

Section IV: Eligibility and Qualification Criteria

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Preamble

This Section contains the list of criteria that the Client shall use to assess eligibility and qualification of the Participants.

The Client shall articulate the criteria unambiguously to enable Participants to provide comprehensive information to demonstrate compliance with the eligibility and qualification criteria for the Contract.

When articulating criteria for JVCA members, the Client shall take into account their joint and several liabilities under the Contract.

If the Procurement Process covers a number of Contracts (lots), the criteria shall be set for each lot and any combination of lots, including all lots.

In case of any ambiguities, the criteria shall be interpreted in favour of Participants.

In order to demonstrate compliance with the eligibility and qualification criteria, Participants shall provide all the requested information using the forms provided in Section V, Forms, as appropriate.

Table 1. Eligibility						
Criteria	Requirement	Participant				Documents Required
		Single Entity	Joint Venture, Consortium or Association			
			All members combined	Lead Partner	Each other member	
1.1 Legal status and nationality	Compliance with the respective conditions of ITP	Must meet requirement	Must meet requirement	Must meet requirement	Must meet requirement	Form ELI -1; Charter(s); Registration (incorporation) documents; JVCA Agreement (where applicable)
1.2 Prohibited Practices	Compliance with the respective conditions of ITP	Must meet requirement	N/A ¹	Must meet requirement	Must meet requirement	Covenant of Integrity
1.3 Sanctions by UN Security Council	Compliance with the respective conditions of ITP	Must meet requirement	N/A	Must meet requirement	Must meet requirement	Covenant of Integrity
1.4 Anti-Competitive Conduct	Compliance with the respective conditions of ITP	Must meet requirement	N/A	Must meet requirement	Must meet requirement	<i>[Letter of Application] [Letter of Tender]</i>
1.5 Conflict of Interest	Compliance with the respective conditions of ITP	Must meet requirement	N/A	Must meet requirement	Must meet requirement	<i>[Letter of Application] [Letter of Tender]</i>
1.6 Competitive advantage	Compliance with the respective conditions of ITP	Must meet requirement	N/A	Must meet requirement	Must meet requirement	<i>[Letter of Application] [Letter of Tender]</i>
1.7 Affiliation	Compliance with the respective conditions of ITP	Must meet requirement	N/A	Must meet requirement	Must meet requirement	<i>[Letter of Application] [Letter of Tender];</i> Form ELI-1; Ownership structure

¹ N/A denotes "Not applicable"

Table 2. Financial Situation ²						
Criteria	Requirement	Participant				Documents Required
		Single Entity	Joint Venture, Consortium or Association			
			All members combined	Lead Partner	Each other member	
Period: from [MM/YYYY] to [MM/YYYY]						
2.1 Historical Financial Performance	Financial soundness shall be demonstrated by annual financial statements: <ul style="list-style-type: none">• confirmed by audit statements; or• by tax returns/acceptance by the tax authorities of the Participant's country of incorporation or domicile.	Must meet requirement	Must meet requirement	Must meet requirement	Must meet requirement	Form FIN-1; Balance sheets; Profit and loss accounts

² The monetary values shall be expressed in equivalent of *[specify the currency]*.

The values in other currencies should be recalculated into the above stated currency, based on the exchange rate as set by *[state the bank or the source, relevant to the currency]* on the 1st of July of each year reported, or for the current year, on the date of the invitation to submit applications or proposals, as appropriate.

Table 2. Financial Situation						
Criteria	Requirement	Participant				Documents Required
		Single Entity	Joint Venture, Consortium or Association			
			All members combined	Lead Partner	Each other member	
2.2 Financial Solvency	A Participant shall not: <ul style="list-style-type: none">• be bankrupt;• be insolvent or in liquidation proceedings;• have its assets administered by a liquidator or by the court of law;• have its commercial activity suspended by the court of law; or• have no outstanding tax obligations in the Participant's country of incorporation or domicile.	Must meet requirement	Must meet requirement	Must meet requirement	Must meet requirement	Documents issued by the relevant authorities in the country, where of a Participant is incorporated or domiciled; Balance sheets; Profit and loss accounts

Table 3. Experience ³						
Criteria	Requirement	Participant				Documents Required
		Single Entity	Joint Venture, Consortium or Association			
			All members combined	Lead Partner	Each other member	
Period: from [MM/YYYY] to [MM/YYYY]						
3.1 Specific Experience	Experience with the substantial completion of <ul style="list-style-type: none">a minimum of [insert the number] contracts similar in nature and complexity to the Contract; andthe following key activities: [list specific activities]	Must meet requirement	Must meet requirement	N/A	N/A	Form EXP-1; Documents, demonstrating substantial completion of contracts and activities, as appropriate; Form IRC-1
[3.2 Management Experience ⁴]	[Experience as a sole consultant or a lead partner in a JVCA in the execution at least one contract with a value equivalent of at least [insert the value and currency] equivalent, that has been substantially completed.]	[Must meet requirement]	[Must meet requirement]	[Must meet requirement for [insert number] contracts]	[N/A]	[Form EXP-1; Documents, demonstrating substantial completion of contracts; Form IRC-1]

³ The monetary values in the respective Forms shall be expressed in equivalent of *[specify the currency]*.

The values in other currencies should be recalculated into the above stated currency, based on the exchange rate as set by *[state the bank or the source, relevant to the currency]* on the 1st of July of each year of substantial completion of contracts, or for the current year, on the date of the invitation to submit applications or proposals, as appropriate.

⁴ The same contracts may be used to demonstrate the required experience

Table 4. Historical Contract Non-Performance ⁵						
Criteria	Requirement	Participant				Documents Required
		Single Entity	Joint Venture, Consortium or Association			
			All members combined	Lead Partner	Each other member	
Period: from [MM/YYYY] to [MM/YYYY]						
4.1 History of Contractual Non-Performance	A Participant, or any partner in a JVCA, shall not have a consistent history of litigation or arbitration resulting in awards rendered against them.	Must meet requirement	Must meet requirement	Must meet requirement	Must meet requirement	Form HIS-1; Form IRC-1
4.2 Pending Litigations	All pending litigation shall in total not represent more than [insert the number] percent of the Participant’s net worth and shall be treated as resolved against the Participant, or any JVCA member	Must meet requirement	Must meet requirement	Must meet requirement	Must meet requirement	Form HIS-1; Balance sheets

⁵ The monetary values shall be expressed in equivalent of *[specify the currency]*.

The values in other currencies should be recalculated into the above stated currency, based on the exchange rate as set by *[state the bank or the source, relevant to the currency]* on the 1st of July of each year of substantial completion of respective contracts, or for the current year, on the date of the invitation to submit applications or proposals, as appropriate.

Table 5. Environmental, Social, Health and Safety (ESHS)						
Criteria	Requirement	Participant				Documents Required
		Single Entity	Joint Venture, Consortium or Association			
			All members combined	Lead Partner	Each other member	
5.1 ESHS Certifications and Documents	Availability of valid ISO certificates or internationally recognised equivalents in respect of ESHS management (equivalency to be demonstrated by the Participant), such as ISO 14001 and OHSAS 18001/ISO 45001. In absence of such certificates, the Participant shall <ul style="list-style-type: none">• demonstrate the availability of corporate policies and procedures for ESHS and HR management; and• declare compliance with the ILO Core Labour Conventions and Protocols.	Must meet requirement	Must meet requirement	Must meet requirement	Must meet requirement	Form ESH-1; Certificates; (Policies and procedures; Declaration, where appropriate)

[Table 5. Environmental, Social, Health and Safety (ESHS)]						
Criteria	Requirement	Participant				Documents Required
		Single Entity	Joint Venture, Consortium or Association			
			All members combined	Lead Partner	Each other member	
Period: from [MM/YYYY] to [MM/YYYY]						
5.2 Specific ESHS Management Experience	A Participant shall demonstrate experience with the satisfactory execution of key ESHS measures and activities in compliance with international standards in relation to a minimum of [insert the number] contracts similar in nature and complexity to the Contract.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Form ESH-2; Form IRC-1

Table 6. Subcontractors ⁶			
Criteria	Requirement	Subcontractors	Documents Required
Period: from [MM/YYYY] to [MM/YYYY]			
6.1 Subcontractors' Qualification	<p>A Participant shall demonstrate that a Subcontractor has:</p> <ul style="list-style-type: none"> (a) successful experience in the execution of at least <i>[insert number]</i> contracts of a nature, complexity and magnitude comparable to the activities or services, as appropriate, proposed for subcontracting; and (b) sound financial position, showing long term profitability. 	Must meet requirement	Form SUB-3; From SUB-4; Annexes

⁶ This information shall be provided for each Subcontractor, as per the requirements of Section III, Evaluation methodology

[Table 6. Subcontractors⁷]			
Criteria	Requirement	Subcontractors	Documents Required
6.2 Subcontractors' Capabilities	A Participant shall demonstrate that a Subcontractor (a) meets eligibility requirements; and (b) possess licences, required by the Laws for performance of the works, activities, services or supplies proposed for subcontracting.	Must meet requirement	SUB-2; Licences

⁷ This information shall be provided for each Subcontractor, as per the requirements of Section III, Evaluation methodology