

P/Q

***STANDARD PREQUALIFICATION
DOCUMENT UNDER JAPANESE ODA
LOANS***



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

October 2019

Version 2.3

Revisions

April 2023

This revision incorporates a change reflecting the revision of *Guidelines for Procurement under Japanese ODA Loans, April 2012* dated April 2023 regarding one bid per bidder principle stipulated in ITA 4.3.

Editorial enhancements have also been made.

Preface

This Standard Prequalification Document (SPD) has been prepared by the Japan International Cooperation Agency (JICA) for the use of the Projects financed, in whole or in part, by its Official Development Assistance (ODA) loans. This SPD is intended to be used for prequalification of Applicants for large or complex works or plant to be procured through international competitive bidding (ICB). This is to ensure that only firms with appropriate experience, a proven track record, and necessary financial capacity, which are free of any major pending litigation, will be invited to submit Applications.

This SPD is consistent with the Guidelines for Procurement under Japanese ODA Loans, April 2012 and its use is **required** under the Guidelines. As this SPD reflects recent best practices of public procurement and JICA's policy, its use is also encouraged for the prequalification process of contracts under the Guidelines for Procurement published in October 1999 or March 2009.

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

Summary Description

A brief description of this Standard Prequalification Document (SPD) is given below.

Standard Prequalification Document

Invitation for Prequalification (IFP)

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

PART 1 - PREQUALIFICATION PROCEDURES

Section I. Instructions to Applicants (ITA)

This Section specifies the procedures to be followed by the Applicants when preparing and submitting their Applications. It also provides information on the opening and evaluation of Applications. **Section I contains provisions that are to be used without modification.**

Section II. Prequalification Data Sheet (PDS)

This Section contains information and provisions that are specific to each prequalification and that supplement Section I, Instructions to Applicants.

Section III. Qualification Criteria

This Section specifies the methods, criteria, and requirements to determine the qualification of the Applicants to perform the Contract.

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 and provisions regarding Eligible Source Countries under Japanese ODA Loans applicable for the Applicants, and for the goods and services to be supplied under the Contract, as included in the Loan Agreement with JICA.

PART 2 - WORKS REQUIREMENTS

Section VI. Works Requirements

This Section contains a description of the works or plant subject of this prequalification and details and schedules relating to the work execution period and, Site and other relevant Data.

Notes for Users (Employer)

- (a) The use of these Standard Prequalification Document (SPD) published by JICA is **required** for the prequalification process of contracts to be procured through international competitive bidding and financed by Japanese ODA Loans.
- (b) This SPD has been prepared as a standard document, which shall be used without suppressing or adding text to the standard section of the document, which is Section I Instructions to Applicants (Standard ITA). **If the ITA of the Prequalification Document prepared by the Employer contains modifications from the Standard ITA included in these SPD, JICA will not consider them valid and will require the Employer to modify the Prequalification Document so that the Standard ITA, as defined above, shall apply.**
- (c) All information and data particular to each individual contract, required by the Applicants in order to prepare responsive Applications must be provided by the Employer, in the Prequalification Data Sheet (Section II), the Qualification Criteria (Section III), Eligible Source Countries of Japanese ODA Loans (Section V), and the Works Requirements (Section VI).
- (d) When providing the information and data in the Sections described above, the following directions should be observed:
 - (i) Specific details, such as the name of the Employer, addresses for Application submission 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 the Applicants or instructions for the Applicants, are not part of the Prequalification Document, but contain guidelines and instructions for the Employer. They shall be deleted from the actual Prequalification Document to be issued to the Applicants.
 - (iii) Where alternative Clauses or texts are shown, select those which best suit the particular contracts and discard the alternative text which is not used.
- (e) The complete set of the draft Prequalification Document prepared by the Employer shall be submitted to JICA, for its review and concurrence in accordance with the concerned loan agreement, before its issuance to the prospective Applicants.

Invitation for Prequalification

Notes for the Employer

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 country of the Borrower/ Employer; and
- (b) with sending copies of the invitation to JICA.

When preparing the Invitation for Prequalification:

- (a) specific details, such as the name of the Employer and the address for Application submission should be furnished in the spaces indicated by italicized notes inside brackets.
- (b) the footnotes and italicized notes are not part of the actual Invitation for Prequalification, but contain guidelines and instructions for the Employer. They shall be deleted from the actual Prequalification Document to be issued to the Applicants.

The Invitation for Prequalification is not part of the Prequalification Document. However, the Employer shall make sure that its contents are consistent with the information contained in Section II - Prequalification Data Sheet.

Form of Invitation for Prequalification

Date : [insert date of issuance of Invitation for Prequalification]
IFP No. : [insert Invitation for Prequalification number]
Employer : [insert name of Employer]
Country : [insert country of Employer/ Borrower]
JICA Loan No.: [insert JICA Loan Agreement number]
Project Name : [insert name of Project]
Contract Name: [insert name of Contract]

1. The [insert name of Borrower] has received¹ a loan from the Japan International Cooperation Agency (JICA) towards the cost of [insert name of Project] and intends to apply part of the proceeds towards payments under the contract² for [insert name of Contract] resulting from the bidding for which this prequalification is conducted.
2. The [insert name of Employer] now intends to prequalify firms for [insert brief description of the works or plant to be procured]³.
3. It is expected that Invitation for Bids will be made in [insert month and year].
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 Prequalification Document.
5. Interested Applicants may obtain further information from and inspect the Prequalification Document during office hours at:
[insert name of office]
[insert name of person in charge]
[insert mailing address]
[insert office hours]
[insert tel. no. with country and city codes]
[insert fax no. with country and city codes]
[insert email address]
6. The Prequalification Document may be purchased by interested Applicants on the submission of a written application to the address above and upon payment of a non-refundable fee of [insert amount in currency of Employer's country or in a convertible currency].⁴ The method of payment will be [insert method of payment]⁵. The document will be sent by [insert delivery procedure].
7. Applications for Prequalification must be delivered to the address above⁶ on or before [insert time] on [insert date].

[insert name of office]

[insert name of person in charge]

[insert mailing address]

[insert tel. no. with country and city codes]

[insert fax no. with country and city codes]

[insert email address]

Notes for the Employer

1. Substitute “has applied for” if appropriate.
2. Substitute “contracts” where Prequalification are called concurrently for multiple lots. Add a new para. 4 as follows and renumber paras 4 – 7: “Applicants may submit applications for prequalification for one lot or more lots, as further defined in the Prequalification Document.”
3. A brief description of the works or the plant should be provided, including quantities, location of project, and other information necessary to enable potential Applicants to decide whether or not to respond to the invitation. Prequalification Document may require Applicants to have specialized experience or capabilities; such requirements should also be included in this paragraph.
4. The fee, to defray printing and mailing/shipping costs, should be nominal.
5. For example, cashier’s check, direct deposit to a specified account number, etc.
6. Substitute “below” and insert the Employer’s address for Application submission (right below this paragraph), if it is different from its address for issuance of Prequalification Document.

PREQUALIFICATION DOCUMENT

for

Procurement of

[insert name of the Works or Plant]

IFP No. : *[insert Invitation for Prequalification number]*

Employer : *[insert name of Employer]*

Country : *[insert name of country of Employer/
Borrower]*

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

Project : *[insert name of Project]*

Contract : *[insert name of Contract]*

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PART 1 – PREQUALIFICATION PROCEDURES

Section I. Instructions to Applicants

Notes for the Employer

This Section specifies the procedures to be followed by the Applicants when preparing and submitting their Applications. It also provides information on the opening and evaluation of Applications.

The use of the Standard Instructions to Applicants set forth in Section I of the Standard Prequalification Document (hereafter referred to as “Standard ITA”) **is required** in all prequalification document for the prequalification process of contracts financed by Japanese ODA Loans, and they shall be used without modification.

A copy of the Standard Instructions to Applicants shall be attached to the Prequalification Document prepared by the Employer. If the Instructions to Applicants in the Prequalification Document contain modifications from the Standard Instructions to Applicants, JICA will not consider them valid and will require the Employer to modify the Prequalification Document so that the Standard Instructions to Applicants, as defined above, shall apply.

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

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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** located in the Country, as **specified in the PDS**, issues this Prequalification Document (hereinafter referred to as “Prequalification Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for prequalification to bid for the works or the plant described in Section VI, Works Requirements.

The name of the Project and the name of the Contract are **specified in the PDS**.

Prequalification may also be invited for multiple lots of the Project, **as specified in the PDS**. Applications may be submitted either for individual lots or for multiple lots in any combination.

- 1.2 Throughout this Prequalification Document:
- (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;
 - (c) “day” means calendar day;
 - (d) “firm” means a private entity, a state-owned enterprise or institution; and
 - (e) “Joint Venture” or “JV” means any combination of two or more firms in the form of a joint venture, consortium, association or other unincorporated grouping under an existing agreement or with the intention to enter into such an agreement supported by a formal letter of intent

2. Source of Funds

- 2.1 The Borrower **specified in the PDS** has received or has applied for a Japanese ODA Loan from the 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. The Borrower intends to apply a portion of the proceeds of the Loan to payments under the

contract(s) 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, the Project Executing Agency and the Employer will take appropriate measures for finance through other sources **specified in the PDS**.

3. Corrupt and Fraudulent Practices

- 3.1 It is JICA's policy to require that Bidders and Contractors, as well as Borrowers, the Project Executing Agencies and the Employers, 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 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 any corrupt or fraudulent practice in competing for, or in executing another contract funded with Japanese ODA Loans or other Japanese ODA. The list of ineligible firms and individuals is available at the electronic address **specified in the PDS**.
 - (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.

- 3.2 If the Employer determines, based on reasonable evidence, that any Applicant has engaged in any corrupt or fraudulent practice, the Employer may disqualify such Applicant after notifying the grounds of such disqualification.

4. Eligible Applicants

- 4.1 The Applicant may be a single firm or a JV. In the case of a JV:
- (a) all members shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.
 - (b) The JV shall nominate a 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).
 - (c) Applications submitted by a JV shall include a copy of the JV Agreement entered into by all members. Alternatively, a formal letter of intent to enter into a JV in the event of a successful Bid shall be signed by all members and submitted with the

Application. The JV Agreement or a formal letter of intent, as the case may be, shall indicate at least the part(s) of the works to be executed by each member.

- 4.2 The Applicant shall not have a conflict of interest. The Applicant shall be disqualified 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 a professional personnel of the Borrower (or the Executing Agency, or the Employer), 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.
 - (c) A firm having any other form of conflict of interest other than (a) and (b) above shall also be disqualified.
- 4.3 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, but once 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. However, this does not limit a firm (including its affiliate) participating in one Bid individually or as a member of a JV and at the same time, the firm (including its affiliate) participating in other Bids as a subcontractor but NOT acting as a specialized subcontractor (refer to ITA21.1). A firm (including its affiliate) acting as a specialized subcontractor or

as a subcontractor in any Bid may participate in other Bids as a specialized subcontractor or as a subcontractor. (Refer to “the Guidelines for Procurement under Japanese ODA Loans (Ver.1.1, April 2012)”, CL 1.07(3), Notes 3).

- 4.4 The Applicant shall meet the requirements as to eligibility of the Applicants as specified in Section V, Eligible Source Countries of Japanese ODA Loans.
- 4.5 The Applicant that has been determined to be ineligible by JICA in accordance with ITA 3.1, shall not be eligible to be awarded a contract.
- 4.6 The Applicant shall provide such evidence of its continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.
- 4.7 The goods and services comprising the works and/or plant to be supplied under the Contract and financed by JICA shall meet the requirements specified in Section V, Eligible Source Countries of Japanese ODA Loans.

B. Contents of the Prequalification Document

5. Sections of Prequalification Document

- 5.1 The Prequalification Document consists of Parts 1 and 2 which include all the Sections specified below, and which should be read in conjunction with any addenda 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
- Section IV. Application Forms
- Section V. Eligible Source Countries of Japanese ODA Loans

PART 2 Works Requirements

- Section VI. Works Requirements
- 5.2 The Invitation for Prequalification issued by the Employer is not part of the Prequalification Document.
 - 5.3 Unless obtained directly from the Employer, the Employer is not responsible for the completeness of the Prequalification Document, responses to requests for clarification, the minutes of the pre-application meeting (if any), or addenda to the Prequalification Document in accordance with ITA 7. In case of any contradiction,

documents obtained directly by the Employer shall prevail.

- 5.4 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Application all information or documentation as is required by the Prequalification Document. The information or documentation shall be complete, accurate, current, and verifiable.

6. Clarification of Prequalification Document

- 6.1 The Applicant requiring any clarification of the Prequalification Document shall contact the Employer in writing at the Employer's address **specified in the PDS** or raise its enquiries during the pre-application meeting if provided for in accordance with ITA 6.2. 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 in accordance with ITA 5.3, 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 clarification result in changes to the essential elements of the Prequalification Document, the Employer shall amend the Prequalification Document following the procedure under ITA 7 and ITA 15.2.

- 6.2 If so **specified in the PDS**, the Applicant's designated representative is invited to attend a pre-application meeting. The purpose of the meeting will be to clarify issues and to answer questions on any matter that may be raised at that stage.

- 6.3 The Applicant is requested to submit any questions in writing, to reach the Employer not later than seven (7) days before the meeting.

- 6.4 Minutes of the pre-application meeting, if applicable, including the text of the questions asked by the Applicants, without identifying the source and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all Applicants who have acquired the Prequalification Document in accordance with ITA 5.3. Any modification to the Prequalification Document that may become necessary as a result of the pre-application meeting shall be made by the Employer exclusively through the issue of an addendum pursuant to ITA 7 and not through the minutes of the pre-application meeting. Non-attendance at the pre-application meeting will not be a cause for disqualification of an Applicant.

7. Amendment of

- 7.1 At any time prior to the deadline for submission of Applications, the

Prequalification Document

Employer may amend the Prequalification Document by issuing addenda.

- 7.2 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 in accordance with ITA 5.3. If so **specified in the PDS**, the Employer shall also promptly publish the addendum at the Employer's web page in accordance with ITA 6.1.
- 7.3 To give 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, pursuant to ITA 15.2.

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, and the Employer shall not 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) Power of Attorney, authorizing the signatory of the Application to commit the Applicant, in accordance with ITA 13.2 and ITA 13.3;
- (c) copy of the JV Agreement, or a formal letter of intent to enter into a JV in accordance with ITA 4.1;
- (d) documentary evidence in accordance with ITA 12.1 establishing the Applicant's eligibility and qualification to perform the Contract if its Bid is accepted;
- (e) 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
- (f) any other document required **as specified in the PDS**.

**11. Application
Submission
Form**

11.1 The Applicant shall complete the Application Submission Form using the relevant forms furnished in Section IV, Application Forms. This Form must be completed without any alteration to the text, and no substitutes shall be accepted. All blank spaces shall be filled in with the information requested.

**12. Documents
Establishing
the
Qualifications
of the Applicant**

12.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria, the Applicant shall provide the information requested in the corresponding forms included in Section IV, Application Forms.

The aforementioned Qualification Criteria contains, among other things, the requirements as to eligibility specified in ITA 4.

**13. Format and
Signing of
Application**

13.1 The Applicant shall prepare one original of the Application comprising the documents as described in ITA 10.1 and clearly mark it "ORIGINAL".

In addition, the Applicant shall submit copies of the 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.

13.2 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. This authorization shall be in the form of a Power of Attorney. All pages of the Application where entries or amendments

have been made shall be signed or initialed by the person signing the Application.

- 13.3 An Application submitted by a JV shall be signed by an authorized representative of the JV accompanied by a Power of Attorney from each member of the JV giving that authorized representative the power to sign on their behalf and legally bind them all. Such power shall also be given by a person duly authorized to do so on behalf of each member evidenced by a Power of Attorney.
- 13.4 Any interlineation, erasures, or overwriting shall be valid only if they are signed or initialed by the person signing the Application.
- 13.5 The Applicants shall clearly mark "CONFIDENTIAL" any information which they regard as confidential to their business. Such information may include proprietary information, trade secrets, or commercial or financially sensitive information.

D. Submission of Applications

14. Sealing and Marking of Applications

- 14.1 The Applicant shall enclose:
 - (a) in a sealed envelope, duly marked as "ORIGINAL", all documents comprising the Application, as described in ITA 10.1; and
 - (b) in sealed envelopes, duly marked as "COPY", all required copies of the Application, sequentially numbered.

These envelopes (inner envelopes) containing the original and the copies shall then be enclosed in one single envelope (outer envelope).

- 14.2 The inner and outer envelopes shall be:
 - (a) clearly marked with the name and address of the Applicant;
 - (b) addressed to the Employer, in accordance with ITA 15.1; and
 - (c) clearly marked with the specific identification of this prequalification process, **specified in PDS 1.1.**
- 14.3 If all envelopes are not sealed and marked as required, the Employer will assume no responsibility for the misplacement of the Application.

15. Deadline for Submission of Applications

- 15.1 Applications must be received by the Employer at the address and no later than the date and time **specified in the PDS.**
- 15.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification

Document 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.

16. Late Applications

16.1 The Employer shall not consider any Application that arrives after the deadline for submission of Applications, in accordance with ITA 16. Any Application received by the Employer after the deadline for submission of Applications shall be declared late, rejected, and returned unopened to the Applicants.

17. Opening of Applications

17.1 The Employer shall open all Applications at the date, time and place **specified in the PDS**.

17.2 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 who submitted Applications in time, and to JICA.

E. Procedure for Evaluation of Applications

18. Confidentiality

18.1 Information relating to the evaluation of Applications and result shall not be disclosed to the 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 24.

The use by any Applicant of confidential information related to this prequalification process may result in the rejection of its Application.

18.2 Any attempt by an Applicant to influence the Employer in the evaluation of the Applications may result in the rejection of its Application.

18.3 Notwithstanding ITA 18.2, from the time of Application opening to the time of notification of results of the prequalification, if any Applicant wishes to contact the Employer on any matter related to the prequalification process, it shall do so in writing.

19. Clarification of Applications

19.1 To assist in the examination and evaluation of the Applications and the qualification of Applicants, the Employer may, at its discretion, ask any Applicant for a clarification of its Application, giving a reasonable time for a response. The Employer's request for clarification and the Applicant's response shall be in writing.

19.2 If an Applicant does not provide clarifications of its application by the date and time set in the Employer's request for clarification, its Application may be rejected.

20. Determination of Responsiveness of Applications

20.1 In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 19.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

21. Subcontractors

21.1 **Unless otherwise stated in the PDS**, the Employer does not intend to execute any specific elements of the works by subcontractors selected in advance by the Employer (nominated Subcontractors).

The Applicant may propose to subcontract any of the key activities indicated in the Qualification Criteria 4.2 (b) (specialized subcontractor). In such a case,

- (a) the Applicant may list one or more subcontractor(s) against any of the key activities aforementioned;
- (b) the Applicant shall clearly identify the proposed subcontractor(s) in Forms ELI-3 and EXP-2(b) in Section IV, Application Forms and submit the Schedule of Subcontractors, as part of its Application, listing out all subcontractors so proposed; and
- (c) substitution of the proposed subcontractor(s) shall not be allowed.

F. Evaluation of Applications and Prequalification of Applicants

22. Evaluation of Applications

22.1 The Applicant shall substantially meet or exceed the specified qualification requirements. The Employer reserves the right to waive minor (nonmaterial) deviations in the qualification criteria if they do not materially affect the technical capability and financial resources of the Applicant to perform the contract.

22.2 The determination shall be based upon an examination of the documentary evidence of the Applicant's qualifications submitted by the Applicant, pursuant to ITA 12. For the purposes of this determination, only the qualification of the legal entity(ies) comprising the Applicant shall be considered. In particular, the qualifications of affiliated entities (such as the parent company(ies), group companies, subsidiaries or other affiliates) shall not be considered unless they are parties to the Applicant under a JV in accordance with ITA 4.1 or as specialized subcontractors to be employed in accordance with ITA 21.1 for the key activities listed in Section III Qualification Criteria 4.2(b).

- 22.3 The subcontractors proposed in its Application shall meet the eligibility requirements of ITA 4.

Furthermore, if the specialized subcontractor proposed in accordance with ITA 21.1 does not meet the corresponding criteria for the key activities specified in Section III Qualification Criteria 4.2(b), the Applicant who proposed such a specialized subcontractor shall be disqualified.

23. Employer's Right to Accept or Reject Applications

- 23.1 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.

24. Notification of Prequalification

- 24.1 The Employer shall notify all Applicants in writing of the names of those Applicants who have been prequalified. In addition, those Applicants who have been disqualified will be informed separately.

- 24.2 After receipt of the Employer's notification pursuant to ITA 24.1 above, the unsuccessful Applicants may request in writing to the Employer a debriefing seeking an explanation of the grounds on which their Applications were not selected. The Employer shall promptly respond in writing to any unsuccessful Applicant who requests a debriefing in accordance with this Clause.

25. Invitation for Bids

- 25.1 Promptly after the notification of the results of the prequalification, the Employer shall invite Bids from all the Applicants that have been prequalified.

- 25.2 The 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 Document, and the successful Bidder shall be required to provide a Performance Security to be specified in the Bidding Document.

- 25.3 The Bidding Document will be prepared in accordance with the applicable Standard Bidding Document of JICA **specified in the PDS.**

26. Changes in Qualifications of Applicants

- 26.1 Any change in the structure or formation of the Applicant after being prequalified in accordance with ITA 22 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;

- (a) such change has not taken place by the free choice of the firms involved;

- (b) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria; or
- (c) 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 twenty-eight (28) days before the Bid submission deadline.

Section II. Prequalification Data Sheet

Notes for the Employer

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

The Prequalification Data Sheet (PDS) contains information and provisions that are specific to each prequalification process and that supplement Section I, Instructions to Applicants. The Employer must specify in the PDS only the information that the ITA requires to 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.

The following directions should be observed when filling the PDS:

- (a) Specific details, such as the name of the Employer and the address for Application submission should be furnished in the spaces indicated by italicized notes inside brackets.
- (b) The italicized notes are not part of the actual PDS, but contain guidelines and instructions for the Employer. They shall be deleted from the actual Prequalification Document to be issued to the Applicants.
- (c) Where alternative Clauses or texts are shown, select those which best suit the particular contract and delete the alternative text which is not used.

Prequalification Data Sheet

A. General									
ITA 1.1	<p>The number of the Invitation for Prequalification is: <i>[insert number of the Invitation for Prequalification]</i></p> <p>The Employer is: <i>[insert name of Employer]</i> located in <i>[insert name of country of Employer/ Borrower]</i>.</p> <p>The Project is: <i>[insert name of Project]</i></p> <p>The name of the Contract is: <i>[insert name of Contract]</i></p> <p>The multiple lots of the Project for which the Prequalification are being invited are: <i>[If the Prequalification are being invited for multiple lots of the Project, insert "as indicated in the table below" and list out the relevant lot numbers and contract names in the table. Otherwise delete the table below entirely and insert "not applicable".]</i></p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 2px 10px;">Lot Number</th> <th style="padding: 2px 10px;">Contract Name</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px 10px;"><i>[insert lot number]</i></td> <td style="padding: 2px 10px;"><i>[insert contract name]</i></td> </tr> <tr> <td style="padding: 2px 10px;"><i>[insert lot number]</i></td> <td style="padding: 2px 10px;"><i>[insert contract name]</i></td> </tr> <tr> <td style="padding: 2px 10px;"><i>[insert lot number]</i></td> <td style="padding: 2px 10px;"><i>[insert contract name]</i></td> </tr> </tbody> </table>	Lot Number	Contract Name	<i>[insert lot number]</i>	<i>[insert contract name]</i>	<i>[insert lot number]</i>	<i>[insert contract name]</i>	<i>[insert lot number]</i>	<i>[insert contract name]</i>
Lot Number	Contract Name								
<i>[insert lot number]</i>	<i>[insert contract name]</i>								
<i>[insert lot number]</i>	<i>[insert contract name]</i>								
<i>[insert lot number]</i>	<i>[insert contract name]</i>								
ITA 2.1	<p>The Borrower is: <i>[insert name of Borrower]</i>.</p> <p>The number of the Loan Agreement is: <i>[insert JICA Loan Agreement Number]</i>.</p> <p>The amount of a Japanese ODA Loan is: <i>[insert amount in Japanese Yen]</i>.</p> <p>The signed date of the Loan Agreement is: <i>[insert signed date of Loan Agreement]</i>.</p>								
ITA 2.2	<p>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>.</p>								
ITA 2.3	<p>The other sources of finance are: <i>[insert other sources of finance]</i>.</p>								
ITA 3.1(b)	<p>The list of ineligible firms and individuals is available at the JICA's website: www.jica.go.jp/english/our_work/compliance</p>								
ITA 3.1(c)	<p>The list of debarred firms and individuals is available at the World Bank's website: www.worldbank.org/debarr</p>								

B. Contents of the Prequalification Document	
ITA 6.1	<p>For <u>clarification purposes</u> only, the Employer’s address is: Attention: <i>[insert full name of person, if applicable]</i> Mailing Address: <i>[insert mailing address]</i> Email: <i>[insert email address(es), if applicable]</i></p> <p>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 indicated below.</p> <p>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 insert “N/A”.]</i></p>
ITA 6.2	<p>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 “N/A” in the spaces provided below for the date, time and place.]</i></p> <p>Date : _____ Time : _____ Place : _____</p>
ITA 7.2	<p>Addenda, if any, <i>[select “will” or “will not”, as appropriate]</i> be published on the Employer’s web page.</p>
C. Preparation of Applications	
ITA 9.1	<p>The language of the Application is: <i>[insert one of the following: Japanese, English, Spanish or French]</i></p>
ITA 10.1(f)	<p>The Applicant shall submit the following additional documents in its Application: <i>[List any additional document not already listed in ITA 10.1 that must be submitted with the Application. If there is none, then delete all above and state “This PDS 10.1(f) is not applicable.”]</i></p>
ITA 13.1	<p>In addition to the original of the Application, the number of copies is: <i>[insert number of copies]</i></p>
D. Submission of Applications	
ITA 15.1	<p>For <u>Application submission purposes</u> only, the Employer’s address is: Attention: <i>[insert full name of person, if applicable]</i> Mailing Address: <i>[insert mailing address]</i></p>

	<p>The deadline for Application submission is:</p> <p>Date: <i>[insert day, month, and year]</i></p> <p>Time: <i>[insert time, and identify if a.m. or p.m., e.g. 10:30 a.m.]</i></p>								
ITA 17.1	<p>The Application opening shall take place at:</p> <p>Mailing Address: <i>[insert mailing address]</i></p> <p>Date: <i>[insert day, month, and year, e.g., 15 June 2018]</i></p> <p>Time: <i>[insert time, and identify if a.m. or p.m., e.g. 10:30 a.m.]</i></p> <p><i>[The date should be the same as that given for the deadline for submission of Applications (ITA 15).]</i></p>								
E. Procedures for Evaluation of Applications									
ITA 21.1	<p>At this time the Employer <i>[insert “intends” or “does not intend”, as appropriate]</i> to execute certain specific parts of the works by subcontractors (i.e.: nominated Subcontractors) selected in advance.</p> <p><i>[If the Employer intends to employ nominated Subcontractors insert the following paragraph, listing the nominated Subcontractors in the table. Otherwise delete it entirely.]</i></p> <p>The specific parts of the Works and the nominated Subcontractors to be employed for each part are as indicated below:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Part of the Works</th> <th style="text-align: center;">Nominated Subcontractor</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><i>[insert specific part]</i></td> <td style="text-align: center;"><i>[insert name of nominated Subcontractor]</i></td> </tr> <tr> <td style="text-align: center;"><i>[insert specific part]</i></td> <td style="text-align: center;"><i>[insert name of nominated Subcontractor]</i></td> </tr> <tr> <td style="text-align: center;"><i>[insert specific part]</i></td> <td style="text-align: center;"><i>[insert name of nominated Subcontractor]</i></td> </tr> </tbody> </table>	Part of the Works	Nominated Subcontractor	<i>[insert specific part]</i>	<i>[insert name of nominated Subcontractor]</i>	<i>[insert specific part]</i>	<i>[insert name of nominated Subcontractor]</i>	<i>[insert specific part]</i>	<i>[insert name of nominated Subcontractor]</i>
Part of the Works	Nominated Subcontractor								
<i>[insert specific part]</i>	<i>[insert name of nominated Subcontractor]</i>								
<i>[insert specific part]</i>	<i>[insert name of nominated Subcontractor]</i>								
<i>[insert specific part]</i>	<i>[insert name of nominated Subcontractor]</i>								
F. Evaluation of Applications and Prequalification of Applicants									
ITA 25.3	<p>The Bidding Documents will be prepared in accordance with the Standard Bidding Document for the Procurement of <i>[insert one of the following, as appropriate: “Works”, “Plant Design, Supply and Installation (Plant)” or “Design Build Plant and Works (Design Build)”]</i> published by JICA.</p>								

Section III. Qualification Criteria

Notes for the Employer

This Section specifies the criteria to determine the qualification of the Applicants to perform the Contract. No other factors, methods or criteria shall be used. The Applicant shall provide all the information requested in the forms included in Section IV, Application Forms.

The Employer requires the Applicants to be qualified by meeting pre-defined, precise minimum requirements. The method entails setting pass-fail criteria, which, if not met by the Applicant, results in disqualification. For that purpose, a clear-cut, fail-pass qualification criteria need to be defined and indicated in the Prequalification Document to enable the Applicants to make an informed decision whether to pursue a specific contract and, if so, whether to pursue it as a single firm or as a joint venture. The criteria adopted must relate to characteristics that are essential to ensure satisfactory execution of the contract, and must be stated in clear terms.

The notes entitled “*Notes for the Employer*”, “boxed” notes and italicized notes are not part of the actual Qualification Criteria, but contain guidelines and instructions for the Employer. They shall be deleted from the actual Prequalification Document to be issued to the Applicants.

The “*Notes for the Applicants*” contained in this Section III should be included in the actual Prequalification Document to be issued by the Employer.

Qualification Criteria

(I) **Qualification of the Applicant but not that of the Applicant's Affiliate**

It is the legal entity or entities comprising the Applicant (which is/are party to the Applicant under a JV or as subcontractors to be employed for the key activities listed in this Section), and not the Applicant's parent company(ies), group companies, subsidiaries, or other affiliates, that must satisfy the qualification criteria.

(II) **Exchange Rate for Qualification Criteria**

Wherever a Form in Section IV, Application Forms, requires the Applicant to state a monetary amount, the Applicant should indicate the USD equivalent using the rate of exchange determined as follows:

- (a) For turnover or financial data required for each year - Exchange rate prevailing on the last day of the respective calendar or fiscal year, as applicable.
- (b) Value of single contract - Exchange rate prevailing on the date of the contract.

The applicable exchange rate shall be determined as follows:

The source of exchange rate shall be: *[insert name of the source of exchange rates (e.g., the Central Bank in the Employer's Country)]*

In case the exchange rates are not available in the source identified above, the rates shall be taken from any other publicly available source acceptable to the Employer. Any error in determining the exchange rates may be corrected by the Employer.

(III) **Qualification Criteria for Award of Multiple Lots**

[Insert the following clause in case of bidding for multiple lots. Otherwise state "N/A".

"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, 3.3, 4.2(a) and 4.2(b) below."]

1. Eligibility

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
1.1	Nationality	Nationality in accordance with ITA 4.4	Must meet requirement	N/A	Must meet requirement	N/A	Forms ELI -1 and 2 ⁽ⁱ⁾ with attachments
1.2	Conflict of Interest	No conflicts of interest in ITA 4.2 and 4.3	Must meet requirement	N/A	Must meet requirement (ii)	N/A	Application Submission Form
1.3	JICA Ineligibility	Not having been declared ineligible by JICA, as described in ITA 4.5	Must meet requirement	N/A	Must meet requirement (ii)	N/A	Application Submission Form Form ACK

Notes for the Applicants

(i) ELI -2 is required only if the Applicant is a JV.

(ii) This requirement also applies to subcontractors if proposed by the Applicant under 4.2(b) below.

2. Historical Contract Non-Performance and Litigation

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
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	Pending Litigation	Applicant's financial position and prospective long-term profitability still sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved against the Applicant.	Must meet requirement ⁽ⁱⁱ⁾	N/A	Must meet requirement ⁽ⁱⁱ⁾	N/A	Form CON
2.3	Litigation History	No consistent history of court orders ⁽ⁱⁱⁱ⁾ against the Applicant since 1 st January [<i>insert year</i>]. ¹	Must meet requirement ⁽ⁱⁱ⁾	N/A	Must meet requirement ⁽ⁱⁱ⁾	N/A	Form CON

Notes for the Applicants

(i) Non-performance, as decided by the Employer, shall include all contracts:

- where non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and
- that were so challenged but fully settled against the contractor.

Non-performance shall not include contracts where Employer's decision was overruled by the dispute resolution mechanism. Moreover, 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.

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
		(ii) This requirement also applies to contracts executed by the Applicant as a JV member.					
		(iii) The Applicant shall provide accurate information on the related Application Form about any litigation resulting from contracts completed or ongoing under its execution over the last five (5) years. A consistent history of court orders against the Applicant or any member of a joint venture may result in failure of the Application.					
<u>Notes for the Employer</u>							
1. Year should usually be five years prior to the Application submission deadline.							

3. Financial Situation and Capabilities

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
3.1	Financial Performance	<p>The financial statements for the last <i>[insert number of years]</i>¹ years shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability.</p> <p>As the minimum requirement, the Applicant's net worth calculated as the difference between total assets and total liabilities should be positive.</p>	Must meet requirement	N/A	Must meet requirement	N/A	Form FIN –1 with attachments
3.2	Average Annual Turnover	<p>Minimum average annual turnover of USD <i>[insert amount in USD]</i>², calculated as total certified payments received for contracts in progress and/ or completed, within the last <i>[insert number of years]</i>³ years, divided by <i>[insert number of years]</i>⁴ years.</p> <p><i>[insert requirements for award of multiple lots, if applicable.]</i></p>	Must meet requirement	Must meet requirement	Must meet <i>[insert number]</i> % ⁵ of the requirement	Must meet <i>[insert number]</i> % ⁶ of the requirement	Form FIN –2

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
3.3	Financial Capabilities	<p>The Applicant shall demonstrate, to the satisfaction of the Employer that it currently (as of the Application submission deadline), has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as USD [<i>insert amount in USD</i>]⁷ for the subject contract(s) net of the Applicant's all other commitments, both current and future.</p> <p><i>[insert requirements for award of multiple lots, if applicable]</i></p>	Must meet requirement	Must meet requirement	N/A	N/A	Form FIN -3 and FIN -4

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
<i>Notes for the Employer</i>							
<p>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.</p> <p>2. The amount stated should normally not be less than twice the estimated annual turnover in the proposed contract (based on a straight-line projection of the Employer's estimated contract value, including contingencies, over the contract duration). The multiplier of 2 may be reduced for very large contracts but in any case, should not be less than 1.5.</p> <p>3. 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.</p> <p>4. Same number of years as in 3. above.</p> <p>5. Usually not less than 25% of the requirement for each member of a JV.</p> <p>6. Usually not less than 40% of the requirement for one member of a JV.</p> <p>7. Indicate the construction cash flow requirement for a number of months, determined as the total time needed by the Employer to pay a contractor's invoice, allowing for (a) the actual time consumed for construction, from the beginning of the month invoiced, (b) the time needed by the Engineer/ Project Manager to issue the monthly payment certificate, (c) the time needed by the Employer to pay the amount certified, and (d) a contingency period of one month to allow for unforeseen delays. The total period should not exceed six (6) months. The assessment of the monthly amount should be based on a straight-line projection of the estimated cash flow requirement over the particular contract period, neglecting the effect of any advance payment and retention monies, but including contingency allowances in the estimated contract cost.</p> $\text{Monthly Amount} = \frac{\text{Estimated Contract Value (inclusive of Taxes and Duties)}}{\text{Contract Period in Months}}$							

4. Experience

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
4.1	General Experience	Continuous experience under contracts in the role of prime contractor ⁽ⁱ⁾ (single firm or JV member) or subcontractor between 1 st January [<i>insert year</i>] ¹ and the Application submission deadline.	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP –1
4.2	Specific Experience	<p>(a) A minimum number of [<i>insert number of contracts</i>]² similar contracts, each of minimum value of [<i>insert minimum value</i>]⁽ⁱⁱⁱ⁾ that have been satisfactorily completed⁽ⁱⁱⁱ⁾ as a prime contractor⁽ⁱ⁾ (single entity or JV member)^(iv) between 1st January [<i>insert year</i>]³ and Application submission deadline.</p> <p>The similarity of the contracts shall be based on the following: [<i>based on Section VI, Works Requirements, specify the minimum key requirements in terms of physical size, complexity,</i></p>	Must meet requirement	Must meet requirement ^(v)	N/A	Must meet the following requirements: [<i>list the minimum requirements to be met by one member; if there is no such requirement, state "N/A"</i>]	Form EXP –2(a) with attachment

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
		<p><i>construction method, technology and/or other characteristics including part of the requirements that may be met by subcontractors, if permitted, in accordance with ITA 21.1]</i></p> <p><i>[insert requirements for award of multiple lots, if applicable.]^(vii)</i></p>					
		<p>(b) For the above or other contracts completed and under implementation as prime contractor⁽ⁱ⁾ (single entity or JV member) or subcontractor^(vi) between 1st January [<i>insert year</i>]⁴ and Application submission deadline, a minimum experience in the following key activities successfully completed⁽ⁱⁱⁱ⁾ [<i>list activities indicating number, length, area or volume in case of civil works or number, output, capacity, performance levels in the case of plant works as applicable.</i>]</p> <p><i>[insert requirements for award of multiple lots, if</i></p>	<p>Must meet requirement</p> <p>Following activities can be met through a specialized subcontractor:</p> <p><i>[specify activities, which may be met through a specialized subcontractor; if none, then state "N/A"]</i></p>	<p>Must meet requirement^(v)</p> <p>Following activities can be met through a specialized subcontractor:</p> <p><i>[specify activities, which may be met through a specialized subcontractor; if none, then state "N/A"]</i></p>	N/A	<p>Must meet requirement</p> <p>Following requirements shall be met by one member:</p> <p><i>[specify activities which shall be met by one member. If none, then state: "N/A"]</i></p>	<p>Form ELI –3</p> <p>Form EXP –2(b) with attachment</p> <p>Schedule of Subcontractors</p>

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
		<i>applicable.]</i> ^(vii)					
<p><u>Notes for the Applicants</u></p> <p>(i) For the purposes of this criterion, a ‘management contractor’ is also considered as a prime contractor. A firm which takes on the role of contract management is referred herein as ‘management contractor’. A management contractor 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 responsibility and risk for price, quality, and timely performance of the work contract.</p> <p>(ii) Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted.</p> <p>(iii) Completion shall be evidenced by submission of copy of end-user certificates such as Taking-over Certificates and Completion Certificates as required to be submitted as attachment to Form EXP-2(a) or Form EXP-2(b) of Section IV, Application Forms.</p> <p>(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.</p> <p>(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.</p> <p>(vi) For contracts under which the Applicant participated as a JV member or subcontractor, only the Applicant’s share, by value and role, shall be considered to meet this requirement.</p> <p>(vii) The minimum experience requirement for award of multiple lots will be the sum of the minimum requirements for respective individual lots.</p>							
<p><u>Notes for the Employer</u></p> <p>1. The time period is usually 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.</p> <p>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.</p> <p>3. The time period is usually five (5) years, and may be extended up to a period of ten (10) years for large-scale projects.</p>							

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor	Requirement	Single Firm	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
<i>4. Same as that stipulated in Sub-Factor 4.2 (a) above.</i>							

Section IV. Application Forms

Notes for the Employer

This Section includes the forms which are to be completed by the Applicant and submitted as part of its Application and the Employer shall include herein all forms that the Applicant shall fill out and include in its Application.

The “Boxed” notes indicated as “*Notes for the Employer*” are not part of the actual Application Forms, but contain guidelines and instructions for the Employer. The Employer shall fill in all necessary information in the following forms, complying with those guidelines and instructions.

- (a) Form CON: Historical Contract Non-Performance and Litigation (relevant year in accordance with Section III, Qualification Criteria)
- (b) Form ACK: Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans

The above “Boxed” notes shall be deleted from the actual Prequalification Document to be issued to the Applicants.

Italicized notes containing guidance and instruction (not specifically addressed to the Employer) are given solely for the Applicants as to which data to be filled in, in the respective form and they shall not be filled in or modified by the Employer.

The “*Notes for the Applicants*” contained in this Section IV shall be included in the actual Prequalification Document to be issued to the Applicants.

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[Prepare this Application Submission Form on stationery with its letterhead clearly showing the Applicant's complete name and business address.]

Application Submission Form

Date : *[insert date of Application submission]*
 IFP No. : *[insert Invitation for Prequalification number]*
 Project : *[insert name of Project]*
 Contract : *[insert name of Contract]*

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 Document, including addenda 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, 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, in respect of which this prequalification is conducted, without incurring any liability to the Applicants, in accordance with ITA 23.
- (e) We, hereby certify that we have taken steps to ensure that no person acting for us or on our behalf will engage in any type of fraud or corruption.

Name of the Applicant¹ *[insert complete name of person signing the Application]*

Name of the person duly authorized to sign the Application on behalf of the Applicant² *[insert complete name of person duly authorized to sign the Application]*

Title of the person signing the Application *[insert complete title of the person signing the Application]*

Signature of the person named above *[insert signature of person whose name and capacity are shown above]*

Date signed *[insert date of signing]* day of *[insert month]*, *[insert year]*

Notes for the Applicants

1. In the case of the Application submitted by a joint venture, specify the name of the Joint Venture as Applicant.
2. Person signing the Application shall have the Power of Attorney given by the Applicant to be included in the Application.

Form ELI -1: Applicant Information Form

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

[Applicants shall provide the following information. The documents listed/ stated as required shall be submitted as attachments hereto.]

Applicant's legal name: <i>[insert full name]</i>
In case of a JV, legal name of the representative member and of 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 mailing address]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert mailing address]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> Email address: <i>[insert email address]</i>
<ol style="list-style-type: none"> 1. Attached are copies of original documents of Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI -2: JV Member Information Form

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

[The following form is additional to Form ELI-1, and shall be completed to provide information relating to each JV member, in case if the Applicant is a JV. The documents listed/ stated as required shall be submitted as attachments hereto.]

Applicant's legal name: <i>[insert full name]</i>
JV Member's legal name: <i>[insert full name of Applicant's party]</i>
JV Member's country of registration: <i>[insert country of registration]</i>
JV Member's year of incorporation: <i>[insert year of incorporation]</i>
JV Member's legal address in country of registration: <i>[insert mailing address]</i>
JV Member's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert mailing address]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> Email address: <i>[insert email address]</i>
<ol style="list-style-type: none"> 1. Attached are copies of original documents of Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI -3: Subcontractor Information Form

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

[The following form is additional to Form ELI-1 and ELI-2 (if applicable), and shall be completed to provide information relating to the specialized subcontractor (if any) proposed to be used by the Applicant for the execution of the key activities listed in Section III, Qualification Criteria, Sub-Factor 4.2(b). The documents listed/ stated as required shall be submitted as attachments hereto.]

Applicant's legal name: <i>[insert full name]</i>
Subcontractor's legal name: <i>[insert full name of Subcontractor's party]</i>
Subcontractor's country of registration: <i>[insert country of registration]</i>
Subcontractor's year of incorporation: <i>[insert year of incorporation]</i>
Subcontractor's legal address in country of registration: <i>[insert mailing address]</i>
Subcontractor's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert mailing address]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> Email address: <i>[insert email address]</i>
<ol style="list-style-type: none"> 1. Attached are copies of original documents of Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form CON: Historical Contract Non-Performance and Litigation

[The following table shall be filled in for the Applicant, and for each JV member if the Applicant is a JV.]

Date: [insert day, month, year]

Applicant’s Legal Name: [insert full name]

JV Member’s 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			
<p>In accordance with Section III, Qualification Criteria, Sub-Factor 2.1, since 1st January [The Employer shall insert year.]:</p> <p>[The Applicant shall indicate the applicable wording below by checking the appropriate box.]</p> <p><input type="checkbox"/> contract non-performance did not occur.</p> <p><input type="checkbox"/> contract non-performance occurred as indicated below:</p>			
Year	Non- performed portion of contract	Contract Identification	Total Contract Amount
[insert year]	[insert amount and percentage]	<ul style="list-style-type: none"> • Contract Identification: [insert complete contract name, number, and any other identification] • Name of Employer: [insert full name] • Address of Employer: [insert mailing address] • Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes] • Email address: [insert email address] • Reason(s) for non-performance: [indicate main reason(s)] 	[insert current value, currency, exchange rate and USD equivalent]

2. Pending Litigation

Pending Litigation				
<p>In accordance with Section III, Qualification Criteria, Sub-Factor 2.2: [The Applicant shall choose the relevant wording below by checking the appropriate box.]</p> <p><input type="checkbox"/> there is no pending litigation involving the Applicant.</p> <p><input type="checkbox"/> there is pending litigation involving the Applicant as indicated below:</p>				
Year of dispute	Amount in dispute (currency)	Outcome as Percentage of Net Worth	Contract Identification	Total Contract Amount
[insert year]	[insert amount]	[insert percentage]	<ul style="list-style-type: none"> • Contract Identification: [indicate complete contract name, number, and any other identification] • Name of Employer: [insert full name] • Address of Employer: [insert mailing address] • Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes] • Email address: [insert email address] • Party who initiated Litigation: [indicate "Employer" or "Contractor"] • Matter in dispute: [indicate main issues in dispute] 	[insert current value, currency, exchange rate and USD equivalent]

3. Litigation History

Litigation History		
<p>In accordance with Section III, Qualification Criteria, Sub-Factor 2.3, since 1st January [<i>The Employer shall insert year.</i>]:</p> <p>[<i>The Applicant shall choose the relevant wording below by checking the appropriate box.</i>]</p> <p><input type="checkbox"/> there are no court orders against the Applicant.</p> <p><input type="checkbox"/> there are court orders against the Applicant as indicated below:</p>		
Year of award	Contract Identification	Total Contract Amount
[<i>insert year</i>]	<ul style="list-style-type: none"> • 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 mailing address</i>] • Telephone/Fax numbers: [<i>insert telephone/fax numbers, including country and city codes</i>] • Email address: [<i>insert email address</i>] • Matter in dispute: [<i>indicate main issues in dispute</i>] • Party who initiated litigation: [<i>indicate "Employer" or "Contractor"</i>] • Abstract of the Court Order: [<i>state concisely the court order concerning main issues in dispute</i>] 	[<i>insert current value, currency, exchange rate and USD equivalent</i>]

Form FIN -1: Financial Situation

[The following table shall be filled in for the Applicant, and for each JV member if the Applicant is a JV. The documents listed/ stated as required shall be submitted as attachments hereto.]

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

JV Member's Legal Name: [insert full name]

IFP No.: [insert number]

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

1. Financial data

Type of Financial information in (currency)	Historic information for previous [insert number] years (amount in currency, currency, exchange rate, USD equivalent)				
	Year 1	Year 2	Year 3	Year 4	Year 5
Information from Balance Sheet					
Total Assets (TA)					
Total Liabilities (TL)					
Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
Profits After Taxes (PAT)					
Information from Cash Flow Statement					
Cash Flow from Operating Activities					

2. Financial documents

The Applicant and its parties shall provide copies of the financial statements¹ for the number of years indicated in Section III, Qualification Criteria Sub-Factor 3.1. The financial statements shall:

- (a) reflect the financial situation of the legal entity(ies) comprising the Applicant, and not of the affiliated entities (such as parent company(ies), group companies or subsidiaries) of the Applicant unless they are parties to the Applicant under a JV in accordance with ITA 4.1.
- (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 herewith are copies of financial statements for the number of years required above, and complying with the requirements.

Notes for the Applicants

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

Form FIN - 2: Average Annual Turnover

[The following table shall be filled in for the Applicant, and for each JV member if the Applicant is a JV.]

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

JV Member's Legal Name: [insert full name]

IFP No.: [insert number]

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

Annual Turnover Data			
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 Turnover ¹			

Notes for the Applicants

1. Total USD equivalent for all years divided by the total number of years, in accordance with Section III, Qualification Criteria, Sub-Factor 3.2.

Form FIN - 3: Financial Resources

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

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

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

JV Member's Legal Name: *[insert full name]*

IFP No.: *[insert number]*

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

[Specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total construction cash flow demands of the subject contract or contracts as specified in Section III, Qualification Criteria, Sub-Factor 3.3.]

Financial Resources		
No.	Source of financing¹	Amount (USD equivalent)
1		
2		
3		

Notes for the Applicants

1. Sources of financing may include working capital (to be taken from FIN-1), Credit Line (to be substantiated by a letter from the bank issuing the line of credit), etc.

Form FIN - 4: Current Contract Commitments

[The following table shall be filled in for the Applicant, and for each JV member if the Applicant is a JV.]

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

JV Member's Legal Name: [insert full name]

IFP No. [insert number]

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

[The Applicant and each member should provide information on their current commitments on all contracts that have been awarded, or for which a Letter of Intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full Taking-over Certificate/ Completion Certificate has yet to be issued, in accordance with Section III, Qualification Criteria, Sub-Factor 3.3.]

Current Contract Commitments						
No.	Name of Contract	Employer's Mailing Address, Tel, Fax.	Value of Outstanding Work [Current USD Equivalent]	Commencement Date	Estimated Completion Date	Average Monthly Invoicing Over Last Six Months [USD/month]
1						
2						
3						
4						
5						

Form EXP -1: General Experience

[The following table shall be filled in for the Applicant, and for each JV member if the Applicant is a JV.]

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

[The Applicant shall identify contracts that demonstrate continuous experience pursuant to Section III, Qualification Criteria, Sub-Factor 4.1 and list contracts chronologically, according to their commencement (starting) dates.]

General Experience			
Starting Year	Ending Year	Contract Identification	Role of Applicant
[indicate year]	[indicate year]	<ul style="list-style-type: none"> • Contract name: [insert full name] • Brief description of the Contract performed by the Applicant: [describe Contract performed briefly] • Amount of contract: [insert amount in currency, mention currency used, exchange rate and USD equivalent] • Name of Employer: [insert full name] • Address: [insert mailing address] 	[insert "Prime Contractor (single entity or JV member)" or "Subcontractor"]

Form EXP -2(a): Specific Experience

[The following table shall be filled in for the Applicant, and for each JV member if the Applicant is a JV. The documents listed/ stated as required shall be submitted as attachments hereto.]

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

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

JV Member's Legal Name: *[insert full name]*

IFP No.: *[insert number]*

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

[The Applicant shall fill out one (1) form per contract, in accordance with Section III, Qualification Criteria, Sub-Factor 4.2(a).]

Contract of Similar Size and Nature			
Similar Contract No.	Information		
<i>[insert number] of [insert number of similar contracts required]</i>			
Contract Identification	<i>[insert contract name and reference identification 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		
	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 percentage participation]</i>	<i>[insert total contract amount and currency(ies)]</i>	USD <i>[insert exchange rate and total contract amount in USD equivalent]</i>
	<i>[describe participation in JV and work performed]</i>		
Employer's Name:	<i>[insert full name]</i>		
Address:	<i>[Insert mailing address]</i>		

Contract of Similar Size and Nature	
Similar Contract No.	Information
<i>[insert number] of [insert number of similar contracts required]</i>	
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>
Email:	<i>[insert email address, if available]</i>
Description of the similarity in accordance with Sub-Factor 4.2(a) of Section III:	
1. Physical Size of Required items	<i>[insert physical size of items]</i>
2. Complexity	<i>[insert description of complexity]</i>
3. Construction 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, Works Requirements]</i>
Attached herewith are the copies of originals of:	
(a) abstracts of contract documents, JV Agreements, etc. evidencing that the size and nature of the above-mentioned contract meets the requirements specified in Section III, Qualification Criteria, Sub-Factor 4.2(a).	
(b) the end-user certificate(s) (i.e. Taking-over Certificate(s)/ Completion Certificate(s)), evidencing that the contract above-mentioned contract has been successfully completed.	

Form EXP -2(b): Experience in Key Activities

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

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

IFP No.: *[insert number]*

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

1. Summary of Key Activities

[Fill out if the Applicant is a Single Firm /JV or proposes specialized subcontractors for the execution of any of the key activities.]

Summary of Single Firm / JV Member / Subcontractor for Key Activities		
Key Activity		<i>Single Firm / JV Member / Subcontractor</i>
No	Description	
1	<i>[insert name of Activity No. 1]</i>	<i>[insert full name(s) of Single Firm / JV Member(s)/ Subcontractor(s)]</i> (i) _____ (ii) _____ (iii) _____
2	<i>[insert name of Activity No. 2]</i>	<i>[insert full name(s) of Single Firm / JV Member(s)/ Subcontractor(s)]</i> (i) _____ (ii) _____ (iii) _____
3	<i>[insert name of Activity No. 3]</i>	<i>[insert full name(s) of Single Firm / JV Member(s)/ Subcontractor(s)]</i> (i) _____ (ii) _____ (iii) _____
4	<i>[insert name of Activity No. 4]</i>	<i>[insert full name(s) of Single Firm / JV Member(s)/ Subcontractor(s)]</i> (i) _____ (ii) _____ (iii) _____
etc.	_____	_____

2. Contract Information**Key Activity No (1):** *[insert name of Key Activity]*

[Fill out one (1) form per contracts performed by the Applicant Single Firm / JV member / specialized subcontractor as listed in the Summary of Key Activities above in accordance with Section III, Qualification Criteria, Sub-Factor 4.2(b). The documents listed/ stated as required shall be submitted as attachments hereto.]

(i) *[insert full name of Single Firm /JV Member's /Subcontractor's Legal Name]*

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 Single entity <input type="checkbox"/> JV member <input type="checkbox"/>	Subcontractor <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount and currency(ies)]</i>	<i>USD [insert Exchange rate and total contract amount in USD equivalent]</i>
<i>[insert brief description of the Activity No. (1)]</i>	<i>[describe briefly how the corresponding minimum requirement is met]</i>	
Employer's Name:	<i>[insert full name]</i>	
Address:	<i>[insert mailing address]</i>	
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>	
Email:	<i>[insert email address, if available]</i>	
Attached herewith are the copies of originals of:		
(a) abstracts of contract documents, sub-contract agreements, JV Agreements, etc. evidencing		

Contract with Similar Key Activities

that the above activity meets the criteria specified in Section III, Qualification Criteria, Sub-Factor 4.2(b).

- (b) the end-user certificate(s) (i.e. Taking-over Certificate(s)/ Completion Certificate(s)) for the above-mentioned contract, evidencing that the above activity has been successfully carried out.

(ii) [*insert full name of Single Firm /JV Member's /Subcontractor's Legal Name*]

(iii) [*insert full name of Single Firm /JV Member's /Subcontractor's Legal Name*]

Key Activity No. (2):

Key Activity No. (3):

Form ACK

Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans

Notes for the Employer

The Form ACK should be finalized by using the latest version of Form ACK, uploaded in the JICA webpage;
https://www.jica.go.jp/english/our_work/types_of_assistance/oda_loans/oda_op_info/guide/index.html

The contact/ mailing address of JICA office in the project country should be stated in E) (2). Such address can be found in the webpage, URL of which has been given in E) (1). If there is no JICA office available in the country, E) (2) should be deleted in its entirety.

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:

- (i) all information provided in the Application submitted by the Applicant and its subcontractors for [*insert name of the Project, and name, number and identification of lot(s) (contracts(s)) as stated in PDS 1.1*] is true, correct and accurate to the best of the Applicant’s and my knowledge and belief; and
- (ii) the Applicant or any of its subcontractors has not, directly or indirectly, taken any action which is or constitutes a corrupt or fraudulent practice 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 date of issuance of Invitation 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 Prequalification 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 and its subcontractors, that if selected to undertake services in connection with the contract, the Applicant and its subcontractors 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 and its subcontractors, that if the Applicant or any of its subcontractors is requested, directly or indirectly, to engage in any corrupt or fraudulent practice 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: [insert date]

Section V. Eligible Source Countries of Japanese ODA Loans

Notes for the Employer

This Section contains information and provisions as to the Eligible Source Countries applicable for the Applicants, and for the goods and services to be supplied under the Contract, as included in the Loan Agreement with JICA.

The Employer shall insert below, all relevant information and provisions cited from the Loan Agreement with JICA. If any additional documents are required to be submitted by the Applicant as evidence of compliance of the provisions above, such additional documents shall be listed in Section II, Prequalification Data Sheet, under ITA 10.1(f).

PART 2 – WORKS REQUIREMENTS

Section VI. Works Requirements

Notes for the Employer

This Section contains a description of the works or plant, in respect of which this prequalification is conducted, and details and schedules relating to the work execution period and, Site and other relevant Data. The information provided herein should be sufficient so that a prospective Applicant can decide whether or not it will compete for that type of works or plant, and whether it will need to use subcontractors for specific parts of the works or plant, and/or form a Joint Venture.

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1. Description of the Works

Notes for the Employer

The Employer shall describe the works or plant in sufficient detail to identify location, nature, and complexity. Indicate the estimated quantities of major components of the works or plant which should be indicated in the contract.

2. Work Execution Period

Notes for the Employer

The Employer shall state the expected work execution period and time in weeks or months, and if alternative time schedules are permitted, give the range of acceptable work execution periods. The period allowed should be reasonable and flexible.

3. Site and Other Data

Notes for the Employer

The Employer shall 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:<https://www.jica.go.jp>

Email: lpds@jica.go.jp