

P/Q

***STANDARD PREQUALIFICATION
DOCUMENTS UNDER JAPANESE ODA
LOANS***



***Japan International Cooperation Agency
(JICA)***

October 2012

version 1.1

Preface

These Standard Prequalification Documents (SPD) have been prepared by Japan International Cooperation Agency (JICA).

These SPD are consistent with the Guidelines for Procurement under Japanese ODA Loans, April 2012 and their use is **required** for the prequalification process of contracts to be financed, in whole or in part, by JICA under the aforesaid Guidelines. The use of these SPD is also encouraged for the prequalification process of contracts under the Guidelines for Procurement published in October 1999 or March 2009, as these SPD reflect recent best practices of public procurement and JICA's policy.

These SPD are to be used to facilitate prequalification of Bidders for large or complex civil works contracts* to be procured through International Competitive Bidding (ICB) in projects that are financed, in whole or in part, with Japanese ODA Loans. This is to ensure that only firms with appropriate experience, a proven track record, and necessary annual turnover, which are free of any major pending litigation, will be invited to submit Bids.

The structure and the provisions of these SPD are harmonized with the Standard Prequalification Documents of the Multilateral Development Banks, except where specific considerations within JICA have required a change.

If the user has questions regarding the use of these SPD, the appropriate JICA's official should be consulted.

* For industrial plant, custom designed or heavy equipment and other types of contracts, the contents of these SPD, in particular the Section III. Qualification Criteria and Requirements, should be adapted to the needs of the specific procurement.

Summary Description

A brief description of these Standard Prequalification Documents (SPD) is given below.

Standard Prequalification Documents

Invitation for Prequalification (IFP)

A form of “Invitation for Prequalification” is provided at the beginning of these SPD for reference.

PART 1. PREQUALIFICATION PROCEDURES

Section I. Instructions to Applicants (ITA)

This Section provides relevant information to help Applicants prepare their Applications. Information is also provided on the submission, opening, and evaluation of Applications. **Section I contains provisions that are to be used without modification.**

Section II. Prequalification Data Sheet (PDS)

This Section includes provisions that are specific to each prequalification and that supplement the information or requirements included in Section I, Instructions to Applicants.

Section III. Qualification Criteria and Requirements

This Section specifies the methods, criteria, and requirements to be used to determine how Applicants shall be prequalified and later invited to bid.

Section IV. Application Forms

This Section includes the forms which are to be completed by Applicants and submitted as part of their Applications.

Section V. Eligible Source Countries of Japanese ODA Loans

This Section contains information regarding eligible source countries under Japanese ODA Loans.

PART 2. WORKS REQUIREMENTS

Section VI. Scope of Works

This Section includes a summary description, delivery and completion schedules, technical specifications and drawings of the Works subject of this prequalification.

Notes for Users

The use of these Standard Prequalification Documents (SPD) published by JICA is **required** for the prequalification process of contracts to be financed by Japanese ODA Loans.

These SPD have been prepared as standard documents, which shall be used without suppressing or adding text to the standard section of the document to be used without modification, which is Section I Instructions to Applicants (Standard ITA). **If the ITA of the Prequalification Documents prepared by the Employer contains modifications from the Standard ITA included in these SPD, JICA will not consider them valid and the Standard ITA, as defined above, shall apply.**

All information and data particular to each individual contract and required by Applicants in order to prepare responsive Applications must be provided by the Employer, prior to issuing the Prequalification Documents, in Prequalification Data Sheet (Section II), Qualification Criteria and Requirements (Section III), Eligible Source Countries of Japanese ODA Loans (Section V), and Scope of Works (Section VI).

The following directions should be observed when using these SPD:

- (i) Specific details, such as the name of the Employer, addresses for submission for Applications, etc. should be furnished in the spaces indicated by italicized notes inside brackets.
- (ii) The footnotes, “boxed” notes and italicized notes in these SPD, except those applying to forms to be filled out by Applicants or instructions for Applicants, are not part of the Prequalification Documents, but contain guidelines and instructions for the Employer. Do not incorporate them in the actual Prequalification Documents.
- (iii) Where alternative Clauses or texts are shown, select those which best suit the particular works and discard the alternative text which is not used.

The time allowed for preparing and submitting Applications should not be too short and should be adequate enough for Applicants to properly study the Prequalification Documents and prepare complete and responsive Applications.

A form of Invitation for Prequalification, which is not part of the Prequalification Documents, is given below for reference.

PREQUALIFICATION DOCUMENTS

for

Procurement of

[insert identification of the Works]

Employer: *[insert name of Employer]*

Country: *[insert name of Country]*

Project: *[insert name of Project]*

Loan No.: *[insert number of Loan Agreement]*

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Invitation for Prequalification

Notes on Invitation for Prequalification

The Invitation for Prequalification should be issued directly to the public (see the relevant Section of the Guidelines for Procurement under Japanese ODA Loans):

- (a) as an advertisement in at least one newspaper of general circulation in the Borrower's country; and
- (b) with sending copies of the invitation to JICA.

The Invitation for Prequalification provides information that enables potential Applicants to decide whether to participate. Apart from the essential items listed in the Prequalification Documents, the Invitation for Prequalification should also indicate any important or specialized prequalification requirements requested to qualify for the prequalification.

The Invitation for Prequalification should be consistent with the information contained in Section II - Prequalification Data Sheet.

Form of Invitation for Prequalification

Date: *[insert date of issuance of IFP]*

Loan Agreement N^o: *[insert Loan Agreement number]*

IFP N^o: *[insert number of IFP]*

1. The *[insert name of Borrower]* has received¹ a Loan from Japan International Cooperation Agency toward the cost of the *[insert name of Project]*. It is intended that part of the proceeds of this Loan will be applied to eligible payments under the contract resulting from the bidding for which this prequalification is conducted.
2. The *[insert name of Employer]* intends to prequalify contractors and/or firms for *[insert description of Works or Goods to be procured]*.²
3. It is expected that Invitation for Bids will be made in *[insert month and year]*.³
4. Prequalification will be conducted through procedures in accordance with the applicable Guidelines for Procurement under Japanese ODA Loans, and is open to all Applicants from eligible source countries, as defined in the Loan Agreement.
5. Interested eligible Applicants may obtain further information from and inspect the Prequalification Documents at the office of *[state address at end of this IFP]* from *[insert office hours]* to *[insert office hours]*.
6. A complete set of the Prequalification Documents may be purchased by interested Applicant(s) on the submission of a written Application to the address above and upon payment of a nonrefundable fee⁴ of *[insert amount in currency of Borrower's country]* or in *[insert amount in specified convertible currency]*.
7. Applications for prequalification should be submitted in sealed envelopes, delivered to the address above by *[insert date]*,⁵ and be clearly marked "Application to Prequalify for *[insert name of Project and the contract name]*."

[Insert name of office]

[Insert name of officer]

[Insert postal address] and/or *[Insert street address]*

[Insert telephone number, indicate country and city code]

[Insert facsimile or cable number]

[Insert E-mail address]

Notes

1. Substitute "has applied for," if appropriate.

2. A brief description of the Works or Goods should be provided, including quantities, location of project, and other information necessary to enable potential Bidders to decide whether or not to respond to the invitation. Bidding Documents may require Bidders to have specialized experience or capabilities; such requirements should also be included in this paragraph. Moreover, the information should be provided for each contract "slice" if prequalification is being invited for more than one contract as a "slice and package" procurement (multiple contracts), based upon the estimated cost and duration of each slice. In that case, describe the details of each contract and indicate whether Applications may be made for prequalification for one or more of the contracts.
3. Insert this sentence, if applicable.
4. The fee, if any, shall be to defray printing and mailing/shipping costs and shall be nominal.
5. The time allowed for preparation of the prequalification submission should be sufficient for Applicants to gather all the information required - preferably eight weeks, but in any case not less than six weeks after the date when the documents are available for distribution or the date of the advertisement, whichever is later. This period may be longer for very large projects, where time should be allowed for the formation of joint ventures and assembly of the necessary resources.

PART 1 – Prequalification Procedures

Section I. Instructions to Applicants

Notes on Instructions to Applicants (ITA)

Section I, Instructions to Applicants, provides the information necessary for Applicants to prepare responsive Applications in accordance with the requirements of the Employer. It also gives information on Application submission, opening, and evaluation.

The use of the Standard Instructions to Applicants set forth in Section I of these Standard Prequalification Documents (version 1.0) published by JICA in October, 2012 (hereafter referred to as “Standard ITA”), in all Prequalification Documents for the prequalification process of contracts financed by Japanese ODA Loans is **required**, and they shall be used without modification. Any necessary changes, acceptable to JICA, to address specific country and project issues, shall be introduced only through the Prequalification Data Sheet.

Section I. Instructions to Applicants

[Note to the Employer: The Instructions to Applicants governing this prequalification process are the Instructions to Applicants of the Standard Prequalification Documents (SPD) (version 1.0) published by JICA in October 2012.

A copy of the Standard Instructions to Applicants may be attached to the Prequalification Documents prepared by the Employer for reference purposes only. If the Instructions to Applicants in the Prequalification Documents prepared by the Employer contain modifications from the Standard Instructions to Applicants, JICA will not consider them valid and the Standard Instructions to Applicants, as defined above, shall apply.

Instead of attaching a copy of the Standard Instructions to Applicants, the Employer may use the following introductory text.]

The Instructions to Applicants governing this prequalification process are the “Instructions to Applicant” included in Section I of the Standard Prequalification Documents (version 1.0), published by JICA in October 2012. Those Instructions to Applicants are available on the JICA’s web site shown below:

http://www.jica.go.jp/english/our_work/types_of_assistance/oda_loans/oda_op_info/guide/tender/index.html

A copy of these Instructions to Applicants is not attached to these Prequalification Documents.

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A. General

- 1. Scope of Application**
 - 1.1 In connection with the Invitation for Prequalification **specified in Section II, Prequalification Data Sheet (PDS)**, the Employer, as **specified in the PDS**, issues these Prequalification Documents (“Prequalification Documents”) for prequalification to bid for the Works described in Section VI, Scope of Works. In case the Works are to be bid as individual contracts (i.e. the slice and package procedure), these are **specified in the PDS**.
 - 1.2 Throughout these Prequalification Documents:
 - (a) the term “in writing” means communicated in written form and delivered against receipt;
 - (b) except where the context requires otherwise, words indicating the singular also include the plural and words indicating the plural also include the singular; and
 - (c) “day” means calendar day.
- 2. Source of Funds**
 - 2.1 The Borrower **specified in the PDS** has received or has applied for a Japanese ODA Loan from Japan International Cooperation Agency (hereinafter referred to as “JICA”), with the number, in the amount, and on the signed date of the Loan Agreement **specified in the PDS**, towards the cost of the project **named in the PDS**. The Borrower intends to apply a portion of the proceeds of the loan to payments under the contract resulting from the bidding for which this prequalification is conducted.
 - 2.2 Disbursement of a Japanese ODA Loan by JICA will be subject, in all respects, to the terms and conditions of the Loan Agreement, including the disbursement procedures and the applicable Guidelines for Procurement under Japanese ODA Loans **specified in the PDS**. No party other than the Borrower shall derive any rights from the Loan Agreement or have any claim to loan proceeds.
 - 2.3 The above Loan Agreement will cover only part of the project cost. As for the remaining portion, the Borrower will take appropriate measures for finance.
- 3. Corrupt and Fraudulent Practices**
 - 3.1 In this ITA 3.1, “Bidder” and “Contractors” are used as synonyms of “Applicants.”

It is JICA’s policy to require that Bidders and Contractors, as well as Borrowers, under contracts funded with Japanese ODA Loans and other Japanese ODA, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this

policy, JICA:

- (a) will reject a proposal for award if it determines that the Bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question;
- (b) will recognize a Bidder or Contractor as ineligible, for a period determined by JICA, to be awarded a contract funded with Japanese ODA Loans if it at any time determines that the Bidder or the Contractor has engaged in corrupt or fraudulent practices in competing for, or in executing another contract funded with Japanese ODA Loans or other Japanese ODA; and
- (c) will recognize a Contractor as ineligible to be awarded a contract funded with Japanese ODA Loans if the Contractor or subcontractor, who has a direct contract with the Contractor, is debarred under the cross debarment decisions by the Multilateral Development Banks. Such period of ineligibility shall not exceed three (3) years from (and including) the date on which the cross debarment is imposed.

“Cross debarment decisions by the Multilateral Development Banks” is a corporate sanction in accordance with the agreement among the African Development Bank Group, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank Group and the World Bank Group signed on 9 April, 2010 (as amended from time to time). JICA will recognize the World Bank Group’s debarment of which period exceeds one year, imposed after 19 July, 2010, the date on which the World Bank Group started cross debarment, as “cross debarment decisions by the Multilateral Development Banks.” The list of debarred firms and individuals is available at the electronic address **specified in the PDS**.

JICA will recognize a Bidder or Contractor as ineligible to be awarded a contract funded with Japanese ODA Loans if the Bidder or Contractor is debarred by the World Bank Group for the period starting from the date of advertisements for Prequalification up to the signing of the contract, unless (i) such debarment period does not exceed one year, or (ii) three (3) years have passed since such debarment decision.

If it is revealed that the Contractor was ineligible to be awarded a contract according to above, JICA will, in principle, impose sanctions against the Contractor.

If it is revealed that the subcontractor, who has a direct contract with the Contractor, was debarred by the World Bank Group on the subcontract date, JICA will, in principle, require the

Borrower to have the Contractor cancel the subcontract immediately, unless (i) such debarment period does not exceed one year, or (ii) three (3) years have passed since such debarment decision. If the Contractor refuses, JICA will require the Borrower to declare invalidity or cancellation of the contract and demand the refund of the relevant proceeds of the loan or any other remedies on the grounds of contractual violation.

4. Eligible Applicants

- 4.1 For the purpose of applying the eligibility criteria listed in this ITA 4, references to the “Applicant” include all entities involved or intended to be involved with the proposed Works (including all partners and any of their affiliates that directly or indirectly control, or are controlled by or are under common control with the firm), specialist subcontractors, consultants, manufacturers or suppliers (as mentioned in Form ELI-1.2 Applicant’s Party Information Form), and the personnel of each, for any part of the contract including related services.
- 4.2 An Applicant may be a firm that is a single entity or any combination of such entities in the form of joint venture (JV) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a JV, all members shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. The JV shall nominate an authorized representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, bidding (in the event the JV submits a Bid) and during contract execution (in the event the JV is awarded the Contract).
- 4.3 An Applicant and all members constituting the Applicant shall be from any of the eligible source countries as indicated in Section V, Eligible Source Countries of Japanese ODA Loans.
- 4.4 An Applicant shall not have a conflict of interest. An Applicant shall not be employed under any of the circumstances set forth below, where it is determined to have a conflict of interest throughout the bidding/selection process and/or the execution of the contract unless the conflict has been resolved in a manner acceptable to JICA.
 - (a) A firm shall be disqualified from providing goods or non-consulting services resulting from or directly related to consulting services for the preparation or implementation of a project that it provided or were provided by any affiliate that directly or indirectly controls, is controlled by, or is under common control with that firm. This provision does not apply to the various firms (consultants, contractors, or suppliers) only

due to the reason that those firms together are performing the Contractor's obligations under a turnkey or design and build contract.

- (b) A firm that has a close business relationship with the Borrower's professional personnel, who are directly or indirectly involved in any part of: (i) the preparation of the Prequalification and Bidding Documents for the contract, (ii) the Prequalification and Bid evaluation, or (iii) the supervision of such contract, shall be disqualified.

- 4.5 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit their applications for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, based on the "One Bid Per Bidder" principle, which is to ensure fair competition, only one prequalified applicant will be allowed to bid for the same contract. All Bids submitted in violation of this procedure will be rejected. A firm (including its affiliate), if acting in the capacity of a subcontractor in one Bid, may participate in other Bids, only in that capacity.
- 4.6 A firm having any other form of conflict of interest other than ITA 4.4 and ITA 4.5 shall be disqualified.
- 4.7 An Applicant that has been determined to be ineligible by JICA in accordance with ITA 3, shall not be eligible to be awarded a contract.
- 4.8 Applicants shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.

B. Contents of the Prequalification Documents

5. Sections of Prequalification Documents

- 5.1 These Prequalification Documents consist of Parts 1 and 2 which include all the Sections specified below, and which should be read in conjunction with any addendum ("Addendum") issued in accordance with ITA 7.

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 Source Countries of Japanese ODA Loans

PART 2 Works Requirements

- Section VI. Scope of Works

- 5.2 The Invitation for Prequalification issued by the Employer is not part of the Prequalification Documents.
- 5.3 Unless obtained directly from the Employer, the Employer accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addendum to the Prequalification Documents in accordance with ITA 7. In case of any discrepancies, documents issued directly by the Employer shall prevail.
- 5.4 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.
- 5.5 General information on the climate, hydrology, topography, access to site, transportation and communications facilities, medical facilities, project layout, expected construction period, and other services and facilities to be provided by the Employer is furnished in Section VI, Scope of Works.

6. Clarification of Prequalification Documents

- 6.1 A prospective Applicant requiring any clarification of the Prequalification Documents shall contact the Employer in writing at the Employer's address **specified 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 obtained the Prequalification Documents directly from the Employer including a description of the inquiry but without identifying its source. If so **specified 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 7 and in accordance with the provisions of ITA 16.2.
- 6.2 If so **indicated in the PDS**, the prospective Applicant's designated representative is invited at the Applicant's cost to attend a pre-Application meeting at the place, date and time **mentioned in the PDS**. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Prequalification Documents.

- 6.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Prequalification Documents. Any modification to the Prequalification Documents that may become necessary as a result of the pre-Application meeting shall be made by the Employer exclusively through the use of an Addendum pursuant to ITA 7. Non-attendance at the pre-Application meeting will not be a cause for disqualification of an Applicant.
- 7. Amendment of Prequalification Documents**
- 7.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Prequalification Documents by issuing addenda.
- 7.2 Any Addendum issued shall be part of the Prequalification Documents and shall be communicated in writing to all who have obtained the Prequalification Documents from the Employer. If so **specified in the PDS**, the Employer shall promptly publish the Addendum at the Employer's web page **identified in the PDS**.
- 7.3 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 16.2.

C. Preparation of Applications

- 8. Cost of Applications**
- 8.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Employer shall in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.
- 9. Language of Application**
- 9.1 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.
- 10. Documents Comprising the Application**
- 10.1 The Application shall comprise the following:
- (a) Application Submission Form, in accordance with ITA 11.1;
 - (b) documentary evidence establishing the Applicant's eligibility

to prequalify, in accordance with ITA 12.1;

- (c) documentary evidence establishing the Applicant's qualifications, in accordance with ITA 13;
- (d) Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans (Form-ACK), which shall be signed and dated by the Applicant's authorized representative; and
- (e) any other document required as **specified in the PDS**.

11. Application Submission Form

11.1 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.

12. Documents Establishing the Eligibility of the Applicant

12.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Form and Forms ELI 1.1 and 1.2, included in Section IV, Application Forms.

13. Documents Establishing the Qualifications of the Applicant

13.1 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 forms included in Section IV, Application Forms.

13.2 Wherever an Application Form requires an Applicant to state a monetary amount, the Applicant should indicate the USD 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 source **identified in the PDS** or, in case such rates are not available in the source identified above, any other publicly available source acceptable to the Employer. Any error in determining the exchange rates in the Application may be corrected by the Employer.

14. Signing of the Application and Number of Copies

- 14.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 10 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.
- 14.2 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**15. Sealing and Identification of Applications**

- 15.1 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 16.1; and
 - (c) bear the specific identification of this prequalification process, **specified in PDS 1.1**.
- 15.2 The Employer will accept no responsibility for not processing any envelope that was not identified as required in ITA 15.1 above.

16. Deadline for Submission of Applications

- 16.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Employer at the address and no later than the deadline **specified in the PDS**.
- 16.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Documents in accordance with ITA 7, 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.

17. Late Applications

- 17.1 The Employer reserves the right to accept or reject late Applications.

18. Opening of Applications

- 18.1 The Employer shall open all Applications at the date, time and place **specified in the PDS**.
- 18.2 The Employer shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the

record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

- 19. Confidentiality**
- 19.1 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 26.
- 19.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 26, any Applicant that wishes to contact the Employer on any matter related to the prequalification process (except as specified in ITA 19.1 above), may do so only in writing.
- 20. Clarification of Applications**
- 20.1 To assist in the evaluation of Applications, the Employer may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Employer and all clarifications from the Applicant shall be in writing.
- 20.2 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 shall be evaluated based on the information and documents available at the time of evaluation of the Application.
- 21. Responsiveness of Applications**
- 21.1 The Employer may reject any Application which is not responsive to the requirements of the Prequalification Documents. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 20.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.
- 22. Subcontractors**
- 22.1 Applicants planning to subcontract any of the key activities indicated in Section III, Qualification Criteria and Requirements, 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 subcontractor(s) in Forms ELI-1.2 and EXP-4.2(b) in Section IV, Application Forms. Such proposed specialist subcontractor(s) shall meet the corresponding qualification requirements specified in Section III, Qualification Criteria and Requirements.
- 22.2 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

- | | |
|--|---|
| 23. Evaluation of Applications | <p>23.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Employer reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the contract.</p> <p>23.2 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.</p> <p>23.3 Unless otherwise specified in the PDS, this prequalification shall be for a single contract.</p> <p>23.4 Only the qualifications of the Applicant shall be considered. In particular, the qualifications of a parent or other affiliated company that is not party to the Applicant under a JV in accordance with ITA 4.2 shall not be considered.</p> <p>23.5 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Employer shall prequalify each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the aggregate requirements or any other reasonable requirements set forth by the Employer. The Qualification Criteria and Requirements are mentioned in Section III.</p> |
| 24. Employer's Right to Accept or Reject Applications | <p>24.1 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.</p> |
| 25. Prequalification of Applicants | <p>25.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Employer.</p> |
| 26. Notification of Prequalifica- | <p>26.1 The Employer shall notify all Applicants in writing of the names of those Applicants who have been prequalified. In addition, those</p> |

- tion** Applicants who have been disqualified will be informed separately.
- 26.2 Applicants that have not been prequalified may write to the Employer to request, in writing, or in a meeting, the grounds on which they were disqualified.
- 27. Invitation for Bids**
- 27.1 Promptly after the notification of the results of the prequalification, the Employer shall invite Bids from all the Applicants that have been prequalified.
- 27.2 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 to be specified in the Bidding Documents.
- 27.3 The Bidding Documents will be prepared in accordance with the applicable Standard Bidding Documents of JICA **specified in the PDS.**
- 28. Changes in Qualifications of Applicants**
- 28.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 25 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 a written approval of the Employer prior to the deadline for submission of Bids. Such approval shall be denied, if; (i) such change has not taken place by the free choice of the firms involved; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria and Requirements; or (iii) in the opinion of the Employer, the change may result in a substantial reduction in competition.
- Any such changes 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

Notes on Prequalification Data Sheet (PDS)

Section II, Prequalification Data Sheet, shall be filled in by the Employer before issuance of the Prequalification Documents.

The Prequalification Data Sheet (PDS) contains information and provisions that are specific to a particular prequalification process. The Employer must specify in the PDS only the information that the ITA request be specified in the PDS. All information shall be provided; **no clause shall be left blank.**

To facilitate the preparation of the PDS, its clauses are numbered with the same numbers as the corresponding ITA clauses.

Prequalification Data Sheet

A. General	
ITA 1.1	The number of the Invitation for Prequalification is: <i>[insert number of the Invitation for Prequalification]</i>
ITA 1.1	The Employer is: <i>[insert name of Employer]</i>
ITA 1.1	The name, identification, and number of the lot(s) (contract(s)) are: <i>[insert name, identification and number of lots (contracts)]</i>
ITA 2.1	The name of the Borrower is: <i>[insert name of Borrower]</i>
ITA 2.1	The number of the Loan Agreement is: <i>[insert Loan Agreement Number]</i> The amount of a Japanese ODA Loan is: <i>[insert amount in Japanese Yen]</i> The signed date of the Loan Agreement is: <i>[insert signed date of Loan Agreement]</i>
ITA 2.1	The name of the Project is: <i>[insert name of Project]</i>
ITA 2.2	The applicable Guidelines for Procurement under Japanese ODA Loans are those published in <i>[insert one of the following: April 2012, March 2009 or October 1999]</i>
ITA 3.1 (c)	A list of debarred firms and individuals is available at the World Bank's website: www.worldbank.org/debarr
B. Contents of the Prequalification Documents	
ITA 6.1	For <u>clarification purposes</u> only, the Employer's address is: Attention: <i>[insert full name of person, if applicable]</i> Street Address: <i>[insert street address and number]</i> Floor/Room number: <i>[insert floor and room number, if applicable]</i> City: <i>[insert name of city or town]</i> ZIP Code: <i>[insert postal (ZIP) code, if applicable]</i> Country: <i>[insert name of country]</i> Telephone: <i>[insert telephone number, including country and city codes]</i> Facsimile number: <i>[insert facsimile number, including country and city codes]</i> Electronic mail address: <i>[insert email address, if applicable]</i>

ITA 6.1 & 7.2	Responses to any request for clarification, if any, <i>[select “will” or “will not”, as appropriate]</i> be published on the Employer’s web page. <i>[Insert the Employer’s web page if responses to requests for clarifications will be published on the Employer’s web page, otherwise omit.]</i>
ITA 6.2	A pre-Application meeting <i>[insert “will” or “will not”, as appropriate]</i> take place at the following date, time and place: <i>[If a pre-Application meeting will take place, insert the date, time and place information in the spaces provided below. Otherwise insert “Not Applicable” in the spaces provided below for the date, time and place]</i> Date: _____ Time: _____ Place: _____
C. Preparation of Applications	
ITA 9.1	The language of the Application as well as of all correspondence is: <i>[insert one of the following: Japanese, English, Spanish or French]</i>
ITA 10.1 (e)	The Applicant shall submit with its Application, the following additional documents: <i>[List any additional document not already listed in ITB 11.1 that must be submitted with the Application]</i>
ITA 13.2	The source for determining exchange rates is <i>[insert a publicly available source]</i>
ITA 14.2	In addition to the original, the number of copies to be submitted with the Application is: <i>[insert number of copies]</i>
D. Submission of Applications	
ITA 16.1	The deadline for Application submission is: Date: <i>[insert date]</i> Time: <i>[insert time, and identify if a.m. or p.m. e.g., 10:30 a.m.]</i> <i>[The time allowed for preparation and submission of the Prequalification Documents should be sufficient for Applicants to gather all the information required—preferably eight weeks, but in any case not less than six weeks after the date when the documents are available for distribution or the date of the advertisement, whichever is later. This period may be longer for very large projects, where time should be allowed for the formation of joint ventures and assembly of the necessary resources.]</i> For Application submission purposes only, the Employer's address is:

	<p>Attention: <i>[insert full name of person, if applicable]</i></p> <p>Street Address: <i>[insert street address and number]</i></p> <p>Floor/Room number: <i>[insert floor and room number, if applicable]</i></p> <p>City: <i>[insert name of city or town]</i></p> <p>ZIP Code: <i>[insert postal (ZIP) code, if applicable]</i></p> <p>Country: <i>[insert name of country]</i></p> <p>Telephone: <i>[insert telephone number, including country and city codes]</i></p> <p>Facsimile number: <i>[insert facsimile number, including country and city codes]</i></p> <p>Electronic mail address: <i>[insert email address, if applicable]</i></p>
ITA 18.1	The opening of the Applications shall be at <i>[insert date, time and address]</i>
E. Procedures for Evaluation of Applications	
ITA 22.2	<p>At this time the Employer <i>[insert “intends” or “does not intend”]</i> to execute certain specific parts of the Works by subcontractors selected in advance (Nominated Subcontractors).</p> <p><i>[If the above states “intends,” list the specific parts of the Works and the respective subcontractors.]</i></p>
F. Evaluation of Applications and Prequalification of Applicants	
ITA 23.3	<p><i>[Use the text below in case of single contract]</i></p> <p>As stipulated in ITA 1.1, this prequalification exercise shall be for a single contract.</p> <p><i>[Use the text below in case of multiple contracts]</i></p> <p>As stipulated in ITA 1.1, this prequalification exercise shall be for multiple contracts. <i>[Continue this sentence with one of the following two alternatives]</i></p> <p><i>[Alternative 1]</i></p> <p>The Employer will prequalify each Applicant for a maximum contract value (bidding capacity). An Applicant shall be allowed to bid for any contract within his bidding capacity. However, he may only be awarded a maximum number of contracts for which he meets the aggregated requirements of such contract combination (award capacity). A Bidder's award capacity will be determined during Bid evaluation when additional information such as (i) current contract commitments, (ii) cash flow capacity, (iii) equipment to be</p>

	<p>allocated, and (iv) personnel to be fielded will be assessed.</p> <p><i>[Alternative 2]</i></p> <p>The Employer will prequalify Applicants for each contract separately. Applicants shall indicate in their Applications for which contract they wish to be prequalified.</p>
ITA 27.3	<p><i>[Use the text below in case the Bidding Documents will be fully based on the applicable Standard Bidding Documents of JICA]</i></p> <p>The Bidding Documents will be prepared in accordance with the Standard Bidding Documents for the Procurement of <i>[insert Works, Plant, Small Works or Goods]</i> published by JICA.</p> <p>or</p> <p><i>[Use the text below in case the General Conditions of Contract included in the applicable Standard Bidding Documents of JICA are not suitable to the nature of the Project]</i></p> <p>The General Conditions of Contract of the Bidding Documents will be prepared in accordance with <i>[insert other internationally recognized Standard General Conditions of Contract and Contract Forms]</i>.</p>

Section III. Qualification Criteria and Requirements

Notes on Qualification Criteria and Requirements

Section III, Qualification Criteria and Requirements contains all the methods, criteria, and requirements that the Employer will 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.

JICA requires Bidders to be prequalified by meeting predefined, precise minimum requirements. The method entails setting pass-fail criteria which, if not met by the Applicant, result in disqualification.

The criteria adopted must relate to characteristics that are essential to ensure satisfactory execution of the contract, and must be stated in unambiguous terms. In essence, the criteria must be chosen so that only contractors who are well qualified to carry out the contract are permitted to bid. The criteria must also be set so that they neither inhibit competition nor set a predetermined number of firms to be prequalified. All firms that meet the criteria should be invited to bid.

The Notes for the Applicants contained in this Section III should be included in the actual Prequalification Documents prepared by the Employer.

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Qualification Criteria for Multiple Contracts: *[Insert the following text in case of Multiple Contracts. Otherwise delete this QCR clause.*

“The criteria for qualification is the aggregate minimum requirement, or any other reasonable requirements set forth by the Employer, for respective lots as specified under Sub-Factors 3.2, 4.2(a) and 4.2(b) below.”]

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
1. Eligibility							
1.1	Nationality	Nationality in accordance with ITA Sub-Clause 4.3	Must meet requirement	N/A	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-Clauses 4.4, 4.5 and 4.6	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form
1.3	JICA Ineligibility	Not having been declared ineligible by JICA, as described in ITA Sub-Clause 4.7	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form Form ACK
2. Historical Contract Non-Performance							
2.1	History of Non-Performing Contracts	Non-performance of a contract ⁽ⁱ⁾ did not occur as a result of contractor’s default since 1 st January <i>[insert year]</i> . ¹	Must meet requirement ⁽ⁱⁱ⁾	N/A	Must meet requirement ⁽ⁱⁱ⁾	N/A	Form CON – 2
2.2	Pending Litigation	All pending litigation shall in total not represent more than <i>[insert percentage figure]</i> ² % of the Applicant’s net worth and shall be treated as resolved against the Applicant.	Must meet requirement ⁽ⁱⁱ⁾	N/A	Must meet requirement ⁽ⁱⁱ⁾	N/A	Form CON – 2

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
2.3	Litigation History	No consistent history of court/arbitral award decisions ³ against the Applicant ⁽ⁱⁱⁱ⁾ since 1 st January [<i>insert year</i>]. ⁴	Must meet requirement ⁽ⁱⁱ⁾	N/A	Must meet requirement ⁽ⁱⁱ⁾	N/A	Form CON – 2
<p><u>Notes for the Applicant</u></p> <p>(i) Non-performance, as decided by the Employer, shall include all contracts</p> <p>(a) where non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and</p> <p>(b) that were so challenged but fully settled against the contractor.</p> <p>Non-performance shall not include contracts where Employer’s decision was overruled by the dispute resolution mechanism. Non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Applicant have been exhausted.</p> <p>(ii) This requirement also applies to contracts executed by the Applicant as a JV member.</p> <p>(iii) The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five (5) years. A consistent history of awards against the Applicant or any member of a joint venture may result in failure of the Application.</p> <p><u>Notes for the Employer</u></p> <p>1. Year should usually be one (1) or two (2) years prior to the Application submission deadline.</p> <p>2. The percentage should be normally within the range of 50% to 100% of an Applicant’s net worth.</p> <p>3. The criterion for rejection should be that of numerous arbitral awards or court decisions against the Applicant, taking the number and amount of contracts executed. As an indicative example, the occurrence of one (1) or two (2) adverse cases over five (5) years for a Contractor handling, on average, ten (10) construction jobs simultaneously, should not be a cause for rejection. If dispute resolution is found relatively frequently in the business of the Applicant, it may indicate an attitude of the management of the firm that could be dangerous for the Employer if the Applicant were awarded the contract, and further investigation with previous Employers may be warranted.</p> <p>4. Year should usually be five (5) years prior to the Application submission deadline.</p>							

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
3. Financial Situation							
3.1	Financial Performance	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 <i>[insert number of years]</i> years ¹ shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability. As the minimum requirement, an Applicant's net worth calculated as the difference between total assets and total liabilities should be positive. ²	Must meet requirement	N/A	Must meet requirement	N/A	Form FIN – 3.1 with attachments
3.2	Average Annual Construction Turnover	Minimum average annual construction turnover of USD <i>[insert amount in USD]</i> ³ , calculated as total certified payments received for contracts in progress and/ or completed, within the last <i>[insert number]</i> years, ⁴ divided by <i>[insert number]</i> years. ⁵ <i>[insert requirements for multiple contracts, if necessary.]</i>	Must meet requirement	Must meet requirement	Must meet <i>[insert number]</i> % ⁶ of the requirement	Must meet <i>[insert number]</i> % ⁷ of the requirement	Form FIN – 3.2
<i>Notes for the Employer</i>							
1. Time period usually specified is five (5) years; it may be reduced to three (3) years minimum (in agreement with JICA) under special country circumstances, such as to provide opportunity for a newly privatized construction industry with limited period of existence, but with suitable experience, etc. Firms owned by individuals and partnerships may not be required to maintain audited balance sheets by the laws of their countries of origin; in such cases, the Employer may							

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
<p><i>relax the audit requirement, but should request other acceptable financial statements.</i></p> <p>2. <i>The financial information provided by an Applicant should be reviewed in its entirety to allow a truly informed judgment, and the pass-fail decision on the financial position of the Applicant should be given on this basis. Any abnormal features which may lead to financial problems should alert the Employer to seek expert professional advice for further review and interpretation.</i></p> <p>3. <i>The amount stated should normally not be less than twice the estimated annual turnover in the proposed Works contract (based on a straight-line projection of the Employer’s estimated cost, including contingencies, over the contract duration). The multiplier of 2 may be reduced for very large contracts but should not be less than 1.5.</i></p> <p>4. <i>The time period is normally five (5) years or more, but may be reduced to not less than three (3) years (in agreement with JICA) under special country circumstances, such as to provide opportunities for a newly privatized construction industry with only a short record of experience, etc.</i></p> <p>5. <i>Same number of years as in 4. above.</i></p> <p>6. <i>Usually not less than 25% of the requirement for each member of a JV.</i></p> <p>7. <i>Usually not less than 40% of the requirement for one member of a JV.</i></p>							
4. Experience							
4.1	General Construction Experience	Experience under construction contracts in the role of prime contractor (single entity or JV member), subcontractor, or management contractor ⁽ⁱ⁾ for at least the last <i>[insert number]</i> years ¹ , starting 1 st January <i>[insert year]</i> .	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
4.2 (a)	Specific Construction Experience	A minimum number of <i>[insert number of contracts]</i> ² similar ⁽ⁱⁱ⁾ contracts that have been satisfactorily and substantially ⁽ⁱⁱⁱ⁾ completed as a prime contractor (single entity or JV member) ^(iv) between 1st January <i>[insert year]</i> ³ and Application submission deadline <i>[insert requirements for multiple contracts, if necessary.]</i>	Must meet requirement	Must meet requirement ^(v)	N/A	N/A	Form EXP – 4.2 (a)
4.2 (b)		For the above or other contracts completed and under implementation as prime contractor (single entity or JV member), management contractor or subcontractor ^(vi) between 1 st January <i>[insert year]</i> ⁴ and Application submission deadline, a minimum construction experience in the following key activities successfully completed ^(vii) <i>[list activities indicating volume, number or rate of production as applicable.]</i> ^(viii) ⁵ <i>[insert requirements for multiple contracts, if necessary.]</i>	Must meet requirement (can be a specialist subcontractor)	Must meet requirement (can be a specialist subcontractor)	N/A	N/A	Form EXP – 4.2 (b)

Notes for the Applicant

- (i) A management contractor is a firm which takes on the role of contract management as a “general” contractor of sort could do. It does not normally perform directly the construction work(s) associated with the contract. Rather, it manages the work of other (sub) contractors while bearing full

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		responsibility and risk for price, quality, and timely performance of the work contract.					
	(ii)	The similarity shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section VI, Scope of Works. Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted.					
	(iii)	Substantial completion shall be based on 80% or more of the works completed under the contract.					
	(iv)	For contracts under which the Applicant participated as a JV member, only the Applicant's share, by value, shall be considered to meet this requirement.					
	(v)	In case of a JV, the value of contracts completed by its members shall not be aggregated to determine whether the requirement of the minimum value of a single contract has been met. Instead, each contract performed by each member shall satisfy the minimum value of a single contract as required for single entity. In determining whether the JV meets the requirement of total number of contracts, only the number of contracts completed by all members, each of value equal or more than the minimum value required, shall be aggregated.					
	(vi)	For contracts under which the Applicant participated as a JV member or subcontractor, only the Applicant's share, by value, shall be considered to meet this requirement.					
	(vii)	Volume, number or rate of production of any key activity can be demonstrated in one or more contracts combined if executed during same time period. The rate of production shall be the annual production rate for the key construction activity (or activities). For the rate of production, either the average during the entire period or in any one or more years during the period should be specified.					
	(viii)	The minimum experience requirement for multiple contracts will be the sum of the minimum requirements for respective individual contracts.					
<i>Notes for the Employer</i>							
1. The time period is normally five (5) years or more, but may be reduced to not less than three (3) years (in agreement with JICA) under special country circumstances, such as to provide opportunities for a newly privatized construction industry with only a short record of experience.							
2. The range of contract numbers should be one (1) to three (3), depending on the size, value, nature and complexity of the subject contract, the exposure of the Employer to risk of contractor default, country conditions and history of similar works constructed in the past.							
3. The time range is normally five (5) years, and may be extended up to a period of ten (10) years for large-scale projects.							

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
							<p>4. Same as that stipulated in Sub-Factor 4.2 (a) above.</p> <p>5. List the monthly or annual production rate for the key construction activity (or activities) in the proposed contract or works, e.g., “one million m³ of rock placed in rockfill dams in one year; X tons of asphalt concrete per month place in road paving; Y m³ of concrete place in ... etc.” The rates should be a percentage (say about 80 percent) of the estimated production rate of the key activity (or activities) in the contract or Works as needed to meet the expected construction schedule with due allowance for adverse climatic condition.</p>

Section IV. Application Forms

Notes on Application Forms

The Employer shall include in the Prequalification Documents all Application Forms that Applicants must complete and submit together with their applications. These forms are as specified in this section.

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Application Submission Form

Date: *[insert day, month, year]*

IFP No.: *[insert number]*

To: *[insert full name of Employer]*

We, the undersigned, apply to be prequalified for the contract of referenced number 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) 7: *[insert the number and issuing date of each Addendum]*
- (b) We, including subcontractor, meet the eligibility requirements as stated in ITA 4.
- (c) We, including subcontractor, have no conflict of interest in accordance with ITA 4.
- (d) We, in accordance with ITA 22.1, 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]
- (e) 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 24.
- (f) All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed [insert signature(s) of an authorized representative(s) of the Applicant]

Name [insert full name of person signing the Application]

In the capacity of [insert capacity of person signing the Application]

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

Applicant's name [insert full name of Applicant]

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

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

[For a JV, an authorized representative of the JV shall sign, in which case the power of attorney to sign on behalf of all members shall be attached.]

Form ELI -1.1

Applicant Information Form

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

Applicant's legal name <i>[insert full name]</i>
In case of a JV, legal name of the representative member and each member: <i>[insert full name of each member in the JV and specify the representative member.]</i>
Applicant's actual or intended country of registration: <i>[insert country of registration]</i>
Applicant's actual or intended year of incorporation: <i>[insert year of incorporation]</i>
Applicant's legal address in country of registration: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[insert E-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.3. <input type="checkbox"/> In case of a JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.2. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI -1.2

Applicant's Party Information Form

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

Date: *[insert day, month, year]*

IFP No.: *[insert number]*

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

Applicant's legal name: <i>[insert full name]</i>
Applicant's Party legal name: <i>[insert full name of Applicant's party]</i>
Applicant's Party country of registration: <i>[insert country of registration]</i>
Applicant's Party year of incorporation: <i>[insert year of incorporation]</i>
Applicant's Party legal address in country of registration: <i>[insert street/ number/ town or city/ country]</i>
Applicant's Party authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[insert E-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.3. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form CON - 2 Historical Contract Non-Performance

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

Date: *[insert day, month, year]*

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

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

IFP No.: *[insert number]*

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

1. History of Non-Performing Contracts

Non-Performing Contracts			
<input type="checkbox"/> Contract non-performance did not occur since 1 st January <i>[insert year]</i> , in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1 st January <i>[insert year]</i> in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.1 as indicated below.			
Year	Non performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and USD equivalent)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	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> Reason(s) for non performance: <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>

2. Pending Litigation

Pending Litigation				
<input type="checkbox"/> No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2.				
<input type="checkbox"/> Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2 as indicated below.				
Year of dispute	Amount in dispute	Outcome as Percentage of Net Worth	Contract Identification	Total Contract Amount (current value, currency, exchange rate and USD equivalent)
<i>[insert year]</i>	<i>[insert amount]</i>	<i>[insert percentage]</i>	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> 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>

3. Litigation History

Litigation History		
<input type="checkbox"/> No court/arbitral award decisions against the Applicant since 1 st January <i>[insert year]</i> , in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3.		
<input type="checkbox"/> Court/ arbitral award decisions against the Applicant since 1 st January <i>[insert year]</i> , in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3 as indicated below.		
Year of award	Contract Identification	Total Contract Amount (current value, currency, exchange rate and USD equivalent)
<i>[insert year]</i>	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>

Form FIN - 3.1 Financial Situation

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

Date: *[insert day, month, year]*

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

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

IFP No.: *[insert number]*

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

1. Financial data

Type of Financial information in (currency)	Historic Information for Previous <i>[insert number]</i> years (amount in currency, currency, exchange rate*, USD equivalent)				
	Year 1	Year 2	Year 3	Year 4	Year 5
Statement of Financial Position (Information from Balance 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)					
Profits After Taxes (PAT)					

2. Financial documents

The Applicant and its members shall provide copies of financial statements for *[number of years]* years pursuant to Section III, Qualifications Criteria and Requirements, Sub-Factor 3.1. The financial statements shall:

- (a) reflect the financial situation of the Applicant or in case of a JV, of each member, and not of an affiliated entity (such as parent company or group member).
 - (b) be independently audited or certified in accordance with local legislation.
 - (c) be complete, including all notes to the financial statements.
 - (d) correspond to accounting periods already completed and audited.
- Attached are copies of financial statements** for the *[number of years]* years required above, and complying with the requirements.

* Refer to ITA 13.2 for the exchange rate.

** If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this should be justified.

Form FIN - 3.2 Average Annual Construction Turnover

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

Date: *[insert day, month, year]*
 Applicant's Legal Name: *[insert full name]*
 Applicant's Party Legal Name: *[insert full name]*
 IFP No.: *[insert number]*
 Page *[insert page number]* of *[insert total number]* pages

Annual Turnover Data (Construction only)			
Year	Amount and Currency	Exchange Rate*	USD Equivalent
<i>[indicate year]</i>	<i>[insert amount and indicate currency]</i>	<i>[insert applicable exchange rate]</i>	<i>[insert amount in USD equivalent]</i>
Average Annual Construction Turnover **			

* Refer to ITA 13.2 for date and source of exchange rate.
 ** Total USD equivalent for all years divided by the total number of years. See 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 member of a JV]

Date: *[insert day, month, year]*

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

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

IFP No.: *[insert number]*

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

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

General Construction Experience			
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 USD equivalent*]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor (single entity or JV member)" or "Subcontractor" or "Management Contractor"]</i>

* Refer to ITA 13.2 for date and source of exchange rate.

Form EXP - 4.2(a) Specific Construction Experience

[The following table shall be filled in for contracts performed by the Applicant, each member of a JV.]

Date: *[insert day, month, year]*

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

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

IFP No.: *[insert number]*

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

[Fill out one (1) form per contract.]

Contract of Similar Size and Nature			
Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information		
Contract Identification	<i>[insert contract name and Reference ID number, if applicable]</i>		
Award Date	<i>[insert day, month, year, e.g., 15 June, 2015]</i>		
Completion Date	<i>[insert day, month, year, e.g., 03 October, 2017]</i>		
Role in Contract	Prime Contractor		
<i>[check the appropriate box]</i>	Single entity <input type="checkbox"/>	JV member <input type="checkbox"/>	
Total Contract Amount	<i>[insert total contract amount and currency(ies)]</i>		USD <i>[insert exchange rate and total contract amount in USD equivalent]*</i>
If member in a JV, specify participation in total Contract amount	<i>[insert a percentage amount]</i>	<i>[insert total contract amount and currency(ies)]</i>	USD <i>[insert exchange rate and total contract amount in USD equivalent]*</i>
Employer's Name:	<i>[insert full name]</i>		
Address:	<i>[indicate street / number / town or city / country]</i>		
Telephone/Fax Number:	<i>[insert telephone/fax numbers, including country and city area codes]</i>		
E-mail:	<i>[insert E-mail address, if available]</i>		

Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information
Description of the similarity in accordance with Sub-Factor 4.2(a) of Section III:	
1. Physical Size of required works items	<i>[insert physical size of items]</i>
2. Complexity	<i>[insert description of complexity]</i>
3. Methods/Technology	<i>[insert specific aspects of the methods/ technology involved in the contract]</i>
4. Other Characteristics	<i>[insert other characteristics as described in Section VI, Scope of Works]</i>

* Refer to ITA 13.2 for date and source of exchange rate.

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

Date: *[insert day, month, year]*
 Applicant's Legal Name: *[insert full name]*
 Applicant's Party Legal Name: *[insert full name]*
 Subcontractor's Legal Name *[insert full name]*
 IFP No.: *[insert number]*
 Page *[insert page number]* of *[insert total number]* pages

[Fill out one (1) form per contract.]

Key Activity No. (1) ____: *[insert brief description of the Activity, emphasizing its specificity]*

Total Quantity of Activity under the contract: _____

Contract with Similar Key Activities			
Item	Information		
Contract Identification	<i>[insert contract name and number, if applicable]</i>		
Award Date	<i>[insert day, month, year, e.g., 15 June, 2015]</i>		
Completion Date	<i>[insert day, month, year, e.g., 03 October, 2017]</i>		
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor		Management Contractor
	Single entity <input type="checkbox"/>	JV member <input type="checkbox"/>	<input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		USD <i>[insert Exchange rate and total contract amount in USD equivalent]*</i>
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year <i>[Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]</i>	Total quantity in the contract (i)	Percentage participation (ii)	Actual Quantity Performed (i) x (ii)
Year 1			
Year 2			
Year 3			
Year 4			

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

* Refer to ITA 13.2 for date and source of exchange rate.

2. Activity No. (2) _____

3. Activity No. (3) _____

Form ACK

Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans

A) I, *[insert name and position of authorized signatory]*, being duly authorized by *[insert name of Applicant/members of joint venture (“JV”)]* (hereinafter referred to as the “Applicant”) to execute this Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans, hereby certify on behalf of the Applicant and myself that all information provided in the Application submitted by the Applicant for *[insert Loan No and name of the Project]* is true, correct and accurate to the best of the Applicant’s and my knowledge and belief. I further certify, on behalf of the Applicant, that:

- (i) the Application has been prepared and submitted in full compliance with the terms and conditions set forth in the Guidelines for Procurement under Japanese ODA Loans (hereinafter referred to as the “Guidelines”); and
- (ii) the Applicant has not, directly or indirectly, taken any action which is or constitutes a corrupt, fraudulent, collusive or coercive act or practice in violation of the Guidelines and is not subject to any conflict of interest as stipulated in the relevant section of the Guidelines.

<If debarment for more than one year by the World Bank Group is NOT imposed, use the following sentence B).>

B) I certify that the Applicant has NOT been debarred by the World Bank Group for more than one year since the commencement of the advertisement for prequalification

<If debarment for more than one year by the World Bank Group has been imposed BUT three (3) years have passed since the date of such debarment decision, use the following sentence B’).>

B’) I certify that the Applicant has been debarred by the World Bank Group for a period more than one year BUT that on the date of issuance of Invitation for Bids at least three (3) years had passed since the date of such debarment decision. Details of the debarment are as follows:

name of the debarred firm	starting date of debarment	ending date of debarment	reason for debarment

C) I certify that the Applicant will not enter into a subcontract with a firm which has been debarred by the World Bank Group for a period more than one year, unless on the date of the subcontract at least three (3) years have passed since the date of such debarment decision.

D) I certify, on behalf of the Applicant, that if selected to undertake services in connection with the contract, the Applicant shall carry out such services in continuing compliance with the terms and conditions of the Guidelines.

- E) I further certify, on behalf of the Applicant, that if the Applicant is requested, directly or indirectly, to engage in any corrupt or fraudulent action under any applicable law, such as the payment of a rebate, at any time during a process of public procurement, negotiations, execution or implementation of contract (including amendment thereof), the Applicant shall report all relevant facts regarding such request to the relevant section in JICA (details of which are specified below) in a timely manner.

JICA's information desk on fraud and corruption (A report can be made to either of the offices identified below.)

- (1) JICA Headquarters: Legal Affairs Division, General Affairs Department

URL: <https://www2.jica.go.jp/en/odainfo/index.php>

Tel: +81 (0)3 5226 8850

- (2) JICA XX office

Tel:

The Applicant acknowledges and agrees that the reporting obligation stated above shall NOT in any way affect the Applicant's responsibilities, obligations or rights, under relevant laws, regulations, contracts, guidelines or otherwise, to disclose or report such request or other information to any other person(s) or to take any other action, required to or allowed to, be taken by the Applicant. The Applicant further acknowledges and agrees that JICA is not involved in or responsible for the procurement process in any way.

- F) If any of the statements made herein is subsequently proven to be untrue or incorrect based on facts subsequently determined, or if any of the warranties or covenants made herein is not complied with, the Applicant will accept, comply with, and not object to any remedies taken by the Employer and any sanctions imposed by or actions taken by JICA.

Authorized Signatory

[Insert name of signatory; title]

For and on behalf of *[Insert name of the Applicant]*

Date:

Section V. Eligible Source Countries of Japanese ODA Loans

[Specify the Eligible Source Countries]

PART 2 – Works Requirements

Section VI. Scope of Works

Notes on Scope of Works

The Scope of Works should provide sufficient information for an Applicant to decide whether or not to compete for that type of works, and whether it will need to use subcontractors for specific parts of the Works, and/or form a Joint Venture.

Contents

- 1. Description of the Works 2
- 2. Construction Period 3
- 3. Site and Other Data..... 4

1. Description of the Works

[Describe the Works in sufficient detail to identify location, nature, and complexity. Indicate the estimated quantities of major components of the works which should be indicated in the bill of quantities.]

2. Construction Period

[State the expected construction period and time in weeks or months; if alternative time schedules are permitted, give the range of acceptable construction periods. The period allowed should be reasonable and flexible.]

3. Site and Other Data

[Provide general information on the climate, hydrology, topography, geology, access to site, transportation and communications facilities, medical facilities, project layout, facilities, services provided by the Employer, and other relevant data.]

Japan International Cooperation Agency

URL:<http://www.jica.go.jp>

E-mail:gltps-lp@jica.go.jp