applications

ITA 17.1	<p>The Original Application shall be submitted not later than:</p> <p>Date: 15.02.2022. Time: 12:00, UTC +01:00</p> <p>at the following address, which shall be the controlling address for the purposes of the timely submission of the Application:</p> <p>Attention: Mr. Sreten Vujović, Project Coordinator Address: Crnogorski Elektroprenosni Sistem A.D. Bulevar Svetog Petra Cetinjskog 18 City: Podgorica ZIP Code: 81000 Country: Montenegro</p> <p>Electronic submission via e-mail is prohibited and leads to disqualification.</p>
ITA 19.1	<p>The opening of the Applications shall be at:</p> <p>Date: 15.02.2022. Time: 12:05, UTC +01:00</p> <p>Address: Crnogorski Elektroprenosni Sistem A.D. Bulevar Svetog Petra Cetinjskog 18 City: Podgorica ZIP Code: 81000 Country: Montenegro</p>

E. Procedures for Evaluation of Applications

ITA 23.1	A margin of preference shall not apply .
ITA 24.1	At this time the Employer does not intend to execute certain specific parts of the works by subcontractors selected in advance (nominated subcontractors).

SECTION III

QUALIFICATION AND EVALUATION

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Section III: Qualification and Evaluation

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

Wherever an Applicant is required to state a monetary amount, Applicants shall indicate the EUR equivalent using the rate of exchange determined as follows:

- *For construction turnover or financial data required for each year - Exchange rate prevailing on the last day of the respective calendar year.*
- *Value of single contract - Exchange rate prevailing on the date of the contract.*

Exchange rates shall be taken from the publicly available rate published by the Central Bank of the Employer's country. Any error in determining the exchange rates in the Application may be corrected by the Employer.

1. Eligibility

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
1.1 Nationality	Nationality in accordance with ITA 4.3	Must meet requirement	N/A	Must meet requirement	N/A	Forms ELI-1.1, 1.2(a) and 1.2(b), with attachments
1.2 Conflict of Interest	No conflicts of interest in accordance with ITA 4.4	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form
1.3 KfW Eligibility	Not being ineligible for KfW financing, as described in ITA 4.3	Must meet requirement	N/A	Must meet requirement	N/A	Declaration of Undertaking
1.4 Government Owned Entity	Meet conditions of ITA 4.3	Must meet requirement	N/A	Must meet requirement	N/A	Forms ELI-1.1, 1.2(a) and 1.2(b), with attachments

2. Historical Contract Non-Performance

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
2.1 History of Non-Performing Contracts	Termination of a contract did not occur as a result of contractor's default since 1 st January 2016.	Must meet requirement	N/A	Must meet requirement	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 4.5	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form
2.3 Pending Litigation	All pending litigation shall in total not represent more than one hundred percent (100%) of the Applicant's net worth and shall be treated as resolved against the Applicant	Must meet requirement	N/A	Must meet requirement	N/A	Form CON-2

3. Financial Situation and Performance

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
3.1 Financial Capabilities: Liquidity and other Sources of Finance	(i) The Applicant 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: 1.000.000 EUR for the subject contract(s) net of the Applicants other commitments.	Must meet requirement	Must meet requirement	N/A	N/A	Form FIN-3.1 with attachments Form FIN-3.3
3.2 Financial Capabilities: Other Sources of Finance	(ii) The Applicant shall also demonstrate, to the satisfaction of the Employer, that it has adequate sources in finance to meet the cash flow requirements on works currently in progress and for future contract commitments.	Must meet requirement	Must meet requirement	N/A	N/A	Form FIN-3.1 Form FIN-3.4

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
3.3 Financial Capabilities: Financial Position	<p>(iii) 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 three (3) years shall be submitted of the Applicant's financial position and indicate its prospective long-term profitability based on the following criteria for each lot:</p> <p>a) Average liquidity ratio ≥ 1.10</p> $\frac{\text{Current Assets}}{\text{Current Liabilities}} \geq 1.10$ <p>b) Average indebtedness ratio $\leq 80\%$</p> $\frac{\text{Total Liabilities} * 100\%}{\text{Total Assets}} \leq 80\%$	<p>Must meet requirement</p>	<p>N/A</p>	<p>Must meet requirement</p>	<p>N/A</p>	<p>Form FIN-3.1 with attachments</p>

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
3.4 Average Annual Construction Turnover	<p>Minimum average annual construction turnover of:</p> <p style="text-align: center;">6.000.000 EUR</p> <p>for the last three (3) years, calculated as total certified annual payments received of contracts in progress and/or completed.</p>	Must meet requirement	Must meet requirement	Must meet 10% of the requirement	Must meet 50% of the requirement	Form FIN-3.2

4. Construction Experience

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
4.1 General Construction Experience	Experience under construction contracts in the role of prime contractor, JV member, subcontractor or management contractor for at least the last ten (10) years, starting 1 st January 2012.	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP-4.1
4.2 a) Specific Construction & Contract Management Experience	Two (2) similar contracts , satisfactorily and substantially completed as a prime contractor, joint venture member, management contractor or subcontractor between 1 st January 2012.and application submission deadline of minimum value of Applicant's share in each contract of: EUR 1.500.000	Must meet requirement	Must meet requirement	N/A	N/A	Form EXP-4.2 (a)

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
<p>4.2 b) Construction Experience in key activities</p>	<p>For the above mentioned or any other contracts, completed and under implementation, as prime contractor, joint venture member, management contractor or subcontractor on or after the first day of the calendar year during the period stipulated in 4.2(a) above, a minimum construction experience following key activities successfully completed:</p> <p>Construction (design, supply/submitted MAF, installation, testing & commissioning and civil works) of new 110 kV or above voltage underground cables, with at least one-and-half (1,5) km 3-phase cable route length.</p> <p>At least one contract shall be implemented in the European Area or on Middle East</p> <p>The documentation shall be provided for minimum two (2) relevant similar contracts.</p> <p>For further detailed criteria see Section 4, Form EXP-4.2 (b).</p>	<p>Must meet requirement</p>	<p>Must meet requirement</p>	<p>N/A</p>	<p>N/A</p>	<p>Form EXP-4.2 (b)</p>

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
	<p>Particular criteria must not be limited on the number of Contracts</p> <p>The reference only for design or only for supply or only for installation, testing and commissioning or only in civil works in relevant similar contracts would be acceptable.</p> <p>Combining more references in order to cover required scope of works is allowed and will be considered as a single reference.</p>					

5. Manufacturers

Manufacturers for the following major items of supply must provide:

Lot	Equipment	Documentation
1	110 kV Cable	Manufacturer's authorization letter

The Applicant shall provide authorized, duly signed, Manufacturer's Authorization, for the 110 kV Cable.

If the Applicant, or member of JV, is also the Manufacturer of the 110 kV Cables, the Manufacturer's Authorization shall also be provided.

6. Environmental and Social and Health and Safety (ESHS) Experience and Capacity

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
6.1 Certificates	<p>Availability of a valid ISO certification as below or internationally recognized equivalent (equivalence to be demonstrated by the Applicant)</p> <ul style="list-style-type: none"> Quality Management certificate ISO 9001 Health and Safety certificate OHSAS 18001 or ISO 45001 Environmental management certificate ISO 14001:2014 	Must meet requirement	N/A	Must meet requirement if part in JV is substantial (more than 40 (forty) % of the works)	N/A	<p>Form CER-5.1(a)</p> <p>&</p> <p>Form CER-5.1(b)</p> <p>&</p> <p>Form CER-5.1(c)</p>

Criteria No. / Subject	Requirements / Max. Scores				Documentation Requirements / Forms	
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
<p>6.2 Experience in Projects with significant ESHS Impact</p>	<p>For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or subcontractor on or after the first day of the calendar year during the period stipulated in 4.2(a) above, a minimum specific experience relating to the following ESHS requirements:</p> <ul style="list-style-type: none"> • details of safety records / statistics in terms of lost time incident frequency and any deaths • Project ESHS Plan used (including Key performance Indicators and ESHS reporting to EMPLOYER) • Organization chart and responsibilities for the project with reference to the ESHS aspects • HSE communication tools (internal and external) • ESHS Control Plan for Subcontractors • ESHS Emergency plan; • Management system for Incidents, Accidents and Near Misses 	<p>Max. 30 points</p>	<p>Max. 30 points</p>	<p>N/A</p>	<p>Must have executed at least three (3) contracts demonstrating experience with the key ESHS requirements as listed in the Requirements column and/or Form EXP-5.2..</p>	<p>Form EXP-5.2</p>



Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
	<ul style="list-style-type: none"> • ESHS Audits Plan • Risk assessment/mitigation plan • strategy for staff and labour recruitment of temporary workforce and local labour, worker grievance mechanism • strategy for communication and interaction with stakeholders and local communities 					
6.3 Environmental Capacity	<p>The Applicant must demonstrate that its business setup and operations meet the minimum requirements towards an effective environmental management system:</p> <p>The qualitative assessment of the Applicant's compliance will be carried out in terms of the scoring method described in ITA 27.4. The sub-criterion score will be calculated by adding the requirement scores.</p>	Max. 10 points	Max. 10 points	N/A	N/A	Form ENV-5.3

Criteria No. / Subject	Requirements / Max. Scores					Documentation Requirements / Forms
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
6.4 Occupational Health and Safety Capacity	<p>The Applicant must demonstrate that its business setup and operations meet the minimum requirements towards an effective health and safety management system</p> <p>The proof of capacity can be international certificate(s) or Certificate issued by the Ministry of Labour and Social Welfare for performance of tasks of Safety and Health at work.</p> <p>For assessment and scoring see note in 6.3. above</p>	Max. 10 points	Max. 10 points	N/A	N/A	Form OHSAS-5.4
6.5 Socially Responsible Work Implementation	<p>The Applicant must demonstrate a comprehensive understanding of the requirements regarding work site implementation and operation</p> <p>For assessment and scoring see note in 6.3. above</p>	Max. 20 points	Max. 20 points	N/A	N/A	Form LOC-5.5
6.6 a) ILO Core Labour Standards	Undertaking to fully respect the ILO Core Labour Standards in the Applicant's business practice	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form (f) and form COC-5.6

Criteria No. / Subject	Requirements / Max. Scores				Documentation Requirements / Forms	
	Requirement	Single Entity	Joint Venture (existing or intended)			
			All Parties Combined	Each member	One member	
6.6 b) Ethical business principles	The Applicant must demonstrate that its business setup and operations meet the minimum requirements towards ethical Business principles. For assessment and scoring see note in 6.3. above	Max. 10 points	Max. 10 points	N/A	N/A	Form COC-5.6
6.7 ESHS and Construction Personnel	The Applicant must demonstrate that it has access to adequate candidates for the ESHS personnel profiles, listed in Section VII, Scope of Works. The candidates must fulfil the minimum specific profile requirements and the general requirements (if any). Combining several candidates to fulfil one candidate profile is not allowed. Providing multiple candidates for a single profile is allowed. For assessment and scoring see note in 6.3. above	Max. 20 points	Max. 20 points	N/A	N/A	PER-5.7

SECTION IV

APPLICATION FORMS

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1. Application Submission Sheet

Date:

ICB No. and Title:

To:

[Insert full name of Employer]

We, the undersigned, apply to be prequalified for the referenced **ICB**:

**Regional Program for Energy Efficiency in Transmission
Component II: Montenegrin Coast:
Lustica Region Development - Lot 2 - 110 kV Cables**

ICB Number

BMZ No. 2011 66 412 - Procurement No. 507813- Lot 2

and declare that:

- a. we have examined and have no reservations to the prequalification documents, including Addenda No., issued in accordance with **ITA** Clause 8: *[insert the number and issuing date of each addenda]*;
- b. we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification process, have nationalities from eligible countries, in accordance with **ITA** Sub-Clause 4.3: *[insert the nationality of the Applicant, including that of all parties in case of a JV, and the nationality of each already identified subcontractor and supplier of related services, if applicable]*;
- c. we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification do not have any conflict of interest, in accordance with **ITA** Sub-Clause 4.4;
- d. we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification, have not been declared ineligible by **KfW**, and/or we are not subject to sanction from either Germany, the European Union or the United Nations in accordance with the lists of exclusion established by these institutions regarding fight against terrorism in accordance with **ITA** Sub-Clause 4.3;
- e. *we are not a government owned entity, or, we meet the requirements of ITA Sub-Clause 4.1;*
- f. we, including any major subcontractors and suppliers declare that we fully respect **ILO** Core Labour Standards in our business practice in accordance with **ITA** Sub-Clause 4.3 and Form COC-5.6;

- g. we, in accordance with **ITA** Sub-Clause 24.1, plan to subcontract the following key activities and/or parts of the works: *[insert any of the key activities identified in Section III-4.2 which the Applicant intends to subcontract]*;
- h. We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any application that you may receive nor to invite the prequalified applicants to bid for the contract subject of this prequalification, without incurring any liability to the Applicants, in accordance with **ITA** Clause 26.

Signed *[insert signature of the Applicant's representative, authorized in accordance with ITA 4.1, whose name and capacity are shown below]*

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

In the Capacity of *[insert legal capacity of person signing the application]*

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

Applicant's Name *[insert full name of Applicant]*

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

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

Attachments:

Power of attorney, authorizing the Applicant's representative to act for and on behalf of the Applicant, in accordance with **ITA** 4.1.

2. Declaration of Undertaking

Reference name of the Application/Offer/Contract:

_____ ("Contract")¹

To:

_____ ("Project Executing Agency")

1. We recognise and accept that **KfW** only finances projects of the Project Executing Agency ("PEA")² subject to its own conditions which are set out in the Funding Agreement it has entered into with the PEA. As a matter of consequence, no legal relationship exists between **KfW** and our company, our Joint Venture or our Subcontractors under the Contract. The PEA retains exclusive responsibility for the preparation and implementation of the Tender Process and the performance of the Contract.
2. We hereby certify that neither we nor any of our board members or legal representatives nor any other member of our Joint Venture including Subcontractors under the Contract are in any of the following situations:
 - 2.1) being bankrupt, wound up or ceasing our activities, having our activities administered by courts, having entered into receivership, reorganisation or being in any analogous situation;
 - 2.2) convicted by a final judgement or a final administrative decision or subject to financial sanctions by the United Nations, the European Union or Germany for involvement in a criminal organisation, money laundering, terrorist-related offences, child labour or trafficking in human beings; this criterion of exclusion is also applicable to legal Persons, whose majority of shares are held or factually controlled by natural or legal Persons which themselves are subject to such convictions or sanctions;
 - 2.3) having been convicted by a final court decision or a final administrative decision by a court, the European Union, national authorities in the Partner Country or in Germany for Sanctionable Practice in connection with a Tender Process or the performance of a Contract or for an irregularity affecting the EU's financial interests (in the event of such a conviction, the Applicant or Bidder shall attach to this Declaration of Undertaking supporting information showing that this conviction is not relevant in the context of this Contract and that adequate compliance measures have been taken in reaction);

¹ Capitalised terms used, but not otherwise defined in this Declaration of Undertaking have the meaning given to such term in KfW's "Guidelines for the Procurement of Consulting Services, Works, Plant, Goods, and Non-Consulting Services in Financial Cooperation with Partner Countries".

² The PEA means the purchaser, the employer, the client, as the case may be, for the procurement of Consulting Services, Works, Plant, Goods and Non-Consulting Services.

- 2.4) having been subject, within the past five years to a contract termination fully settled against us for significant or persistent failure to comply with our contractual obligations during such Contract performance, unless this termination was challenged and dispute resolution is still pending or has not confirmed a full settlement against us;
 - 2.5) not having fulfilled applicable fiscal obligations regarding payments of taxes either in the country where we are constituted or the PEA's country;
 - 2.6) being subject to an exclusion decision of the World Bank or any other multilateral development bank and being listed on the website <http://www.worldbank.org/debarr> or respectively on the relevant list of any other multilateral development bank (in the event of such exclusion, the Applicant or Bidder shall attach to this Declaration of Undertaking supporting information showing that this exclusion is not relevant in the context of this Contract and that adequate compliance measures have been taken in reaction); or
 - 2.7) being guilty of misrepresentation in supplying the information required as condition to participation in this Tender Procedure.
3. We hereby certify that neither we, nor any of the members of our Joint Venture or any of our Subcontractors under the Contract are in any of the following situations of conflict of interest:
- 3.1) being an affiliate controlled by the PEA or a shareholder controlling the PEA, unless the stemming conflict of interest has been brought to the attention of **KfW** and resolved to its satisfaction;
 - 3.2) having a business or family relationship with a PEA's staff involved in the Tender Process or the supervision of the resulting Contract, unless the stemming conflict of interest has been brought to the attention of **KfW** and resolved to its satisfaction;
 - 3.3) being controlled by or controlling another Applicant or Bidder, or being under common control with another Applicant or Bidder, or receiving from or granting subsidies directly or indirectly to another Applicant or Bidder, having the same legal representative as another Applicant or Bidder, maintaining direct or indirect contacts with another Applicant or Bidder which allows us to have or give access to information contained in the respective Applications or Offers, influencing them or influencing decisions of the PEA;
 - 3.4) being engaged in a Consulting Services activity, which, by its nature, may be in conflict with the assignments that we would carry out for the PEA;
 - 3.5) in the case of procurement of Works, Plant or Goods:
 - i. having prepared or having been associated with a Person who prepared specifications, drawings, calculations and other documentation to be used in the Tender Process of this Contract;
 - ii. having been recruited (or being proposed to be recruited) ourselves or any of our affiliates, to carry out works supervision or inspection for this Contract;

4. If we are a state-owned entity, and compete in a Tender Process, we certify that we have legal and financial autonomy and that we operate under commercial laws and regulations.
5. We undertake to bring to the attention of the PEA, which will inform **KfW**, any change in situation with regard to points 2 to 4 here above.
6. In the context of the Tender Process and performance of the corresponding Contract:
 - 6.1) neither we nor any of the members of our Joint Venture nor any of our Subcontractors under the Contract have engaged or will engage in any Sanctionable Practice during the Tender Process and in the case of being awarded a Contract will engage in any Sanctionable Practice during the performance of the Contract;
 - 6.2) neither we nor any of the members of our Joint Venture or any of our Subcontractors under the Contract shall acquire or supply any equipment nor operate in any sectors under an embargo of the United Nations, the European Union or Germany; and
 - 6.3) we commit ourselves to complying with and ensuring that our Subcontractors and major suppliers under the Contract comply with international environmental and labour standards, consistent with laws and regulations applicable in the country of implementation of the Contract and the fundamental conventions of the International Labour Organisation (**ILO**)³ and international environmental treaties. Moreover, we shall implement environmental and social risks mitigation measures when specified in the relevant environmental and social management plans or other similar documents provided by the PEA and, in any case, implement measures to prevent sexual exploitation and abuse and gender based violence.
7. In the case of being awarded a Contract, we, as well as all members of our Joint Venture partners and Subcontractors under the Contract will, (i) upon request, provide information relating to the Tender Process and the performance of the Contract and (ii) permit the PEA and **KfW** or an auditor appointed by either of them, and in the case of financing by the European Union also to European institutions having competence under European Union law, to inspect the respective accounts, records and documents, to permit on the spot checks and to ensure access to sites and the respective project.
8. In the case of being awarded a Contract, we, as well as all our Joint Venture partners and Subcontractors under the Contract undertake to preserve above mentioned records and documents in accordance with applicable law, but in any case for at least six years from the date of fulfilment or termination of the Contract. Our financial transactions and financial statements shall be subject to auditing procedures in accordance with applicable law. Furthermore, we accept that our data (including personal data) generated in connection with the preparation and implementation of the Tender Process and the performance of the Contract are stored and processed according to the applicable law by the PEA and **KfW**.

³ In case ILO conventions have not been fully ratified or implemented in the Employer's country the Applicant / Bidder / Contractor shall, to the satisfaction of the Employer and KfW, propose and implement appropriate measures in the spirit of the said ILO conventions with respect to a) workers grievances on working conditions and terms of employment, b) child labour, c) forced labour, d) worker's organisations and e) non-discrimination.

Name: _____

In the capacity of: _____

Duly empowered to sign in the name and on behalf of⁴: _____

Signature: _____

Dated: _____

⁴ In the case of a JV, insert the name of the JV. The person who will sign the application, bid or proposal on behalf of the Applicant / Bidder shall attach a power of attorney from the Applicant/Bidder.



3. Form ELI-1.1: Applicant Information Form

Date:

ICB No. and Title:

Page : _____ of : _____

Applicant's name:	<i>[insert full name]</i>
In case of Joint Venture (JV), name of each member:	<i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration:	<i>[indicate country of Constitution]</i>
Applicant's actual or intended year of constitution:	<i>[indicate year of Constitution]</i>
Applicant's legal address (in country of registration):	<i>[insert street/ number/ town or city/ country]</i>
Applicant's legal structure and ownership structure	<i>Legal structure:</i> <i>[provide details]</i> <i>Ownership structure:</i> <i>[provide details of direct and indirect ownership]</i>
Applicant's authorized representative information <ul style="list-style-type: none"> • Name: • Address: • Telephone/Fax numbers: • Email Address: 	
1. General Presentation of the Applicant (name, legal structure, business areas, subsidiaries and shareholdings, number of staff, etc.) 2. Attached are copies of original documents of <ul style="list-style-type: none"> <input type="checkbox"/> 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 4.1 <input type="checkbox"/> In case of JV, JV agreement, in accordance with ITA 4.1 or Declaration of Association as per ELI-1.2 (b) <input type="checkbox"/> In case of government-owned enterprise or institution, in accordance with ITA 4.3, documents establishment: <ul style="list-style-type: none"> • legal and financial autonomy • operation under commercial law • establishing that the Applicant is not under the supervision of the Employer 3. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership. 4. All documents shall be submitted in original language and shall be translated in English language. Translation shall be accomplished by an official court or certified translator 5. Articles of Incorporation and Registration documents shall be notarized	

4. Form ELI-1.2 (a): Applicant's JV Information Form

Date:

ICB No. and Title:

Page : _____ of : _____

Each Applicant that is a **JV** Party must submit this information.

Applicant's name:	<i>[insert full name]</i>
Applicant's JV Member's name:	<i>[insert full name of Applicant's JV Member]</i>
Applicant's JV Member's country of registration:	<i>[indicate country of registration]</i>
Applicant JV Member's year of constitution:	<i>[indicate year of constitution]</i>
Applicant JV Member's legal address in country of constitution:	<i>[insert street/ number/ town or city/ country]</i>
Applicant JV Member's legal structure and ownership structure:	
<ul style="list-style-type: none"> Legal structure: 	<i>[provide details]</i>
<ul style="list-style-type: none"> Ownership structure: 	<i>[provide details of direct and indirect ownership]</i>
Applicant JV Member's authorized representative information	
<ul style="list-style-type: none"> Name: 	<i>[insert full name]</i>
<ul style="list-style-type: none"> Address: 	<i>[insert street/ number/ town or city/ country]</i>
<ul style="list-style-type: none"> Telephone/Fax numbers: 	<i>[insert telephone/fax numbers, including country and city codes]</i>
<ul style="list-style-type: none"> E-mail address: 	<i>[indicate e-mail address]</i>

1. General Presentation of the Applicant (name, legal structure, business areas, subsidiaries and shareholdings, number of staff, etc.)
2. 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** 4.1.
 - In case of **JV**, **JV** agreement, in accordance with **ITA** 4.1 or Declaration of Association as per ELI 1.2(b).
 - In case of Government-owned enterprise or institution, in accordance with **ITA** 4.3 documents establishing:
 - Legal and financial autonomy
 - Operation under commercial law
 - Establishing that the Applicant is not a dependent agency of the Employer.
3. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.
4. All documents shall be submitted in original language and shall be translated in English language. Translation shall be accomplished by an official court or certified translator
5. Articles of Incorporation and Registration documents shall be notarized

5. Form ELI-1.2 (b): Declaration of Association

[The following form shall be provided by each member of a Joint Venture]

Date:

ICB No. and Title:

Page : _____ of : _____

We hereby declare our intent to associate with the following firms for the purpose of forming a [insert here "joint venture"]:

*[Insert the names of the other **JV** Members here]*

[Insert the name of the Lead Member] shall be the Lead Member.

We hereby confirm that we have not associated with any other firms for the purposes of this assignment and that we will not submit an Application separately from the firms listed above. Further, we understand that if one of the above **JV** Members appears as a member in more than one Application, all Applications in which the Member appears shall be disqualified.

In the event that this **JV** is awarded a Contract, we shall perform the works in the composition and in the form of cooperation described above.

[Signature of the authorised representative of the Member]

6.1. Form CON-2.1: Historical Contract Non-Performance

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

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

Non-Performed Contracts in accordance with Section III, Qualification and Evaluation			
<input type="checkbox"/> Contract non-performance did not occur since 1st January __ specified <i>[insert current year number less 5]</i> in Section III, Qualification and Evaluation, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1st January ____ <i>[insert current year number less 5]</i> specified in Section III, Qualification and Evaluation, Sub-Factor 2.1			
Year	Non-Performed Portion of Contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and EUR equivalent)
		Contract Identification: Name of Employer: Address of Employer: Reason(s) for non-performance:	<i>[insert amount]</i>

6.2. Form CON-2.2: Pending Litigation and Litigation History

Pending Litigation, in accordance with Section III, Qualification and Evaluation			
<input type="checkbox"/> No pending litigation in accordance with Section III, Qualification and Evaluation, Sub-Factor 2.3			
<input type="checkbox"/> Pending litigation in accordance with Section III, Qualification and Evaluation, Sub-Factor 2.3 as indicated below			
Year of Dispute	Amount in Dispute (Currency)	Contract Identification	Total Contract Amount (currency), EUR Equivalent (Exchange Rate)
		Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate "Employer" or "Contractor"]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>

7. Form FIN-3.1: Financial Situation and Performance

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

1. Financial Data

Type of financial information in xxx (currency)	Historic information for previous 3 years, <i>[three]</i> (amount in currency, currency, exchange rate, EUR equivalent)		
	Year 1	Year 2	Year 3
Statement of Financial Position (Information from Balance Sheet)			
Total Assets (TA)			
Total Liabilities (TL)			
Total Equity / Net Worth (NW)			
Current Assets (CA)			
Current Liabilities (CL)			
Working Capital (WC)			
Information from Income Statement			
Total Revenue (TR)			
Profits Before Taxes (PBT)			
Cash Flow Information			
Cash Flow from Operating Activities			

2. Financial Documents

The Applicant and its parties shall provide copies of financial statements for **last three (3) years** pursuant Section III, Qualification and Evaluation, Sub-factor 3.1. The financial statements shall:

- (a) Reflect the financial situation of the Applicant or **JV** member, and not an affiliated entity (such as parent company or subsidiary).
 - (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 for the **three (3) years** required above; and complying with the requirements. 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 shall be justified.

Documents shall be submitted in original language and shall be translated in English language.

Translation shall be accomplished by an official court or certified translator

8. Form FIN-3.2: Average Annual Turnover in Plant Design and/or Supply and/or Installation

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

Annual Turnover Data (Construction Only)			
Year	Amount and Currency	Exchange Rate	EUR Equivalent
Average Annual Turnover ⁵			

⁵ Total EUR equivalent for all years divided by the total number of years. See Section III, Qualification and Evaluation, Clause 3.2

9. Form FIN-3.3: Sources of Finance

[The following table shall be filled in for the Applicant and all members combined in case of a Joint Venture]

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

Specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total construction cash flow demands of the subject contract or contracts as specified in Section III, Qualification and Evaluation.

Financial Resources		
No.	Source of Finance	Amount (EUR Equivalent)
1.		
2.		
3.		

Documents shall be submitted in original language and shall be translated in English language.

Translation shall be accomplished by an official court or certified translator

10. Form FIN-3.4: Current Contract Commitments / Works in Progress

[The following table shall be filled in for the Applicant and all members combined in case of a Joint Venture]

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

Applicants and each member to a **JV** shall provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Current Contract Commitments					
No.	Name of Contract	Employer's Contact Address, Tel., Fax	Value of Outstanding Work (Current EUR Equivalent)	Estimated Completion Date	Average Monthly Invoicing Over Last Six Months (EUR / Month)
1					
2					
3					

11. Form EXP-4.1: General Construction Experience

[The following table shall be filled in for the Applicant and in the case of a JV Applicant, for the one Member]

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

*[Identify contracts that demonstrate continuous construction work over the **ten (10) years** pursuant to Section III, Qualification and Evaluation, Sub-Factor 4.1. List contracts chronologically, according to their commencement (starting) dates.]*

Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and EUR equivalent]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/city/country]</i>	<i>[insert: "Prime Contractor" or "JV Member" or "subcontractor" or "Management Contractor"]</i>
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and EUR equivalent]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/city/country]</i>	<i>[insert: "Prime Contractor" or "JV Member" or "subcontractor" or "Management Contractor"]</i>

Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and EUR equivalent]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/city/country]</i>	<i>[insert: "Prime Contractor" or "JV Member" or "subcontractor" or "Management Contractor"]</i>

Documents shall be submitted in original language and shall be translated in English language, without certified translation.

12. Form EXP-4.2 (a): Specific Construction and Contract Management Experience

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

The Applicant must provide evidence of Specific Construction and Contract Management Experience for minimum **two (2)** similar contracts.

The similarity shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section VII, 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.

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

The Applicant shall credibly verify the Contract and the Employer, Contract scope and value, his role in the Contract, his shares in the Contract in case of JV, starting and completion date.

The Applicant shall provide the below listed documents for all Similar Contracts under Section III, Qualifications Criteria and Requirements, Sub-factor 4.2 (a) above:

- (a) Copy(ies) of the Contract(s)
- (b) JV Agreement, to confirm scope and value of Applicant's share

JV Agreement shall include Applicant's role and Applicant's share, by scope and value.

- (c) Copy(ies) of Taking-over Certificate(s) (or similar Certificate, to confirm that Project is completed), or
- (d) Confirmation/Reference letter from the Employer, on the Employer's/End User's letterhead

In case of Confirmation/Reference letter from the Employer, it shall be on the Employer's/Owner's letterhead, indicating address, telephone and fax numbers of the user. It shall include name of the project, name of the employer, description of the work, commissioning date and contract amount. In case of JV, it shall include Applicant's role and Applicant's share, by scope and value.

Documents shall be submitted in original language and shall be translated in English language, without certified translation

Contract No. _____ <i>[insert ordering number of similar contracts]</i>	Information			
Contract identification	<i>[insert Contract/Project name and number, if applicable, country of performance]</i>			
Award date	<i>[insert day, month, year, i.e., 15 June 2015]</i>			
Completion date	<i>[insert day, month, year, i.e., 01 October 2017]</i>			
Voltage level: (110 kV or higher)	<i>[insert voltage level]</i>			
Type of cable	<i>[insert manufacturer, type of cable]</i>			
Cable length	<i>[insert cable length]</i>			
Role in contract	Prime Contractor <input type="checkbox"/>	JV Member <input type="checkbox"/>	subcontractor <input type="checkbox"/>	Management Contractor <input type="checkbox"/>
Applicant's part	Design <input type="checkbox"/>	Supply <input type="checkbox"/>	Electrical works <input type="checkbox"/>	Civil works <input type="checkbox"/>
Total contract amount	Total contract amount in local currency			
	Exchange rate			
	Total contract amount in EUR equivalent			
If member in a JV, specify share in value in total contract amount	Percentage amount			
	Share in contract amount in local currency			
	Exchange rate			
	Share in contract amount in EUR equivalent			
Employer's name	<i>[insert Employer's legal name]</i>			
Address	<i>[indicate street / number / town or city / country]</i>			
Telephone / fax number	<i>[insert telephone/fax numbers, incl. country/city area codes]</i>			
Email:	<i>[insert e-mail address, if available]</i>			

Contract No. _____ <i>[insert ordering number of similar contracts]</i>	Information			
Evidence	Contract <input type="checkbox"/>	JV Agree- ment <input type="checkbox"/>	Taking-over Certificate (or similar) <input type="checkbox"/>	Confirmation/ Reference letter on Employ- er's/Owner's letter- head <input type="checkbox"/>

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

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

The Applicant must provide evidence of Construction Experience in Key Activities for minimum two (2) relevant contracts

The demonstration of construction experience shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section VII, Scope of Works. The reference only for design or only for supply or only for installation, testing and commissioning or only in civil works in relevant similar contracts would be acceptable. Combining more references in order to cover required scope of works is allowed and will be considered as a single reference.

For contracts under which the Applicant participated as a joint venture member or subcontractor, only the Applicant's share, by scope and value, shall be considered to meet this requirement. Partial experience in similar contracts is acceptable.

For all key activities under Section III, Qualifications Criteria and Requirements, Sub-factor 4.2 (b) above, the Applicant shall provide evidence/document best illustrating the indicated experience. The Applicant shall credibly verify the Contract and the Employer, Contract scope and value, his role in the Contract, his shares in the Contract in case of JV, starting and completion date.

The Applicant shall provide the below listed documents

- (a) Copy(ies) of the Contract(s)
- (b) JV Agreement, to confirm scope and value of Applicant's share

JV Agreement shall include Applicant's role and Applicant's share, by scope and value.

- (c) Copy(ies) of Taking-over Certificate(s) (or similar Certificate, to confirm that Project is completed), or
- (d) Confirmation/Reference letter from the Employer, on the Employer's/End User's letterhead

In case of Confirmation/Reference letter from the Employer, it shall be on the Employer's/Owner's letterhead, indicating address, telephone and fax numbers of the user. It shall include name of the project, name of the employer, description of the work, commissioning date and contract amount. In case of JV, it shall include Applicant's role and Applicant's share, by scope and value.

Documents shall be submitted in original language and translated in English language, without certified translation

Contract No. _____ <i>[insert ordering number of relevant contracts]</i>	Information			
Description of the requested construction experience in accordance with sub-criterion 4.2 of Section III				
Construction of new 110 kV or above voltage underground cables, minimum one and half (1,5) km 3-phase cable route length, including design, supply, installation, testing and commissioning. At least 1 (one) contract shall be implemented in the European Area or on Middle East.				
Contract identification	<i>[insert Contract/Project name and number, if applicable, country of performance]</i>			
Voltage level: (110 kV or higher)	<i>[insert voltage level]</i>			
Type of cable	<i>[insert manufacturer, type of cable]</i>			
Cable length (minimum 1,5 km)	<i>[insert cable length]</i>			
Role in contract	Prime Contractor <input type="checkbox"/>	JV Member <input type="checkbox"/>	subcontractor <input type="checkbox"/>	Management Contractor <input type="checkbox"/>
Applicant's part	Design <input type="checkbox"/>	Supply <input type="checkbox"/>	Electrical works <input type="checkbox"/>	Civil works <input type="checkbox"/>
Description	<i>[insert short description, including physical size, complexity, other]</i>			
Method statement/QA documents	<i>[provide: Methodology - Method Statement (Technology, Procedures, Check-lists, Testing & Commissioning Report, QA documents) for Transport, Loading/Unloading, Storage, Installation, Testing and Commissioning of Cables]</i>			
Drawings	<i>[provide: General Layout, Photos, etc]</i>			
Evidence	Contract <input type="checkbox"/>	JV Agreement <input type="checkbox"/>	Taking-over Certificate (or similar) <input type="checkbox"/>	Confirmation/Reference letter on Employer's/Owner's letter-head <input type="checkbox"/>

14. Form MA: Manufacturer's Authorization

Manufacturer's Authorization

(to be filled by the manufacturer's/their authorized agent on their official letterhead)

*[The Applicant shall require the Manufacturer to fill in this form
This letter of authorization should be signed by a person with the proper authority]*

ICB No. and Title.:

Manufacturer's Authorization No.:

Date:

To:

[Insert full name of Employer]

We,

(Name of Manufacturer or Manufacturer's authorized agent)

Who are official manufacturers or agent authorized by the manufacturer of:

(Type of Goods)

Having factory(ies) at:

(Address of Manufacturer's factory(ies))

Do hereby authorize:

(Name of Applicant)

To submit an Application, the purpose of which is to provide the following goods, manufactured by us:

(Name and/or brief description of the Goods)



Signature(s) and Seal:

*Signature(s) of the authorized Manufacturer's representative(s) or agent
Place for Seal*

Name(s):

Name(s) of the authorized Manufacturer's representative(s) or agent

Place and Date:

Place and date

15. Form CER-5.1(a): Quality Management Certification

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

Description	Information
Identification of the certificate	<i>[insert full name of the certificate]</i>
First award date	<i>[insert day, month, year of first certificate award]</i>
Last update of the certificate	<i>[insert day, month, year of latest renewal, if any]</i>
Issuers Name	<i>[insert full name]</i>
Address	<i>[insert street / number / town or city / country]</i>
Telephone/fax number	<i>[insert phone/fax no., incl. country & city area codes]</i>
E-mail	<i>[insert e-mail address, if available]</i>
Compliance with international standards	The certificate is ISO 9001: <input type="checkbox"/> Yes <input type="checkbox"/> No
If no, proof of conformity with the international standard by the Applicant	<i>[The Applicant shall demonstrate the equivalency of their management systems with the international standards]</i>

16. Form CER-5.1(b): Health and Safety Certification

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

Description	Information	
Identification of the certificate	<i>[insert full name of the certificate]</i>	
First award date	<i>[insert day, month, year of first certificate award]</i>	
Last update of the certificate	<i>[insert day, month, year of latest renewal, if any]</i>	
Issuers Name	<i>[insert full name]</i>	
Address	<i>[insert street / number / town or city / country]</i>	
Telephone/fax number	<i>[insert phone/fax no., incl. country & city area codes]</i>	
E-mail	<i>[insert e-mail address, if available]</i>	
Compliance with international standards	The certificate is OHSAS 18001: <input type="checkbox"/> Yes <input type="checkbox"/> No	The certificate is ISO 45001: <input type="checkbox"/> Yes <input type="checkbox"/> No
Compliance with Montenegrin Standards	A natural person or an organisation is authorised by the Ministry of Labour and Social Welfare for performance of tasks of Safety and Health at work <input type="checkbox"/> Yes <input type="checkbox"/> No	



17. Form CER-5.1(c): Environmental Management Certification

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

Description	Information
Identification of the certificate	<i>[insert full name of the certificate]</i>
First award date	<i>[insert day, month, year of first certificate award]</i>
Last update of the certificate	<i>[insert day, month, year of latest renewal, if any]</i>
Issuers Name	<i>[insert full name]</i>
Address	<i>[insert street / number / town or city / country]</i>
Telephone/fax number	<i>[insert phone/fax no., incl. country & city area codes]</i>
E-mail	<i>[insert e-mail address, if available]</i>
Compliance with international standards	The certificate is ISO 14001:2004 <input type="checkbox"/> Yes <input type="checkbox"/> No
If no, proof of conformity with the international standard by the Applicant	<i>[The Applicant shall demonstrate the equivalency of their management systems with the international standards]</i>

18. Form ESHS EXP-5.2: Experience in Projects with Significant ESHS Impact

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

ESHS Contract No. _____ of _____ <i>[Insert number] of [insert number of S&E contracts required as per Section III, 5.]</i>	Information		
Contract identification			
Award date			
Completion date			
Role in contract	Prime Contractor <input type="checkbox"/>	Member in JV <input checked="" type="checkbox"/>	Management Contractor <input type="checkbox"/>
Total contract amount	_____ (local currency)		_____ (EUR equivalent)
If member in a JV, specify share in value in total contract amount	Percentage amount		
	Total contract amount in local currency		
	Exchange rate and total contract amount in EUR equivalent		



ESHS Contract No. _____ of _____ <i>[Insert number] of [insert number of S&E contracts required as per Section III, 5.]</i>	Information
Employer's name	
Address	
Telephone / fax number	
Email:	
1. ESHS Challenges	<i>[describe the ESHS challenges faced in project implementation, including indication of scales/size by reference, if applicable project E&S categorization as per development bank categorization]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>	
2. ESHS Measures implemented	<i>[description of measures implemented, incl. supporting documentation, if available]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>	
3. ESHS know-how transfer to local staff and local partners	<i>[description of know how transfer and capacity building measures implemented, incl. supporting documentation, if available]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>	

19. Form ENV-5.3: Environmental Management Capacity

[The following table shall be filled by the Applicant or each member of a Joint Venture, whose part in the JV is substantial (more than 40 (forty) % of the works)]

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

	The Applicant shall demonstrate	Information and Documentation
1	The existence of an Environmental Policy	<i>[Provide relevant details of the Corporate Values or similar policy documents and declarations]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>		
2	The existence of an Environmental Management System, incl. an adequate organizational set-up for definition, enforcement and monitoring.	<i>[Provide details of the organizational set-up and procedures for relevant issues within your company, for qualification details of relevant key staff see Form PER-5.7]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>		



	The Applicant shall demonstrate	Information and Documentation
3	<p>That all members of a JV, suppliers and temporary workforce</p> <p>a) are aware of and b) comply with the Environmental Management System.</p>	<p><i>[Provide information on</i></p> <p>a) <i>how awareness, know how transfer and enforcement is implemented to external partners</i></p> <p>b) <i>nature, content and frequency of internal trainings to employees.]</i></p>
<p>[insert brief description or, if applicable, short abstract of the documentation annexed]</p>		

20. Form OHSAS-5.4: Occupational Health and Safety Capacity

[The following table shall be filled by the Applicant or each member of a Joint Venture, whose part in the JV is substantial (more than 40 (forty) % of the works)]

Members will be scored if their part in the JV is substantial, which is defined as being more than 40 (forty) % of the works. Individual member scores will be averaged.

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

	The Applicant shall demonstrate	Information and Documentation
1	The existence of an Occupational Health & Safety Policy	<i>[Provide a policy document and the index of the Occupational Health & Safety manual or other relevant documents and declarations]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>		
2	The existence of a management system, incl. an adequate organizational set-up for definition, enforcement and monitoring.	<i>[Provide details of the organizational set-up and procedures for relevant issues within your company, for qualification details of relevant key staff see Form PER-5.7]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>		



21. Form LOC-5.5: Socially Responsible Works Implementation

[The following table shall be filled by the Applicant or each member of a Joint Venture, whose part in the JV is substantial (more than 40 (forty) % of the works)]

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

	The Applicant shall demonstrate	Information and Documentation
1	A comprehensive strategy for staff and labour incl. recruitment of temporary workforce and local labour, worker grievance mechanism, etc.	<i>[Provide information and relevant documents, if any]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>		
2	A comprehensive strategy for ensuring public health and safety, including programs and procedures to combat the spread of communicable diseases (incl. HIV/AIDS).	<i>[Please provide supporting evidence]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>		

	The Applicant shall demonstrate	Information and Documentation
3	A comprehensive strategy for staff accommodation, e.g. worksite camps, house rental, security, etc.	<i>[Provide information and relevant documents, if any]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>		
4	A comprehensive training strategy for transfer of ESHS knowhow to temporary workforce	<i>[Provide information and relevant documents, if any]</i>
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>		



22. Form COC-5.6: Ethical Business Principles

*[The following table shall be filled by the Applicant or each member of a Joint Venture, whose part in the **JV** is substantial (more than 40 (forty) % of the works)]*

*Members will be scored if their part in the **JV** is substantial, which is defined as being more than 40 (forty) % of the works. Individual member scores will be averaged.*

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

	The Applicant shall demonstrate	Information and Documentation	ESHS Level
1	That ILO core labour standards ⁶ are fully respected in business operations by explicitly ticking the boxes.	Our business operations respect the core labour standards on: <ul style="list-style-type: none"> <input type="checkbox"/> Freedom of Association <input type="checkbox"/> Elimination of Forced Labour <input type="checkbox"/> Non-Discrimination <input type="checkbox"/> Abolishment of Child Labour In the case that ILO conventions have not been fully ratified or implemented in the Applicant's country, the Applicant shall, to the satisfaction of the Employer and KfW , propose and implement appropriate measures in the spirit of the said ILO conventions and provide such details in the response below.	Pass/fail

⁶ See relevant ILO conventions C087, C098, C029, C105, C100, C111, C138, C182.



	The Applicant shall demonstrate	Information and Documentation	ESHS Level
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>			
2	The existence of a declaration on ethical business principles or similar declaration.	<i>[Provide written information and evidence on business principles (code of conduct, conflict of interest, bribery, corruption, bid-rigging, unfair competition, insider rules, confidentiality, money-laundering, etc.)]</i>	
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>			
3	The existence of an adequate organizational set-up to define, enforce and monitor the ethical business principles.	<i>[Provide details of the organizational set-up and staffing of the relevant department, for qualification details of relevant key staff see Form PER-5.7]</i>	
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>			
4	That all members of a JV , suppliers (in particular those for major supply items), and temporary workforce a) are aware of and b) comply with these principles.	<i>[Provide information on:</i> a) <i>how awareness, know how transfer and enforcement is implemented to external partners</i> b) <i>nature, content and frequency of internal trainings to employees.]</i>	
<i>[insert brief description or, if applicable, short abstract of the documentation annexed]</i>			



23. Form PER-5.7: List of Available ESHS and Construction Personnel

Applicant's Name:

Date:

Joint Venture Member's Name:

ICB No. and Title:

Page : _____ of : _____

Complete the list below to demonstrate the extent to which you have access (internally / externally) to ESHS and Construction expertise required for personnel profiles described in Section VII; Scope of Works. Do not attach CVs as no personnel evaluation is carried out at the prequalification stage. It is understood that prequalified Applicants are not required to include staff named below into the proposal. Please be aware that without provision of adequate personnel no contract will be awarded.]

Name	Designation, in accordance with Section VII, Scope of Works	Education / Degree	Years of Professional Experience	Relationship with / Years within the Applicant ⁷
	Health & Safety expert			
Country/Regional Experience	Relevant Project References (Description of project-related experience)			Languages

⁷ For freelance experts (e.g. with retainer contracts or formal agreements) indicate "FE" and how long the expert has been associated with the Applicant. For sub-consultant staff indicate "Sub". Staff from affiliated firms of the Applicant shall be considered as sub-consultant staff.



Name	Designation, in accordance with Section VII, Scope of Works	Education / Degree	Years of Professional Experience	Relationship with / Years within the Applicant⁸
	Environmental expert			
Country/Regional Experience	Relevant Project References (Description of project-related experience)			Languages

Name	Designation, in accordance with Section VII, Scope of Works	Education / Degree	Years of Professional Experience	Relationship with / Years within the Applicant⁹
	Social expert			
Country/Regional Experience	Relevant Project References (Description of project-related experience)			Languages

⁸ For freelance experts (e.g. with retainer contracts or formal agreements) indicate "FE" and how long the expert has been associated with the Applicant. For sub-consultant staff indicate "Sub". Staff from affiliated firms of the Applicant shall be considered as sub-consultant staff.

⁹ For freelance experts (e.g. with retainer contracts or formal agreements) indicate "FE" and how long the expert has been associated with the Applicant. For sub-consultant staff indicate "Sub". Staff from affiliated firms of the Applicant shall be considered as sub-consultant staff.

SECTION V

ELIGIBILITY CRITERIA

Section V - Eligibility Criteria

Eligibility in KfW-Financed Procurement

1. Consulting Services, Works, Goods, Plant and Non-Consulting Services are eligible for KfW financing regardless of the country of origin of the Contractors (including Subcontractors and suppliers for the execution of the Contract), except where an international embargo or sanction by the United Nations, the European Union or the German Government applies.
2. Applicants/Bidders (including all members of a Joint Venture and proposed or engaged Subcontractors) shall not be awarded a KfW-financed Contract if, on the date of submission of their Application/Offer or on the intended date of Award of a Contract, they:
 - 2.1 are bankrupt or being wound up or ceasing their activities, are having their activities administered by courts, have entered into receivership, or are in any analogous situation;
 - 2.2 have been
 - (a) convicted by a final judgement or a final administrative decision or subject to financial sanctions by the United Nations, the European Union and/or the German Government for involvement in a criminal organisation, money laundering, terrorist-related offences, child labour or trafficking in human beings; this criterion of exclusion is also applicable to legal Persons, whose majority of shares are held or factually controlled by natural or legal Persons which themselves are subject to such convictions or sanctions;
 - (b) convicted by a final court decision or a final administrative decision by a court, the European Union or national authorities in the Partner Country or in Germany for Sanctionable Practice during any Tender Process or the performance of a Contract or for an irregularity affecting the EU's financial interests, unless they provide supporting information together with their Declaration of Undertaking (Form available as Appendix to the Application/Offer which shows that this conviction is not relevant in the context of this Contract and that adequate compliance measures have been taken in reaction;
 - 2.3 have been subject within the past five years to a Contract termination fully settled against them for significant or persistent failure to comply with their contractual obligations during Contract performance, unless this termination was challenged and the dispute resolution is still pending or has not confirmed a full settlement against them;
 - 2.4 have not fulfilled applicable fiscal obligations regarding payments of taxes either in the country where they are constituted or the PEA's country;

- 2.5 are subject to an exclusion decision of the World Bank or any other multilateral development bank and are listed in the respective table with debarred and cross-debarred firms and individual available on the World Bank's website (<http://www.worldbank.org/debar>) or any other multilateral development bank unless they provide supporting information together with their Declaration of Undertaking which shows that this exclusion is not relevant in the context of this Contract or
 - 2.6 have given misrepresentation in documentation requested by the PEA as part of the Tender Process of the relevant Contract.
3. State-owned entities may compete only if they can establish that they (i) are legally and financially autonomous, and (ii) operate under commercial law. To be eligible, a state-owned entity shall establish to KfW's satisfaction, through all relevant documents, including its charter and other information KfW may request, that it: (i) is a legal entity separate from their state (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 their state, can acquire rights and liabilities, borrow funds and be liable for repayment of its debts, and can be declared bankrupt.

SECTION VI

KFW POLICY - SANCTIONABLE PRACTICE

Section VI - KfW Policy

Sanctionable Practice - - Social and Environmental Responsibility

1. Sanctionable Practice

The PEA and the Contractors (including all members of a Joint Venture and proposed or engaged Subcontractors) must observe the highest standard of ethics during the Tender Process and performance of the Contract.

By signing the Declaration of Undertaking the Contractors declare that (i) they did not and will not engage in any Sanctionable Practice likely to influence the Tender Process and the corresponding Award of Contract to the PEA's detriment, and that (ii) in case of being awarded a Contract they will not engage in any Sanctionable Practice.

Moreover, KfW requires to include in the Contracts a provision pursuant to which Contractors must permit KfW and in case of financing by the European Union also to European institutions having competence under European law to inspect the respective accounts, records and documents relating to the Tender Process and the performance of the Contract, and to have them audited by auditors appointed by KfW.

KfW reserves the right to take any action it deems appropriate to check that these ethics rules are observed and reserves, in particular, the rights to:

- (a) reject an Offer for Award of Contract if during the Tender Process the Bidder who is recommended for the Award of Contract has engaged in Sanctionable Practice, directly or by means of an agent in view of being awarded the Contract;
- (b) declare misprocurement and exercise its rights on the ground of the Funding Agreement with the PEA relating to suspension of disbursements, early repayment and termination if, at any time, the PEA, Contractors or their legal representatives or Subcontractors have engaged in Sanctionable Practice during the Tender Process or performance of the Contract without the PEA having taken appropriate action in due time satisfactory to KfW to remedy the situation, including by failing to inform KfW at the time they knew of such practices.

KfW defines, for the purposes of this provision, the terms set forth below as follows:

Coercive Practice	The impairing or harming, or threatening to impair or harm, directly or indirectly, any person or the property of the person with a view to influencing improperly the actions of a person.
Collusive Practice	An arrangement between two or more persons designed to achieve an improper purpose, including influencing improperly the actions of another person.

Corrupt Practice	The promising, offering, giving, making, insisting on, receiving, accepting or soliciting, directly or indirectly, of any illegal payment or undue advantage of any nature, to or by any person, with the intention of influencing the actions of any person or causing any person to refrain from any action.
Fraudulent Practice	Any action or omission, including misrepresentation that knowingly or recklessly misleads, or attempts to mislead, a person to obtain a financial benefit or to avoid an obligation.
Obstructive Practice	Means (i) deliberately destroying, falsifying, altering or concealing evidence material to the investigation or the making of false statements to investigators, in order to materially impede an official investigation into allegations of a Corrupt Practice, Fraudulent Practice, Coercive Practice or Collusive Practice, or threatening, harassing or intimidating any Person to prevent them from disclosing their knowledge of matters relevant to the investigation or from pursuing the investigation, or (ii) any act intended to materially impede the exercise of KfW's access to contractually required information in connection with an official investigation into allegations of a Corrupt Practice, Fraudulent Practice, Coercive Practice or Collusive Practice.
Sanctionable Practice	Any Coercive Practice, Collusive Practice, Corrupt Practice, Fraudulent Practice or Obstructive Practice (as such terms are defined herein) which is unlawful under the Financing Agreement.

2. Social and Environmental Responsibility

Projects financed in whole or partly in the framework of Financial Cooperation have to ensure compliance with international Environmental, Social, Health and Safety (ESHS) standards (including issues of sexual exploitation and abuse and gender based violence) Contractors in KfW-financed projects shall consequently undertake in the respective Contracts to:

- (a) comply with and ensure that all their Subcontractors and major suppliers, i.e. for major supply items comply with international environmental and labour standards, consistent with applicable law and regulations in the country of implementation of the respective Contract and the fundamental conventions of the International Labour Organisation (ILO) and international environmental treaties. In case ILO conventions have not been fully ratified or implemented in the Employer's country the Applicant/Bidder/Contractor shall, to the satisfaction of the Employer and KfW, propose and implement appropriate measures in the spirit of the said ILO conventions with respect to a) workers grievances on working conditions and terms of employment, b) child labour, c) forced labour, d) worker's organisations and e) non-discrimination, and;
- (b) implement any environmental and social risks mitigation measures, as identified in the environmental and social impact assessment (ESIA) and further detailed in the environmental and social management plan (ESMP) as far as these measures are relevant to the Contract and implement measures for the prevention of sexual exploitation and abuse and gender-based violence.

Part 2 - Employer's Requirements

SECTION VII

SCOPE OF WORKS

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Section VII

Scope of Works

1. Description of the Works

The scope of works under the present Project is planned to be implemented through one Plant and Design-Build contract (FIDIC Yellow Book).

LOT 2 – 110 kV Cables

- Construction of new underground double-circuit three-phase 110 kV cable and two underground optical cables, approximate length of 11,5 km, from the new GIS 110/35 kV Radovici substation to the tower no. 170 and LILO connection to the existing 110 kV OHL Lastva – Tivat.

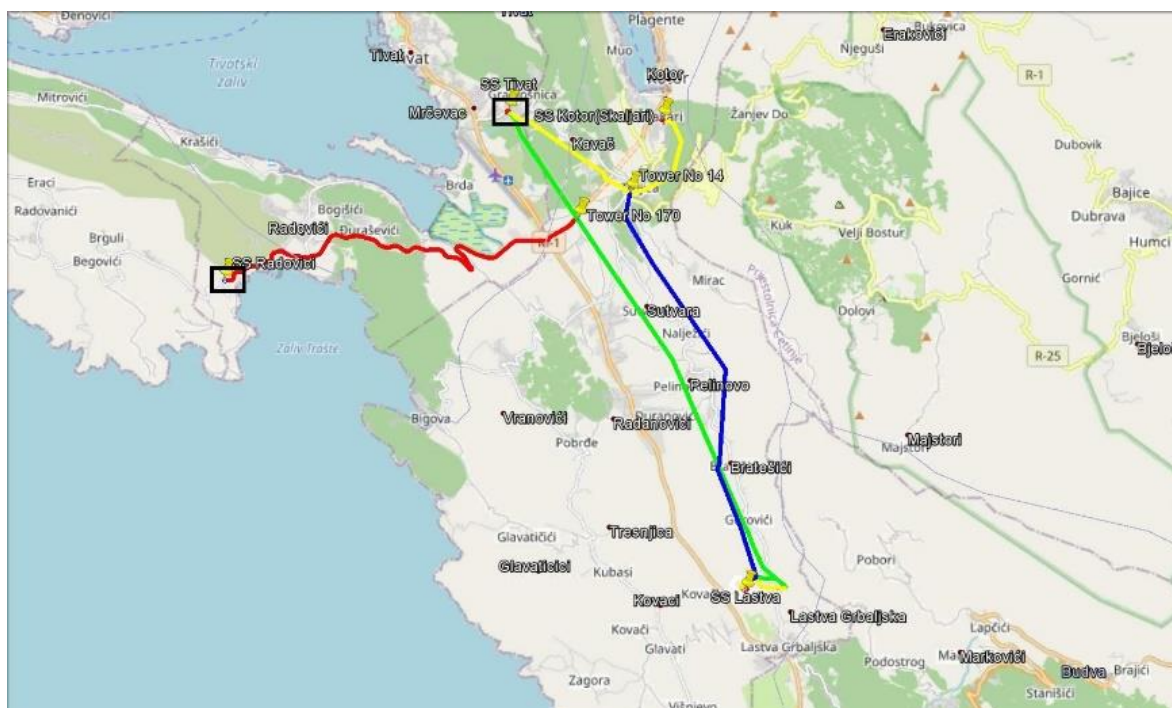


Figure 1-1: Scope of Works

SCOPE of WORKS **LOT 2 – 110 kV Cable line** **Red line**

Out of Scope of Works

Lot 1 - 110/35 kV Substation Radovici and 110/35 kV Substation Tivat– Black rectangle

Lot 3 – New 110 kV OHL Lastva –Kotor - Blue line

Lot 3 – Existing 110 kV OHL Lastva – Tivat – Green line

(- Existing 110 kV OHL Kotor – Tivat - Yellow line)

Lot 2: 110 kV Cables

LOT 2 is consisting installation of approximately 11.5 km underground double-circuit three-phase 110 kV cables and two underground optical cables, from the new GIS 110/35 kV Radovici substation to tower no. 170 and connection to the existing 110 kV OHL Lastva-Tivat on “line in – line out” (LILO) principle:

- 110 kV single phase cable, type A2XS(FL)2Y 1x1.000 Al / 150 Cu mm² 64/110 kV, length of around 69 km (~11,5 km length of 2 x 3 single phase power cables) with cable joints, terminations and associated equipment
- Two underground fiber optical communication cables to tower no. 170 for links between communication/ protection equipment in substations

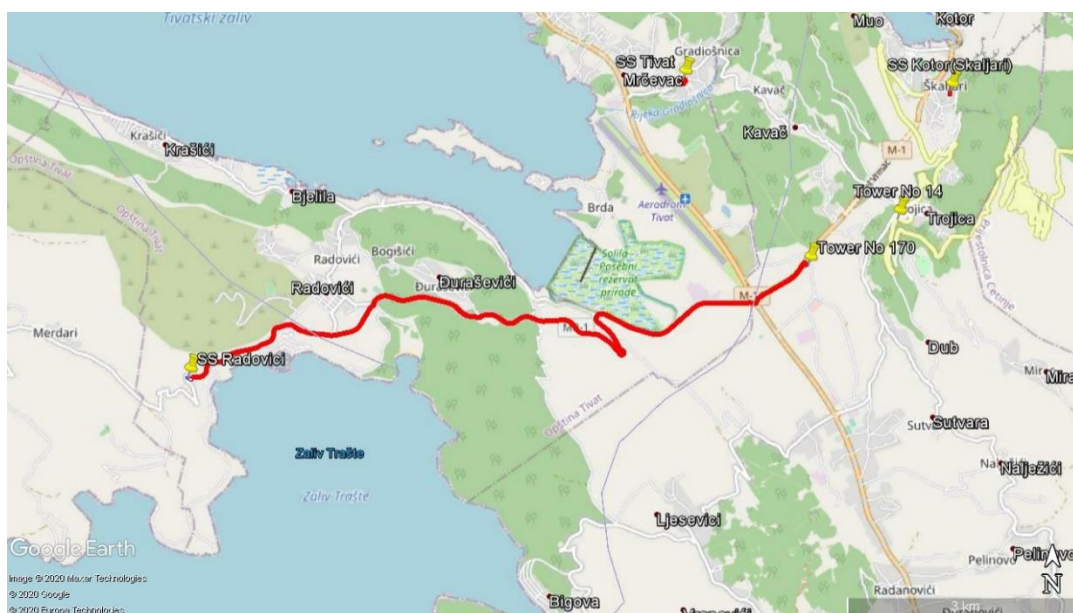


Figure 1-2: LOT 2 - Scope of Works - Cable route

2. Construction Period(s)

Estimated, approximate construction period shall be: **48 (fourthly eight) months in total**

- ❖ 6 months design
- ❖ 24 months supply, installation, testing and commissioning
- ❖ 18 months defect liability period

3. Site and Other Data

Please, refer to the Chapter 1.

4. ESHS Standards and Environmental and Social Management Plan (ESMP)

This is an universal chapter for all three lots of this project. The different conditions, criteria and requirements do apply depending on the nature of the particular lot.

4.1 Applicable Standards

The ESHS performance of the project shall comply with national legislation as well as with KfW Sustainability Guidelines and international best practice. The relevant requirements will be incorporated to the ESMP that will form part of the ESIA and will be annexed to the tender documents.

4.2 Anticipated Impacts

At the present stage of design, the following impacts have been broadly identified:

Impact Area	Potential Impact/Source
Environmental Impacts	
Resources and waste	<ul style="list-style-type: none"> • Use of large quantities of construction material • Disposal of construction waste • Transportation of construction material and waste • Sewage (black and grey water) management and disposal • Consumption of fuel by vehicles and machinery • Use of water for construction activities, camps, yards • Handling of insulation oil and SF
Geology, Soils and Contaminated land	<ul style="list-style-type: none"> • Excavation works during construction including off-site quarrying where needed (substation, tower foundations) • Clearance of working strip, logistic sites (yards, camp sites) and access roads will affect top soil with the risk of resource loss • Physical damage through soil compaction and accidental contamination (see also resources and waste). • Contaminated sediments from past activities
Water Environment	<ul style="list-style-type: none"> • Sediment plumes from working strip, yards, camps and access roads due to rainwater runoff • Oil & chemical contamination from machinery on working strip, yards, camps and access roads • Generation of waste water and solid waste (from camps, working strip)
Air Quality and Climatic factors	<ul style="list-style-type: none"> • Impacts from dust generated from earth movements, excavation, vehicles movement, stockpiles, unpaved surfaces, etc. along the working strip, access roads, yards and

Impact Area	Potential Impact/Source
	<p>camps. Receptors will include residential population, workers, fauna and flora species, cultural, historic, water quality, etc.</p> <ul style="list-style-type: none"> Impacts from emissions to the atmosphere from machinery and vehicles (i.e. generators, excavators, bulldozers, side booms, trucks, cars, compressors for hydro testing etc.). Receptors will include residential population, workers, fauna and flora species, water quality, etc.
Noise and Vibration	<ul style="list-style-type: none"> Impacts from noise and vibration from machinery, construction vehicles, blasting of rocks (if required) and compressors for hydro testing. Noise receptors will include residential population (and sensitive receptors like schools and hospitals), workers, fauna, cultural/historical buildings, etc.
Biodiversity and Natural Habitats	<ul style="list-style-type: none"> Impacts from habitat loss. The impacts will be both temporary and long term/permanent. Temporary impacts will arise from the working strip, camps and yards which will be reinstated to pre-construction conditions once construction is completed. Habitat fragmentation created by linear structures (overhead power lines, access roads) Impacts to fauna and flora species of nature conservation interest from the project's activities (e.g. noise, aqueous discharges, sediments plumes, greater human pressure to previously inaccessible areas) during construction and pre-commissioning works with particular reference to sensitive areas such as nesting places, old growth forests, wetlands, rivers, riparian vegetation and areas identified as rich in endemic and protected species.
Landscape and Visual Impacts	<ul style="list-style-type: none"> Temporary and permanent landscape and visual impacts from land take and above-ground structures. The impacts will be temporary for camps and yards which will be reinstated to pre-construction conditions once construction is completed. Sections with potentially significant landscape impacts include elevated terrain and forested areas.
Socioeconomic Impacts	
Displacement of Existing Land Uses, Property and People	<ul style="list-style-type: none"> Impacts on land uses will arise as a result of land take for the substations and the footprint of the towers. Land for camps and yards will be re-instated, where possible, following the completion of the construction activities returning the land to its original use. Impacts on annual crops will be temporary along the working strip, along which annual crops can be grown once re-instated. For permanent crops (i.e. trees) it is likely there will be height restrictions for safety reasons.
Socio Economic im-	<ul style="list-style-type: none"> Impacts to local livelihoods and loss of household income

Impact Area	Potential Impact/Source
pacts	<p>as a result of construction works (e.g. temporary and long term occupation of agricultural land or reduced access)</p> <ul style="list-style-type: none"> • Economic benefits to households and to the local economy as a result of direct/indirect job creation during construction works. • Benefit to the local community and economy as a result of local procurement of materials for construction and other services to supply the project. • Limited national economic benefits due to employment or procurement of specialists or equipment not available in the regions • The presence of workers on the site during construction works could exert pressure on social infrastructures (water, electricity, roads, health centres). • While there might be a temporary pressure on these infrastructures in the short term, there may be also a positive impact on infrastructure development in the medium to long term, if the project helps develop existing infrastructures. • The presence of workers on the site and the money they earn and spend may cause changes to local customs and norms and result in local inflation
Community Health and Safety	<ul style="list-style-type: none"> • Safety risks for communities as a result of construction works. • Increased traffic loads on roads adjacent to the project. • Potential health impacts due to exposure to EMF • Potential nuisance due to the Corona effect from transmission lines • Potentially increased incidence of dis-ease associated with the presence of the workforce. • Potentially increased incidents of Gen-der-based Violence due to the presence of project workforce • Increased pressure on local services (health, leisure, police, etc.) from the project's workforce resulting in de-creased access for local communities • Location of workforce in camps near local communities could result in negative worker – community interactions.
Working Conditions	<ul style="list-style-type: none"> • Risk of injuries for workforce as a result of excavations and working in the vicinity of active roads. • Risk of electrocution • Exposure to accidents and emergency situations
Cultural Heritage Impacts	
Cultural heritage (known and potential) including "intangible cultural heritage" (ICH)	<ul style="list-style-type: none"> • Ground disturbing construction activities including permanent and temporary occupations (i.e. working strips, overhead power lines, workforce camps, landfills/land takes and accesses).

4.3 Organisational capacity

The Bidder shall appoint competent ESHS personnel for the duration of the contract. Personnel required shall include:

- A health and safety expert
- An environmental expert
- A social expert

The required profiles of the ESHS personnel are the following:

- **H&S Expert:** Accredited OHS professional - such as Certified Safety Professional (BSCP), Safety International Diploma (NEBOSH), Certified Safety Engineer (SAWS or PRC). The H&S Expert must have relevant work experience, with at least one international project technically similar in complexity, involving transmission lines and substations.
- **Environmental Expert:** University degree in Environmental studies. The Environmental Expert must have relevant work experience, with at least one international project over the past five years, including implementation of environmental management plans of infrastructure projects.
- **Social Expert:** University degree in Social studies. The Social Expert must have relevant work experience, with at least one international project over the past five years, including implementation of social risk management and mitigation plans in infrastructure projects. This person should have experience of community consultations/outreach, designing and implementing grievance redress mechanisms, community-based projects etc. Experience of resettlement in infrastructure projects will be an advantage.

An individual expert may cover two expert positions (as above) if the proposed candidate is able to demonstrate the required expertise.