PROCUREMENT DOCUMENTS

Road Sector Programme Support Project

Prequalification Document for

Procurement of:

Road Rehabilitation Works under three Contracts

Contract 1: Balti - Sarateni Rehabilitation

Contract 2: Chisinau – Orhei Rehabilitation

Contract 3: Chisinau – Hincesti Rehabilitation

Issued on: August 23, 2007

Invitation for Prequalification No.: 1

ICB No.: 1

Employer: State Road Administration

Country: Republic of Moldova

PREFACE

The Government of Moldova, represented by the Ministry of Transport and Roads Industry (MTRI), is implementing a **Road Sector Program Support Project (the Project)** to be implemented from 2007 – 2010 and to be financed by the World Bank (WB), European Bank for Reconstruction and Development (EBRD) and European Investment Bank (EIB). The project is in direct support of the Government's overall Road Sector Program. The project is financed through three separate financing agreements signed between the Government of Moldova on one side, and IDA, EBRD and EIB on the other. IDA will provide an amount equivalent to US\$16 million, in the form of a Specific Investment Loan (SIL). EBRD and EIB will each contribute EUR 12,5 million as the first tranches. The total combined financing for the project from the three donors is estimated at US\$ 48.7 million equivalent. Upon successful completion of the first tranches, EBRD and EIB will each contribute EUR 17,5 million as the second tranches. The Government of Moldova has negotiations with such donors as USAID/Millennium Challenge Corporation and European Community, which could add their contribution to project financing.

The project is being implemented under the general supervision and responsibility of the Ministry of Transport and Road Industry (MTRI). However, actual project implementation is being carried out by the *State Road Administration (SRA)*. SRA's responsibilities include: procurement, financial management, contract management, project and program monitoring and evaluation, and reporting.

Although this project has a common prequalification format and will have a common tendering format; it is, in fact, being funded by three different agencies; the World Bank, the European Bank for Reconstruction and Development and the European Investment Bank. Each agency will fund one of the Contracts under the project.

This prequalification document and the tender documents which will be issued in due course follow the World Bank's Guidelines: Procurement under IBRD Loans and IDA Credits, May 2004 (revised October 2006) and format and text of the Standard Bidding Documents.

It is the intention of this prequalification to qualify applicants for the award of one, two or all three of the proposed contracts. Only qualified applicants from this prequalification process will be invited to bid for the Works.

The specialized work experience required for two contracts; Balti-Sarateni and Chisinau-Hincesti is more extensive than that required for the third, Chisinau-Orhei.

Successful applicants who have the specialized experience required for Balti-Sarateni and Chisinau-Hincesti will be eligible to bid for any or all of the three contracts, depending on their financial strength and history. Applicants who have only the more limited specialized experience required for Chisinau-Orhei will only be able to bid for that contract.

Applicants will be classed as eligible for the award of one, two or three contracts depending on financial strength and history. Subject to meeting the appropriate experience requirements, an applicant may bid on however many contracts he wishes; however, he will only be considered for the award of the number of contracts for which he is qualified based on financial strength and history. Eg. An applicant who was qualified for the award of one contract would be awarded only one contract.

In case that any Applicant seeks to qualify for more than one contract, however he meets the qualification criteria only for one of the contract, he will be requested to choose only one of such contract for which he will submit its bid

Subject to the above restrictions, bids for each contract shall be evaluated and contract awarded separately to the qualified firm(s) offering the lowest evaluated price for each contract.

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PART 1 – Prequalification Procedures

Section I. Instructions to Applicants

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Section I. Instructions to Applicants

A. General

1. Scope of Application

1.1 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 (PQD) to applicants interested in bidding for the works described in Section VI, Scope of Works. The number of contracts and the name and identification of each contract, and the International Competitive Bidding (ICB) number corresponding to this prequalification, are provided in the **PDS**.

2. Source of Funds

2.1 The Borrower or Recipient (hereinafter called "Borrower") indicated in the **PDS** has applied for or received financing (hereinafter called "funds") from the International Bank for Reconstruction and Development or the International Development Association and from the European Bank for Reconstruction and Development and from the European Investment Bank (hereinafter called individually or collectively "the Bank") towards the cost of the project named in the **PDS**. The Borrower intends to apply a portion of the funds from each of these agencies to eligible payments under the contract(s) resulting from the bidding for which this prequalification is conducted.

3. Fraud and Corruption

- 3.1 It is the Bank's policy to require that Borrowers (including beneficiaries of Bank loans), as well as bidders, suppliers, and contractors and their subcontractors under Bank-financed contracts, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, the Bank:
 - (a) defines, for the purposes of this provision, the terms set forth below as follows:
 - (i) "corrupt practice" is the offering, giving, receiving or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;
 - (ii) "fraudulent practice" is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or

In this context, any action taken by a bidder, supplier, contractor, or a sub-contractor to influence the procurement process or contract execution for undue advantage is improper.

² "another party" refers to a public official acting in relation to the procurement process or contract execution]. In this context, "public official" includes World Bank staff and employees of other organizations taking or reviewing procurement decisions.

a "party" refers to a public official; the terms "benefit" and "obligation" relate to the procurement process or contract execution; and the "act or omission" is intended to influence the procurement process or contract execution.

- other benefit or to avoid an obligation;
- (iii) "collusive practice" is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;
- (iv) "coercive practice" is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
- (v) "obstructive practice" is
 - (aa) deliberately destroying, falsifying, altering or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede a Bank investigation into allegations of a corrupt, fraudulent, coercive or collusive practice; and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation; or
 - (bb) acts intended to materially impede the exercise of the Bank's inspection and audit rights provided for under sub-clause 3.1 (e) below.
- (b) will reject a proposal for award if it determines that the bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive or obstructive practices in competing for the contract in question;
- (c) will cancel the portion of the loan allocated to a contract if it determines at any time that representatives of the Borrower or of a beneficiary of the loan engaged in corrupt, fraudulent, collusive, or coercive practices during the procurement or the execution of that contract, without the Borrower having taken timely and appropriate action satisfactory to the Bank to address such practices when they occur;
- (d) will sanction a firm or individual, including declaring ineligible, either indefinitely or for a stated period of time, to be awarded a Bank-financed contract if it at any time determines that the firm has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive or obstructive practices in competing for, or in executing, a Bank-financed contract; and
- (e) will have the right to require that a provision be included in

⁴ "parties" refers to participants in the procurement process (including public officials) attempting to establish bid prices at artificial, non competitive levels.

a "party" refers to a participant in the procurement process or contract execution.

bidding documents and in contracts financed by a Bank loan, requiring bidders, suppliers, and contractors and their sub-contractors to permit the Bank to inspect their accounts and records and other documents relating to the bid submission and contract performance and to have them audited by auditors appointed by the Bank.

4. Eligible Applicants

- 4.1 An Applicant shall be a private, public or government owned legal entity, subject to ITA 4.8, or any combination of them in the form of association(s) including Joint Venture (JV) with the formal intent, as evidenced by a letter of intent), to enter into an agreement or under an existing agreement. In the case of a JV, unless otherwise specified in the **PDS**, (i) all parties shall be jointly and severally liable, and (ii) there shall be no limit on the number of partners.
- 4.2 The eligibility criteria listed in this Clause 4 shall apply to the Applicant, including the parties constituting the Applicant, i.e., its proposed partners, subcontractors or suppliers for any part of the Contract including related services.
- 4.3 An Applicant may have the nationality of any country, subject to the restrictions pursuant to sub clause 4.11. An Applicant shall be deemed to have the nationality of a country if the Applicant is a citizen, or is constituted, incorporated or registered and operates in conformity with the provisions of the laws of that country, as evidenced by its Articles of Incorporation or Documents of Constitution, and its Registration Documents.
- 4.4 Applicants and all parties constituting the Applicant shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they participated as a consultant in the preparation of the design or technical specifications of the Works that are the subject of this prequalification. Where a firm, or a firm from the same economic or financial group, in addition to consulting, also has the capability to manufacture or supply goods or to construct works, that firm, or a firm from the same economic or financial group, cannot normally be a supplier of goods or works, if it provided consulting services for the contract corresponding to this prequalification, unless it can be demonstrated that there is not a significant degree of common ownership, influence or control.
- 4.5 An Applicant shall submit only one application in the same Prequalification process, either individually as an Applicant or as a partner of a joint venture. No Applicant can be a subcontractor while submitting an application individually or as a partner of a joint venture in the same Prequalification process. A Subcontractor in any application may participate in more than one application, but only in that capacity.

An Applicant who submits, or participates in, more than one application will cause all the applications in which the Applicant has participated to be disqualified.

- 4.6 An Applicant that is under a declaration of ineligibility by the Bank in accordance with ITA 3, at the date of submission of the application or thereafter, shall be disqualified. The Bank maintains a list of firms and individuals that have been sanctioned by the Bank pursuant to Sub-Clause 3.1 (c) and are not eligible to participate in procurement financed by the Bank. The list is regularly updated; its address is specified in the **PDS**.
- 4.7 Government-owned entities in the Employer's Country shall be eligible only if they can establish that they are legally and financially autonomous, and operate under commercial law, and that they are not dependent agencies of the Employer.
- 4.8 Applicants shall not be under execution of a Bid–Securing Declaration in the Employer's Country.
- 4.9 Applicants and all parties constituting the Applicant shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.
- 4.10 Applicants from an eligible country may be excluded if, (a) as a matter of law or official regulations the Borrower's country prohibits commercial relations with that country, provided that the Bank is satisfied that such exclusion does not preclude effective competition for the supply of goods or the contracting of works required; or (b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Borrower's country prohibits any import of goods or contracting of works or services from that country, or any payments to persons or entities in that country. Section VI, Eligible countries provide lists of ineligible countries pursuant to this Sub Clause 4.11.
- 5. Eligible Goods and Related Services
- 5.1 All goods and related services to be supplied under the Contract to be financed by the Bank shall have as their origin in any country in accordance with Section V, Eligible Countries.

B. Contents of the Prequalification Document

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

PART 1 Prequalification Procedures

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

PART 2 Works Requirements

- Section VI. Scope of Works
- 6.2 The "Invitation for Prequalification Applications" issued by the Employer is not part of the prequalification document. A sample form is provided as an attachment to this Prequalification Document for information only.
- 6.3 The Employer accepts no responsibility for the completeness of the prequalification document and its addenda unless they were obtained directly from the Employer.
- 6.4 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish all information or documentation required by the Prequalification Document.
- 7. Clarification of Prequalification

 Document
- 7.1 A prospective Applicant requiring any clarification of the Prequalification Document shall contact the 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 applications. The Employer shall forward copies of its response to all applicants who have acquired the prequalification document directly from the Employer including a description of the inquiry but without identifying its source. Should the Employer deem it necessary to amend the prequalification document as a result of a clarification, it shall do so following the procedure under ITA 8 and in accordance with the provisions of ITA 17.2.
- 8. Amendment of 8.1 Prequalification Document
 - 8.1 At any time prior to the deadline for submission of applications, the Employer may amend the Prequalification Document by issuing addenda.
 - 8.2 Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the prequalification document from the Employer.
 - 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.

C. Preparation of Applications

9. Cost of Applications

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

10. Language of Application

10.1 The application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be written in the language specified in the **PDS**. Supporting documents and printed literature that are part of the application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified in the **PDS**, in which case, for purposes of interpretation of the application, the translation shall govern.

11. Documents Comprising the Application

- 11.1 The application shall comprise the following:
 - (a) Application Submission Form, in accordance with ITA 12;
 - (b) documentary evidence establishing the Applicant's eligibility to prequalify, in accordance with ITA 13;
 - (c) documentary evidence establishing the Applicant's qualifications, in accordance with ITA 14; and
 - (d) any other document required as specified in the **PDS**.
- 12. Application Submission Form
- 12.1 The Applicant shall prepare an Application Submission Sheet using the form furnished in Section IV, Application Forms. This Form must be completed without any alteration to its format.
- 13. Documents
 Establishing
 the Eligibility
 of the
 Applicant
- 13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Form and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV, Application Forms.
- 14. Documents
 Establishing
 the
 Qualifications
 of the
 Applicant
- 14.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.

15. Signing of the Application and Number of Copies

- 15.1 The Applicant shall prepare one original of the documents comprising the application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant.
- 15.2 The Applicant shall submit copies of the signed original application, in the number specified in the **PDS**, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail

D. Submission of Applications

16. Sealing and Identification of Applications

- 16.1 The Applicant shall enclose the original and the copies of the application in 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.

17. Deadline for Submission of Applications

- 17.1 Applicants may always submit their applications by mail or by hand. When so specified in the **PDS**, applicants shall have the option of submitting their applications electronically, in accordance with electronic application submission procedures specified in the **PDS**. Applications shall be received by the Employer at the address and no later than the deadline indicated in the **PDS**. A receipt will be given for all applications submitted.
- 17.2 The Employer may, at its discretion, extend the deadline for the submission of applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.
- 18. Late Applications
- 18.1 Any application received by the Employer after the deadline for submission of applications prescribed in accordance with ITA 17 will be treated as indicated in the PDS.

19. Opening of Applications

19.1 Any specific electronic application opening procedures required if electronic submission of applications is permitted pursuant to Sub Clause 17.1 shall be as specified in the **PDS.** Employer shall prepare a record of the opening of applications that shall include, as a minimum,

the name of the Applicant. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

20. Confidentiality

- 20.1 Information relating to the evaluation of applications, and recommendation for prequalification, shall not be disclosed to Applicants or any other persons not officially concerned with such process until the notification of prequalification is made to all Applicants.
- 20.2 From the deadline for submission of applications to the time of notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Employer on any matter related to the prequalification process, may do so but only in writing.

21. Clarification of Applications

- 21.1 To assist in the evaluation of applications, the Employer may, at its discretion, ask any Applicant for a clarification of its application which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing.
- 21.2 If an Applicant does not provide clarifications of the information requested by the date and time set in the Employer's request for clarification, its application may be rejected.
- 22. Responsiveness of Applications
- 22.1 The Employer may reject any application which is not responsive to the requirements of the prequalification document.
- 23. Domestic Bidder Price Preference
- 23.1 Unless otherwise specified in the **PDS**, a margin of preference for domestic bidders shall not apply in the bidding process resulting from this prequalification.

24. Subcontractors

- 24.1 Applicants planning to subcontract any of the key activities indicated in Section III, Qualification Criteria, shall specify the activity(ies) or parts of the works to be subcontracted in the Application Submission Form. Applicants shall clearly identify the proposed specialist subcontractors in Forms ELI-1.2 and EXP (experience)-4.2(b) in Section IV. Such proposed specialist subcontractor(s) shall meet the corresponding qualification requirements specified in Section III, Qualification Criteria and Requirements.
- 24.2 At this time, the Employer does not intend to execute certain specific parts of the Works by subcontractors selected in advance by the Employer (Nominated Subcontractors) unless otherwise stated in the **PDS.**

F. Evaluation of Applications and Prequalification of Applicants

25. Evaluation of Applications

- 25.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements to evaluate the qualifications of the Applicants. The use of other methods, criteria, or requirements shall not be permitted. The Employer reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of an Applicant to perform the contract.
- 25.2 Only the qualifications of subcontractors that have been identified in the application may be considered in the evaluation of an Applicant. However, the general experience and financial resources of subcontractors may not be added to those of the Applicant for purposes of prequalification of the Applicant.
- 25.3 In case of multiple contracts, the Employer shall prequalify each Applicant for the maximum number and types of contracts for which the Applicant meets the appropriate aggregate requirements of such contracts, as specified in Section III, Qualification Criteria and Requirements.
- 26. Employer's
 Right to
 Accept or
 Reject
 Applications
- 26.1 The Employer reserves the right to accept or reject any application, and to annul the prequalification process and reject all applications at any time, without thereby incurring any liability to Applicants.
- 27. Prequalification of Applicants
- 27.1 All Applicants whose applications have met or exceeded ("passed") the specified threshold requirements will, to the exclusion of all others, be prequalified by the Employer.
- 28. Notification of Prequalification
- 28.1 Once the Employer has completed the evaluation of the applications it shall notify all Applicants in writing of the names of those applicants who have been prequalified.
- 29. Invitation to Bid
- 29.1 Promptly after the notification of the results of the prequalification the Employer shall invite bids from all the Applicants that have been prequalified.
- 29.2 Bidders may be required to provide a Bid Security or a Bid Securing Declaration acceptable to the Employer in the form and an amount to be specified in the Bidding Documents, and the successful Bidder shall be required to provide a Performance Security to be specified in the Bidding Documents.

30. Changes in Qualifications of Applicants

30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to bid shall be subject to a written approval of the Employer prior to the deadline for submission of bids. Such approval shall be denied if as a consequence of the change the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria and Requirements, or if in the opinion of the Employer, a substantial reduction in competition may result. Any such changes shall be submitted to the Employer not later than 14 days after the date of the Invitation for Bids.

Section II. Prequalification Data Sheet

A. General				
ITA 1.1	The Employer is:			
	State Road Adminstration			
	str Bucurei, 12 A			
	Chisinau, MD 2004, Moldova			
	Project Officer: Anatolii Usatii, Room 336			
ITA 1.1	The list of contracts is:			
	Contract 1: Balti - Sarateni Rehabilitation			
	Contract 2: Chisinau – Orhei Rehabilitation			
	Contract 3: Chisinau – Hincesti Rehabilitation			
ITA 1.1	ICB name and number are: ICB 1: Road Rehabilitation Works			
ITA 2.1	The name of the Borrower is: The Republic of Moldova			
ITA 2.1	The name of the Project is: Road Sector Program Support Project			
ITA 4.1	(i) The parties in a JV shall be jointly and severally liable.			
	(ii) Maximum number of partners in the JV shall be not limited.			
ITA 4.6	The electronic address of firms debarred by the Bank is:			
	http://www.worldbank.org/debarr.			

	B. Contents of the Prequalification Document					
ITA 7.1 For clarification purposes, the Employer's address is:						
	The same as 1.1 above					
	Attention: Anatolii Usatii, Room 336					
	Telephone: +373 22 221114					
	Facsimile number: +373 22 741219					
	Electronic mail address: usatii@asd.md					

C. Preparation of Applications						
ITA 10.1 The language of the application as well as of all correspondence is English.						
The Applicant shall submit with its application, the following additional documents: Audited Accounts for the years 2002, 2003, 2004, 2005 and 2006.						
ITA 15.2	In addition to the original, the number of copies to be submitted with the application is: 3 copies					

D. Submission of Applications					
ITA 17.1	Applicants shall not have the option of submitting their applications electronically.				
	For application submission purposes only, the Employer's address is:				
	Attention: Mr. Vitali Panurco, Room 301				
	Address: State Road Administration				
	Str Bucurei, 12 A				
	Chisinau				
	MD – 2004 Moldova				
	Telephone: +373 22 221114 Facsimile number: +373 22 741219 Electronic mail address: usatii@asd.md				

	The deadline for application submission is:				
	Date: October 16 st 2007				
	Time: 10:00 Hrs.				
ITA 18.1	Late applications will be returned unopened to the Applicants.				

E. Procedures for Evaluation of Applications						
ITA 23.1 A margin of preference shall not apply for eligible domestic bidders.						
ITA 24.2	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 Criteria and Requirements

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.

Contents

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

							Documentation
	Eligibility and Qualification Criteria			Compliance Requirements Joint Venture			
No.	Subject	Requirement	Single Entity	All Parties Combined	Each Partner	One Partner	Submission Requirements
1. E	ligibility	,					
1.1	Nationality	Nationality in accordance with ITA Sub-Clause 4.3	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in ITA Sub-Clause 4.4	Must meet requirement	Existing or intended JV must meet requirement	Must meet requirement	N/A	Application Submission Form
1.3	Bank Ineligibility	Not having been declared ineligible by the Bank, as described in ITA Sub-Clause 4.6	Must meet requirement	Existing JV must meet requirement	Must meet requirement	N/A	Application Submission Form
1.4	Government Owned Entity	Applicant required to meet conditions of ITA Sub-Clause 4.8	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.5	United Nations resolution or Borrower's country law	Not having been excluded as a result of the Borrower's country laws or official regulations, or by an act of compliance with UN Security Council resolution, in accordance with ITA 4.11	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments

	Eligibility and C	Qualification Criteria		Compliance	Requirements		Documentation
NI.	Ocalista art	B	Observator Francisco		Joint Venture		0
No.	Subject	Requirement	Single Entity	All Parties	Each Partner	One Partner	Submission
				Combined			Requirements
2. H	istorical Contra	ct Non-Performance					
2.1	History of	Non-performance of a	Must meet	N/A	Must meet	N/A	Form CON-2
	Non-	contract did not occur	requirement by		requirement by		
	Performing	within the last 5 years	itself or as		itself or as		
	Contracts	prior to the deadline for	partner to past		partner to past		
		application submission	or existing JV		or existing JV		
		based on all information					
		on fully settled disputes					
		or litigation. A fully settled					
		dispute or litigation is one					
		that has been resolved in					
		accordance with the					
		Dispute Resolution					
		Mechanism under the					
		respective contract and					
		where all appeal					
		instances available to the					
		applicant have been					
		exhausted.					
2.2	Failure to Sign	Not being under	Must meet	Must meet	Must meet	N/A	Application
2.2	Contract	execution of a Bid	requirement	requirement	requirement	14/73	Submission
	Contract	Securing Declaration	requirement	requirement	requirement		Form
		pursuant to Sub-Clause					1 OIIII
		4.9 for 5 years					
2.3	Pending	All pending litigation shall	Must meet	N/A	Must meet	N/A	Form CON – 2
2.0	Litigation	in total not represent	requirement by	1 1/7	requirement by	1 1/7	I Silli OON - Z
	Litigation	more than 10% (Ten	itself or as a		itself or as a		
		percent) of the	partner to past		partner to past		
		Applicant's net worth and	or existing JV				
		shall be treated as	or existing JV		or existing JV		
		resolved against the					
		Applicant					

	Eligibility and (Qualification Criteria		Compliance	Requirements		Documentation
No.	Subject	Requirement	Single Entity	All Parties	Joint Venture Each Partner	One Partner	Submission
				Combined			Requirements
3. Fi	inancial Situatio	on					
3.1	Financial Performance	Submission of audited balance sheets or if not required by the law of the Applicant's country, other financial statements acceptable to the Employer, for the last 5 years to demonstrate: (a) the current soundness	Must meet requirement (a) Must meet	N/A (a) N/A	Must meet requirement (a) Must meet	N/A (a) N/A	Form FIN – 3.1 with attachments
		of the applicant's financial position and its prospective long term profitability, and (b) capacity to have a cash flow amount of US\$	(b) Must meet requirement	(b) Must meet requirement	requirement (b) N/A	(b) N/A	
		2 million equivalent	·	,			
3.2	Average Annual Construction Turnover	Minimum average annual construction turnover of US\$ 30 million (Thirty Million) calculated as total certified payments received for contracts in progress or completed, within the last 5 (Five) years divided by 5.	Must meet requirement	Must meet requirement	Must meet 40 % (Forty percent) of the requirement	Must meet 75% (Seventy Five percent) of the requirement	Form FIN – 3.2

	Eligibility and C	Qualification Criteria		Compliance	Requirements		Documentation
			01 1 7 11	·	Joint Venture		
No.	Subject	Requirement	Single Entity	All Parties	Each Partner	One Partner	Submission
				Combined			Requirements
4. E	xperience						
4.1	General Construction Experience	Experience under construction contracts in the role of contractor, subcontractor, or management contractor for at least the last 5	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1
		years prior to the application submission deadline, and with activity in at least nine (9) months in each year.					
4.2 (a)	Specific Construction Experience	Participation as contractor in at least 2 contracts within the last 5 years, such participation to have a value of at least US\$ 15 million on each contract, that have been successfully and substantially completed and that are similar to the proposed works. The similarity shall be based on the physical size, complexity, methods/technology or other characteristics as described in Section VI, Scope of Works	Must meet requirement	Must meet requirement	N/A	Must meet requirement for one contract (can be a specialist subcontractor	Form EXP 4.2(a)

	Eligibility and	Qualification Criteria		Compliance	Requirements Joint Venture		Documentation
No.	Subject	Requirement	Single Entity	All Parties	Each Partner	One Partner	Submission
		·		Combined	Lacii Faithei	One Faither	Requirements
4.2 (b)	Specific Construction Experience	For the above or other contracts executed during the period stipulated in 4.2 (a) above, a minimum construction experience in the following key activities: For all Contracts: Production and laying of Asphaltic Concrete at a rate of not less than 20,000 tons per month and 100,000 tons per annum on a single contract. For Contract 1- Chisinau-Hincesti and Contract 2 - Balti-Sarateni: Placing and compaction of Earthworks at a rate of 10,000 m3 per month Production of bored piling with dia in excess of 1m. and pile length in excess of 30 m. at a rate of 500 l.m. per month	Must meet requirements	Must meet requirements	N/A	Must meet the following requirements for the key activities listed below (can be a specialist subcontractor) For all Contracts: Production and laying of Asphaltic Concrete at a rate of not less than 20,000 tons per month and 100,000 tons per annum on a single contract. For Contract 1- Chisinau-Hincesti and Contract 2- Balti-Sarateni: Placing and compaction of Earthworks at a rate of 10,000 m3 per month Production of	Form EXP – 4.2 (b)

	Fligibility and O	ualification Criteria		Compliance	Requirements		Documentation
No.	Subject	Requirement	Single Entity	All Parties Combined	Joint Venture Each Partner	One Partner	Submission Requirements
						bored piling with dia in excess of 1m. and pile length in excess of 30 m. at a rate of 500 l.m. per month	

Note:

The Criteria given above are the basic criteria to prequalify for a single contract. In order to assess suitability for the award of more than one contract the financial requirements in 3.1 b), 3.2 and 4.2 a) and the production capacity requirement of 4.2 b) will be increased pro rata to the number of contracts being considered.

All Specific Construction Experience must be clearly demonstrated in form 4.2(a) above.

Section IV. Application Forms

Table of Forms

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Application Submission Form

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

To: The State Road Administration

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

- (a) we have examined and have no reservations to the Prequalification Documents, including Addendum(s) No(s)., issued in accordance with Instructions to Applicants (ITA) Clause 8: [insert the number and issuing date of each addendum].
- (b) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification process, have nationalities from eligible countries, in accordance with ITA Sub-Clause 4.3: [insert the nationality of the Applicant, including that of all partners in case of a Joint Venture, and the nationality of each already identified subcontractor and supplier of related services, if applicable];
- (c) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification, do not have any conflict of interest, in accordance with ITA Sub-Clause 4.4;
- (d) we, including any subcontractors or suppliers for any part of the contract resulting from this prequalification, have not been declared ineligible by the Bank, or under the Employer's country laws, official regulations, or under execution of a Bid Securing Declaration in the Employer's Country, or by an act of compliance with a decision of the United Nations Security Council, in accordance with ITA Sub-Clauses 4.6, 4.9 and 4.11;
- (e) [insert either "we are not a Government owned entity" or "we are a Government entity, and we meet the requirements of ITA Sub-Clause 4.8];
- (f) we, in accordance with ITA Sub-Clause 24.1, plan to subcontract the following key activities and/or parts of the works:
 - [insert any of the key activities identified in Section III- 4.2 (b) which the Applicant intends to subcontract]
- (g) we declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding bidding process or execution of the Contract:

Name of Recipient	Address	Reason	<u>Amount</u>		
[insert full name for each occurrence]	[insert street/ number/city/country]	[indicate reason]	[specify amount in US\$ <u>equivalent]</u>		
[If none has been paid	or is to be paid, indicate '	'none".]			
neither bound to applicants to bid	accept any application th	nat you may receive not this prequalification, w	at any time and that you are or to invite the prequalified rithout incurring any liability		
Signed [insert signature	re(s) of an authorized repr	esentative(s) of the Appl	icant]		
Name [insert full name	of person signing the appl	lication]			
In the Capacity of [ins	ert capacity of person sign	ing the application]			
Duly authorized to sign	the application for and on	behalf of:			
Applicant's Name [ins	ert full name of Applicant]	Address [insert			
street number/town or	city/country address]				
Dated on [insert day n	umber] day of [insert mon	th], [insert year]			

Form ELI -1.1 **Applicant Information Form**

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

Applic	ant's legal name
[insert	t full legal name]
In case	e of Joint Venture (JV), legal name of each partner:
[insert	t full legal name of each partner in JV]
Applica	ant's Actual or Intended country of constitution:
[indica	ate country of Constitution]
Applica	ant's actual or Intended year of constitution:
[indice	ate year of Constitution]
Applic	eant's legal address in country of constitution:
[insert	t street/ number/ town or city/ country]
Applic	ant's authorized representative information
Name:	[insert full legal name]
Addres	ss: [insert street/ number/ town or city/ country]
Teleph	none/Fax numbers: [insert telephone/fax numbers, including country and city codes]
E-mail	address: [indicate e-mail address]
Attache	ed are copies of original documents of
	rticles of Incorporation or Documents of Constitution, and documents of registration of the gal entity named above, in accordance with ITA 4.3.
□ In	case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.1.
	case of Government owned entity, documents establishing legal and financial autonomy and compliance with commercial law, in accordance with ITA 4.8.

Form ELI -1.2 Applicant's Party Information Form

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

Date: ~insert day, month, yearJ ICB No. and title: ~insert ICB number and titleJ Page ~insert page number of ~insert total number pages

JV applicant legal name:
[insert full legal name]
Applicant's Party legal name:
[insert full legal name of Applicant's Party]
Applicant's Party country of registration:
[indicate country of registration]
Applicant Party's year of constitution:
[indicate year of constitution]
Applicant Party's legal address in country of constitution:
[insert street/ number/ town or city/ country]
Applicant Party's authorized representative information
Name: [insert full legal name]
Address: [insert street/ number/ town or city/ country]
Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes]
E-mail address: [indicate e-mail address]
Attached are copies of original documents of
Articles of Incorporation or Documents of Constitution, and Registration Documents of the legal entity named above, in accordance with ITA 4.3.
☐ In case of a Government owned entity, documents establishing legal and financial autonomy and compliance with commercial law, in accordance with ITA 4.8.

Form CON – 2 Historical Contract Non-Performance

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

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

N	Non-Performing C	Contracts in accordance with Section III, Qualification C	Criteria and
		Requirements	
		nance did not occur during the 5 years specified in Sectionents, Sub-Factor 2.1.	n III, Qualification
	ntract(s) not performing performance to the perform	rmed during the 5 years specified in Section III, Qualification 2.1	cation Criteria and
Year	Non performed portion of contract	Contract Identification	Total Contract Amount (current value, US\$ equivalent)
[insert year]	[insert amount and percentage]		[insert amount]
Pending L	itigation, in accord	dance with Section III, Qualification Criteria and Require	ements
	pending litigation -Factor 2.2	in accordance with Section III, Qualification Criteria an	d Requirements,
	ding litigation in a tor 2.2 as indicate	ccordance with Section III, Qualification Criteria and Read below.	quirements, Sub-

Year	Outcome as Percentage of Total Assets	Contract Identification	Total Contract Amount (current value, US\$ equivalent)
[insert year]	[insert percentage]	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Employer: [insert full name] Address of Employer: [insert street/city/country] Matter in dispute: [indicate main issues in dispute]	[insert amount]

Form FIN – 3.1 Financial Situation

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

Applicant's Legal Name: [insert full name]

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

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

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

1. Financial data

Financial information in (US\$ equivalent in 000s)	Historic information for previous 5 years, (Five years) (US\$ equivalent in 000s)						
	Year 1	Year 2	Year 3	Year 4	Year 5		
	Informatio	n from Balar	nce Sheet				
Total Assets (TA)							
Total Liabilities (TL)							
Net Worth (NW)							
Current Assets (CA)							
Current Liabilities (CL)							
	Information	from Income	Statement				
Total Revenue (TR)							
Profits Before Taxes (PBT)							

2. Financial documents

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

- (a) reflect the financial situation of the Applicant or partner to a JV, and not sister or parent companies.
- (b) be audited by a certified accountant.
- (c) be complete, including all notes to the financial statements.
- (d) correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).
- ☐ Attached are copies of financial statements (balance sheets, including all related notes, and income statements) for the 5 years required above; and complying with the requirements.

Form FIN - 3.2 Average Annual Construction Turnover

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

Applicant's/Joint Venture Partner's Legal Name: [insert full name]

Date: [insert day, month, year]

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

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

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

Annual turnover data (construction only)							
Year	Amount and Currency	US\$ equivalent					
[indicate year]	[insert amount and indicate currency]	[insert amount in US\$ equiv.]					
Average Annual Construction Turnover *							

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

Form EXP - 4.1 General Construction Experience

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

Applicant's/Joint Venture Partner's Legal Name: [insert full name]

Date: [insert day, month, year]

Applicant JV Party Legal Name: [insert full name]

ICB No. and title: [insert ICB number]

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

[Identify contracts that demonstrate continuous construction work over the past 5 years pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 4.1.List contracts chronologically, according to their commencement (starting) dates.]

Starting Month / Year	Ending Month / Year	Contract Identification	Role of Applicant
[indicate month/ year]	[indicate month/ year]	Contract name: [insert full name] Brief Description of the Works performed by the Applicant: [describe works performed briefly] Amount of contract: [insert amount in US\$ equivalent] Name of Employer: [indicate full name] Address: [indicate street/number/town or city/country]	(insert "Contractor" or "Subcontractor" or "Contract Manager"]
		Contract name: [insert full name] Brief Description of the Works performed by the Applicant: [describe works performed briefly] Amount of contract: [insert amount in US\$ equivalent] Name of Employer: [indicate full name] Address: [indicate street/number/town or city/country]	(insert "Contractor" or "Subcontractor" or "Contract Manager"]
		Contract name: [insert full name] Brief Description of the Works performed by the Applicant: [describe works performed briefly] Amount of contract: [insert amount in US\$ equivalent] Name of Employer: [indicate full name] Address: [indicate street/number/town or city/country]	(insert "Contractor" or "Subcontractor" or "Contract Manager"]

Form EXP - 4.2(a) Similar Construction Experience

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

Applicant's/Joint Venture Partner's Legal Name: [insert full name]

Date: [insert day, month, year]

JV Party Name: [insert full name]

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

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

Similar Contract No. [insert number] of [insert number of similar contracts required]		Information				
Contract Identification	[insert contract	name and number,	if applicable]			
Award date	[insert day, mo	onth, year, i. e., 15 J	une, 2015]			
Completion date	[insert day, m	onth, year, i.e., 03 (October, 2017]			
Role in Contract [check the appropriate box]	Contractor	Management Contractor	Subcontractor			
Total Contract Amount	[insert total contro local currency]	act amount in	US\$ [insert total contract amount in US\$ equivalent]			
If partner in a JV, or subcontractor, specify participation in total contract amount	[insert a percentage amount]	[insert total contract amount in local currency]	[insert total contract amount in US\$ equivalent]			
Employer's Name:	[insert full name]					
Address:	· -	umber / town or city	/country]			
Telephone/fax number	[insert telephone/focity area codes]	ax numbers, includin	ng country and			
E-mail:	[insert e-mail address, if available]					

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

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

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

[The following table shall be filled in for contracts performed by the Applicant, each partner of a Joint Venture, and specialist sub contractors where they wish to demonstrate experience in a key activity]

Applicant's Legal Name: [insert full name]

Date: [insert day, month, year]

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

Subcontractor's Legal Name (as per ITA 24.1): [insert full name]

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

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

All Subcontractors for key activities must complete the information in this form as per ITA 24.1 and Section III, Qualification Criteria and Requirements, Sub-Factor 4.2.

1. Key Activity Number One: [insert brief description of the Activity, emphasizing its specificity]

1 0 01								
	Information							
Contract Identification	[insert contract name and number, if applicable]							
Award date	[insert day, mo	nth, year, i. e., 15 J	June, 2015]					
Completion date	[insert day, mo	nth, year, i.e., 03 C	October, 2017]					
Role in Contract [check the appropriate box]	Contractor	Management Contractor	Subcontractor					
Total Contract Amount	[insert total conti	ract amount in	US\$ [insert Total contract amount in US\$ equivalent]					
If party in a JV, specify participation of total contract amount	[insert a percentage amount	[insert total contract amount in local currency]	[insert total contract amount in US\$ equivalent]					

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

Activity Number Tw	'O
--------------------------------------	----

3.																					
٥.	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠

	Information
Description of the key activities in accordance with Sub-Factor 4.2(b) of Section III:	
	[insert response to inquiry indicated in left column]

Section V. Eligible Countries

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

- 1. In accordance with Para 1.8 of the Guidelines: Procurement under IBRD Loans and IDA Credits, dated May 2004, the Bank permits firms and individuals from all countries to offer goods, works and services for Bank-financed projects. As an exception, firms of a Country or goods manufactured in a Country may be excluded if:
 - Para 1.8 (a) (i): as a matter of law or official regulation, the Borrower's Country prohibits commercial relations with that Country, provided that the Bank is satisfied that such exclusion does not preclude effective competition for the supply of the Goods or Works required, or
 - Para 1.8 (a) (ii): by an Act of Compliance with a Decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Borrower's Country prohibits any import of goods from that Country or any payments to persons or entities in that Country.
- 2. For the information of borrowers and bidders, at the present time firms, goods and services from the following countries are excluded from this bidding:
 - (a) With reference to paragraph 1.8 (a) (i) of the Guidelines:

 [insert list of countries prohibited under official regulations of the country]
 - (b) With reference to paragraph 1.8 (a) (ii) of the Guidelines:

 [insert list of countries which are banned under UN Security Council Chapter VII]

PART 2 – Works Requirements

Section VI. Scope of Works

Contents

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1. Description of the Works

The works comprise the resurfacing and strengthening of existing roads in the central area of Moldova.

The Works have been divided into three separate, non-contiguous contracts which are expected to be of roughly equal value.

It is anticipated that the bulk of the works will comprise Asphaltic Concrete overlays laid over existing surfacing which will require reshaping by milling off high spots and laying regulating courses to low areas. Additional preparatory works will be required in some areas to deal with heavy cracking in the existing asphalt pavements. Limited sections of the project roads will require complete reconstruction comprising pavement removal, subbase, base and asphalt construction. Other sections will require partial reconstruction to full depth along the edges of the existing pavement where limited edge failures have occurred.

Road widths on all three contracts vary with sections of 6, 4, 3 and two lanes occurring in all contracts together with additional climbing lanes in some sections

In addition to the overlay and pavement reconstruction works there will be a limited amount of minor reparation works to shoulders and side drainage and to structures.

On Contract 1; Balti – Sarateni and on Contract 3: Chisinau - Hincesti, slip remedial works to failed embankment slopes will be required. These works will probably take the form of toe reinforcement using bored piles of about 1 metre diameter linked with a reinforced concrete slab and coupled with reshaping of embankment slopes and the removal and replacement/recompaction of the upper layers of the affected embankment areas. The volume of work in each case is likely to be in the order of 2000 lin.m. of piling and 50,000 cu.m. of earthworks. When completed, the remedial works areas will require to be vegetated with trees, bushes and grasses.

All the existing roads are of flexible pavement construction with asphalt surfacing on crushed stone base with the exception of Contract 3: Chisinau - Hincesti where the first 3.8 kilometers of the works are on concrete slab pavement.

It is anticipated that between 1,000 and 2,000 cu.m. of concrete paving will be required, including reconstruction of the section of pavement

2. Construction Period

Winter seasons in Moldova are not generally suitable for asphalt concrete production and laying. It is therefore intended that the contract periods will be arranged to allow two full summer working seasons for the implementation of the works.

3. Site and Other Data

Contract 1: Balti - Sarateni (67 kilometres approx.) follows the R14, commencing at the southern municipal boundary of Balti and running south east to Sarateni some 25 kilometers north of Orhei at the junction of R14 and M2. The final location of the end point at Sarateni will be established on completion of the final design. Remedial works to a serious slip area at the north end of the Singerei Bypass are included in the contract.

Contract 2: Chisinau – Orhei (40 kilometers approx.) follows the M2 and runs roughly north from Chisinau to Orhei commencing at the Chisinau municipal boundary. It is intended that the end point of the Contract will be in the region of Orhei and the final location of the end point will be established on completion of the final design.

Contract 3: Chisinau – Hincesti (30 kilometers approx.) follows the R3 commencing at the Chisinau municipal boundary and running roughly south west from Chisinau to link with the Hincesti Bypass. Remedial works to a serious slip area at the start of the project are included in the contract.

Aggregates

Applicants should be aware that the supply of suitable aggregates for high quality asphalt surfacing in Moldova is difficult. The country generally is limestone based and there is only one source of hard aggregate, granite, in the country at Soroca in the north. In the past supplies of hard aggregates have also been secured from the Ukraine and imported by rail.