

**Pre -qualification Document for
Procurement of**

Rehabilitation of Embankments and Related Structures under Polder Nos.:

44(B), 41/4, 41/5, 55/2D, 45, 43/1, and 55/3 in Barguna and Patuakhali Districts.

Invitation for Prequalification No.: *ECRRP/BWDB/PQ-1*

ICB No.: *ECRRP/BWDB/W-19*

Project: *Emergency2007 Cyclone Recovery and Restoration Project (ECRRP)*

Employer: *Bangladesh Water Development Board*

Country: *Bangladesh*

**Issued on:
November 03, 2013**

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Invitation for Prequalification No.: *ECRRP/BWDB/PQ-1*

ICB No.: *ECRRP/BWDB/W-19*

**Emergency 2007 Cyclone Recovery and Restoration Project
(ECRRP)**

**Bangladesh Water Development Board
Bangladesh**

PART 1 – Prequalification Procedures

Section I. Instructions to Applicants

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Section I: Instructions to Applicants

Section I. Instructions to Applicants

A. General

1. **Scope of Application**
 - 1.1 In connection with the Invitation for Prequalification¹ indicated in Section II, Prequalification Data Sheet (PDS), the Employer, as defined in the **PDS**, issues this Prequalification Document (“Prequalification Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for prequalification to bid for the Works described in Section VII, Scope of Works. In case the Works are to be bid as individual contracts (i.e. the slice and package procedure), these are listed in the PDS. The International Competitive Bidding (“ICB”) number corresponding to this prequalification is also provided in the **PDS**.
2. **Source of Funds**
 - 2.1 The Borrower or Recipient (hereinafter called “Borrower”) indicated in the **PDS** has applied for or received financing (hereinafter called “funds”) from the International Bank for Reconstruction and Development or the International Development Association (hereinafter called “the Bank”) towards the cost of the project named in the **PDS**. The Borrower intends to apply a portion of the funds to eligible payments under the contract(s) resulting from the bidding for which this prequalification is conducted. Payment by the Bank will be made only at the request of the Borrower and upon approval by the Bank, and will be subject, in all respects, to the terms and conditions of the loan (or financing) agreement. The loan (or financing) agreement prohibits a withdrawal from the loan (or credit) account for the purpose of any payment to persons or entities, or for any import of goods, if such payment or import, to the knowledge of the Bank, is prohibited by a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations. No party other than the Borrower shall derive any rights from the loan (or financing) agreement or have any claim to the proceeds of the loan (or credit).
3. **Corrupt and Fraudulent Practices**
 - 3.1 The Bank requires compliance with its policy in regard to corrupt and fraudulent practices as set forth in Section VI.
 - 3.2 In further pursuance of this policy, Applicants shall permit and shall cause its agents to permit the Bank to inspect all accounts, records and other documents relating to the submission of the Application, bid submission (in case prequalified), and contract performance (in the case of award), and to have them audited by auditors appointed by the Bank.

¹ The Invitation for Prequalification (IFP) provided information for potential bidders to decide whether to participate, including the essential items listed in the Standard Prequalification Document and also any important or specialized prequalification requirements requested to qualify for the prequalification.

4. Eligible Applicants

- 4.1 Applicants shall meet the eligibility criteria as per clause 5.1. For the purpose of applying the eligibility criteria listed in this Clause 4 and 5, references to the “Applicant” include all entities involved or intended to be involved with the proposed Works (including all partners and any of their affiliates that directly or indirectly control, or are controlled by or are under common control with the firm), specialized sub-contractors, consultants, manufacturers or suppliers (as mentioned in Form ELI-1.2 Applicant’s JV Member’s Information Form), and the personnel of each, for any part of the contract including related services.
- 4.2 An Applicant may be a firm that is a private entity, a government-owned entity—subject to ITA 4.9 - or a combination of such entities in the form of a joint venture (“JV”) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a JV, all members shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. The JV shall nominate an authorized representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, bidding (in the event the JV submits a bid) and during contract execution (in the event the JV is awarded the Contract). Unless specified in the **PDS**, there is no limit on the number of members in a JV.
- 4.3 A firm may apply for prequalification both individually, and as part of a joint venture, or as a sub-contractor. If prequalified, it will not be permitted to bid for the same contract both as an individual firm and as a part of the joint venture or as a sub-contractor. However, a firm may participate as a sub-contractor in more than one bid, but only in that capacity. Bids submitted in violation of this procedure will be rejected.
- 4.4 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 its application for prequalification either individually, as joint venture or as a sub-contractor among them for the same contract. However, if prequalified only one prequalified applicant will be allowed to bid for the same contract. All bids submitted in violation of this procedure will be rejected.
- 4.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. This criterion also shall apply to the

determination of the nationality of proposed specialized sub-contractors or suppliers for any part of the Contract including related Services.

- 4.6 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by the Employer or Borrower as Engineer for contract implementation of the works that are the subject of this prequalification.
- 4.7 An Applicant that has been sanctioned by the Bank in accordance with the above ITA3.1, including in accordance with the Bank's Guidelines on Preventing and Combating Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants ("Anti-Corruption Guidelines"), shall be ineligible to be prequalified, to bid for, awarded a Bank-financed contract or benefit from a Bank-financed contract, financially or otherwise, during such period of time as the Bank shall have determined.
- 4.8 The list of debarred firms and individuals is available as specified in the **PDS**.
- 4.9 Government-owned enterprises or institutions in the Employer's Country may participate only if they can establish that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not dependent agencies of the Employer². To be eligible, a government-owned enterprise or institution shall establish to the Bank's satisfaction, through all relevant documents, including its Charter and other information the Bank may request, that it: (i) is a legal entity separate from the government (ii) does not currently receive substantial subsidies or budget support; (iii) operates like any commercial enterprise, and, inter alia, is not obliged to pass on its surplus to the government, can acquire rights and liabilities, borrow funds and be liable for repayment of its debts, and can be declared bankrupt; and (iv) is not bidding for a contract to be awarded by the department or agency of the government which under their applicable laws or regulations is the reporting or supervisory authority of the enterprise or has the ability to exercise influence or control over the enterprise or institution.
- 4.10 An Applicant shall not be under suspension from bidding by the Employer as the result of the execution of a Bid-Securing Declaration.
- 4.11 An Applicant shall provide such evidence of eligibility satisfactory to the Employer, as the Employer shall reasonably request.

² Other than Force Account units, as permitted under paragraph 3.9 of the Procurement Guidelines

5. Eligibility

- 5.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated in Section V. The countries, persons or entities are ineligible if (a) as a matter of law or official regulations, the Borrower's country prohibits commercial relations with that country, provided that the Bank is satisfied that such exclusion does not preclude effective competition for the supply of goods or the contracting of works or services required; or (b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Borrower's country prohibits any import of goods or contracting of works or services from that country, or any payments to any country, person, or entity in that country.

B. Contents of the Prequalification Document**6. Sections of Prequalification Document**

- 6.1 This Prequalification Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with ITA 8.

PART 1 Prequalification Procedures

- Section I. Instructions to Applicants (ITA)
- Section II. Prequalification Data Sheet (PDS)
- Section III. Qualification Criteria and Requirements
- Section IV. Application Forms
- Section V. Eligible Countries
- Section VI. Bank Policy – Corrupt and Fraudulent practices

PART 2 Works Requirements

- Section VII. Scope of Works
- 6.2 Unless obtained directly from the Employer, the Employer accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Employer shall prevail.
- 6.3 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.

7. Clarification of Prequalification Document and Pre-Application Meeting

- 7.1 A prospective Applicant requiring any clarification of the Prequalification Document shall contact the Employer in writing at the Employer's address indicated in the **PDS**. The Employer will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Employer shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Document directly from the Employer, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Employer shall also promptly publish its response at the web page identified in the **PDS**. Should the Employer deem it necessary to amend the Prequalification Document as a result of a clarification, it shall do so following the procedure under ITA8 and in accordance with the provisions of ITA 17.2.
- 7.2 If indicated in the **PDS**, the prospective Applicant's designated representative is invited at the Applicant's cost to attend a pre-Application meeting at the place, date and time mentioned in the **PDS**. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Prequalification Document.
- 7.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Prequalification Document. 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 use of an Addendum pursuant to ITA 8. Non-attendance at the pre-application meeting will not be a cause for disqualification of an Applicant.

8. Amendment of Prequalification Document

- 8.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Prequalification Document by issuing an Addendum.
- 8.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all prospective Applicants who have obtained the Prequalification Document from the Employer. The Employer shall promptly publish the Addendum at the Employer's web page identified in the **PDS**.
- 8.3 To give prospective Applicants reasonable time to take an Addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

C. Preparation of Applications

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| 9. Cost of Applications | 9.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Employer will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process. |
| 10. Language of Application | 10.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be written in the language specified in the PDS . Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified in the PDS , in which case, for purposes of interpretation of the Application, the translation shall govern. |
| 11. Documents Comprising the Application | <p>11.1 The Application shall comprise the following:</p> <ul style="list-style-type: none"> (a) Application Submission Form, in accordance with ITA 12.1; (b) documentary evidence establishing the Applicant's eligibility, in accordance with ITA 13.1; (c) documentary evidence establishing the Applicant's qualifications, in accordance with ITA 14; and (d) any other document required as specified in the PDS. <p>11.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application</p> |
| 12. Application Submission Form | 12.1 The Applicant shall complete an Application Submission Form as provided in Section IV, Application Forms. This Form must be completed without any alteration to its format. |
| 13. Documents Establishing the Eligibility of the Applicant | 13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Form and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV (Application Forms). |
| 14. Documents Establishing the Qualifications of the Applicant | <p>14.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.</p> <p>14.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the USD equivalent using the rate of exchange determined as follows:</p> <p style="margin-left: 40px;">For construction turnover or financial data required for each year -</p> |

Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted) was originally established.

Value of single contract - Exchange rate prevailing on the date of the contract.

Exchange rates shall be taken from the publicly available source identified in the **PDS**. Any error in determining the exchange rates in the Application may be corrected by the Employer.

15. Signing of the Application and Number of Copies

15.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.

15.2 The Applicant shall submit copies of the signed original Application, in the number specified in the **PDS**, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

16. Sealing and Identification of Applications

- 16.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:
- (a) bear the name and address of the Applicant;
 - (b) be addressed to the Employer, in accordance with ITA 17.1; and
 - (c) bear the specific identification of this prequalification process indicated in the PDS 1.1.
- 16.2 The Employer will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above.

17. Deadline for Submission of Applications

17.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Employer at the address and no later than the deadline indicated in the **PDS**. When so specified in the **PDS**, Applicants have the option of submitting their Applications electronically, in accordance with electronic application submission procedures specified in the **PDS**.

17.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

18.LateApplications 18.1 The Employer reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **PDS**.

19. Opening of Applications 19.1 The Employer shall open all Applications at the date, time and place specified in the **PDS**. Late Applications shall be treated in accordance with ITA 18.1.

19.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the **PDS**.

19.3 The Employer shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

20. Confidentiality 20.1 Information relating to the Applications, their evaluation and result shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 28.

20.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Employer on any matter related to the prequalification process (except as specified in 20.1 above), may do so only in writing.

21. Clarification of Applications 21.1 To assist in the evaluation of Applications, the Employer may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Employer and all clarifications from the Applicant shall be in writing.

21.2 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Employer's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

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| 22. Responsiveness of Applications | 22.1 The Employer may reject any Application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant. |
| 23. Domestic Bidder Price Preference | 23.1 Unless otherwise specified in the PDS , a margin of preference for domestic bidders ³ shall not apply in the bidding process resulting from this prequalification. |
| 24. Sub-contractors | <p>24.1 Unless otherwise stated in the PDS, the Employer does not intend to execute any specific elements of the Works by sub-contractors selected in advance by the Employer.</p> <p>24.2 The Employer may decide to permit subcontracting for certain specialized works as indicated in Section III 4.2, Experience. The Employer may do so at its own initiative or at the request of the Applicants during the prequalification process (if justified). When subcontracting is permitted by the Employer, the specialized sub-contractors experience shall be considered for evaluation. Section III describes the qualification criteria for sub-contractors.</p> <p>24.3 Applicants may propose subcontracting to the percentage of the total value of the contract or the volume of works mentioned in the PDS and as further described in ITA 25.2.</p> |

F. Evaluation of Applications and Prequalification of Applicants

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| 25. Evaluation of Applications | <p>25.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Employer reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the contract.</p> <p>25.2 Applicants planning to subcontract more than 10% of total volume of work shall specify, in the Application Submission Form, the activity (ies) or parts of the works to be subcontracted along with complete</p> |
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³An individual firm is considered a domestic bidder for purposes of the margin of preference if it is registered in the country of the Employer, has more than 50 percent ownership by nationals of the country of the Employer, and if it does not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign contractors. JVs are considered as domestic bidders and eligible for domestic preference only if the individual member firms are registered in the country of the Employer, have more than 50 percent ownership by nationals of the country of the Employer, and the JV shall be registered in the country of the Borrower. The JV shall not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign firms. JVs between foreign and national firms will not be eligible for domestic preference.

details of the sub-contractors and their qualification and experience. The sub-contractors proposed shall be fully qualified for their work proposed, and meet the specified criteria in Section III, failing which such sub-contractors will not be permitted to participate. The qualification and experience of sub-contractors proposed by the Applicant under ITA 24.3 will not be considered for evaluation of the Applicant. The Applicant on its own (without taking into account the qualification and experience of the sub-contractor) should meet the prequalification criteria.

- 25.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Employer shall prequalify each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements. The Qualification Criteria and Requirements are mentioned in Section III. However, with respect to the specific experience under item 4.2 (a) of Section III, the Employer will select any one or more of the options as identified below:

N is the minimum number of contracts

V is the minimum value of a single contract

(a) Prequalification for one Contract:

Option 1: (i) N contracts, each of minimum value V;

Or

Option 2: (i) N contracts, each of minimum value V, Or

(ii) Less than or equal to N contracts, each of minimum value V, but with total value of all contracts equal or more than $N \times V$;

(b) Prequalification for multiple Contracts

Option 1: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the applicant has applied for as follows, and N1, N2, N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of minimum value V1;

Lot 2: N2 contracts, each of minimum value V2;

Lot 3: N3 contracts, each of minimum value V3;

----etc.

Or

Option 2: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the applicant has applied for as follows, and N1,N2,N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of minimum value V1;

Lot 2: N2 contracts, each of minimum value V2;

Lot 3: N3 contracts, each of minimum value V3;

----etc, Or

(ii) Lot 1: N1 contracts, each of minimum value V1;
or number of contracts less than or equal to N1,
each of minimum value V1, but with total value of
all contracts equal or more than $N1 \times V1$

Lot 2: N2 contracts, each of minimum value V2;
or number of contracts less than or equal to N2,
each of minimum value V2, but with total value of
all contracts equal or more than $N2 \times V2$

Lot 3: N3 contracts, each of minimum value V3;
or number of contracts less than or equal to N3,
each of minimum value V3, but with total value of
all contracts equal or more than $N3 \times V3$

----etc.

Or

Option 3: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the applicant has applied for as follows, and N1,N2,N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of minimum value V1;

Lot 2: N2 contracts, each of minimum value V2;

Lot 3: N3 contracts, each of minimum value V3;

----etc, Or

(ii) Lot 1: N1 contracts, each of minimum value V1;
or number of contracts less than or equal to N1,

each of minimum value V1, but with total value of all contracts equal or more than $N1 \times V1$

Lot 2: $N2$ contracts, each of minimum value V2; or number of contracts less than or equal to $N2$, each of minimum value V2, but with total value of all contracts equal or more than $N2 \times V2$

Lot 3: $N3$ contracts, each of minimum value V3; or number of contracts less than or equal to $N3$, each of minimum value V3, but with total value of all contracts equal or more than $N3 \times V3$

----etc, Or

(iii) Subject to compliance as per (ii) above with respect to minimum value of single contract for each lot, total number of contracts is equal or less than $N1 + N2 + N3$ ---but the total value of all such contracts is equal or more than $N1 \times V1 + N2 \times V2 + N3 \times V3$ ---.

25.4 Only the qualifications of the Applicant shall be considered. In particular, the qualifications of a parent or other affiliated company that is not party to the Applicant under a JV in accordance with ITA 4.2 (or participating as a sub-contractor as per ITA 25.2) shall not be considered.

**26. Employer's
Right to Accept
or Reject
Applications**

26.1 The Employer reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

**27. Prequalification
of Applicants**

27.1 All Applicants who's Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Employer.

27.2 An Applicant may be "conditionally prequalified," that is, qualified subject to the Applicant submitting or correcting certain specified nonmaterial documents or deficiencies to the satisfaction of the Employer.

27.3 Applicants that are conditionally prequalified will be so informed along with the statement of the condition(s) which must be met to the satisfaction of the Employer before or at the time of submitting their bids.

28. Notification of Prequalification

- 28.1 The Employer shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.
- 28.2 Applicants that have not been prequalified may write to the Employer to request, in writing, the grounds on which they were disqualified.

29. Invitation for Bids

- 29.1 Promptly after the notification of the results of the prequalification, the Employer shall invite bids from all the Applicants that have been prequalified or conditionally prequalified.
- 29.2 Bidders may be required to provide a Bid Security or a Bid-Securing Declaration acceptable to the Employer in the form and an amount to be specified in the Bidding Documents, and the successful Bidder shall be required to provide a Performance Security as specified in the Bidding Documents.

30. Changes in Qualifications of Applicants

- 30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to bid (including, in the case of a JV, any change in the structure or formation of any member thereto) shall be subject to the written approval of the Employer prior to the deadline for submission of bids. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria and Requirements; or (iii) in the opinion of the Employer, the change may result in a substantial reduction in competition. Any such change should be submitted to the Employer not later than fourteen (14) days after the date of the Invitation for Bids.

Section II: Prequalification Data Sheet

Section II. Prequalification Data Sheet

A. General

ITA 1.1	The identification of the Invitation for Prequalification is: <i>ECRRP/BWDB/W-19</i> The Employer is: <i>Bangladesh Water Development Board represented by:</i> <i>Project Director,</i> <i>Emergency 2007 Cyclone Recovery and Restoration Project(BWDB-part),</i> <i>Bangladesh Water Development Board,</i> <i>Elite House, 54- Motijheel C/A, Dhaka, Bangladesh</i> The list of contracts is: <i>Invitation for Prequalification No.: ECRRP/BWDB/PQ-1</i> <i>(Rehabilitation of Embankments and Related Structures under Polders Nos.: 44(B), 41/4, 41/5, 55/2D, 45, 43/1, and 55/3in Barguna and Patuakhali Districts)</i> ICB No.: <i>ECRRP/BWDB/W-19</i>
ITA 2.1	The name of the Borrower is: <i>The People's Republic of Bangladesh</i> The name of the Project is: <i>Emergency 2007 Cyclone Recovery and Restoration Project (BWDB-part)</i>
ITA 4.2	Maximum number of members in the JV shall be: <i>not limited</i>
ITA 4.8	A list of debarred firms and individuals is available on the Bank's external website: http://www.worldbank.org/debarr.

B. Contents of the Prequalification Document	
ITA 7.1	For clarification purposes, the Employer's address is: <i>Attention: Mr. Sarder Sirazul Hoque</i> <i>Project Director</i> <i>Emergency 2007 Cyclone Recovery and Restoration Project (BWDB-part</i> <i>Address: Elite House (8th Floor), 54 Motijheel C/A,</i> <i>City: Dhaka</i> <i>ZIP Code: 1000</i> <i>Country: Bangladesh</i> <i>Telephone: +880-2-9511135 (Land Line), +880-1711-180260(Mobile)</i> <i>Facsimile number: +880-2-9511136</i> <i>Electronic mail address: pdecrrp.bwdb@gmail.com</i>
ITA 8.2	www.bwdb.gov.bd
ITA 7.2	Pre-Application Meeting will be held: Yes <i>Office of the Project Director,</i> <i>Emergency 2007 Cyclone Recovery and Restoration Project(BWDB-part),</i> <i>Bangladesh Water Development Board,</i> <i>Elite House, 54- Motijheel C/A, Dhaka, Bangladesh</i> <i>Date:-9th December 2013</i> <i>Time – 11.30 Hours Bangladesh Standard Time (GMT+6 Hours)</i>

C. Preparation of Applications	
ITA 10.1	This Prequalification document has been issued in the “<i>English</i>” language.. All correspondence exchange shall be in <i>English</i> language. The Application as well as all correspondence shall be submitted in English Language
ITA 11.1 (d)	The Applicant shall submit with its Application, the following additional documents: <i>Not applicable</i>
ITA 14.2	The source for determining exchange rates is: <i>Bangladesh Bank</i>
ITA 15.2	In addition to the original, the number of copies to be submitted with the Application is: <i>Three Hard Copies</i> <i>The applicant is advised to submit the soft copy of whole submission in CD/DVD in addition to the Hard copies.</i>
D. Submission of Applications	
ITA 17.1	The deadline for Application submission is: Date: <i>6th January 2014</i> Time: <i>12:00 Hours Bangladesh Standard Time (GMT + 6 hours)</i> Applicants “shall not” have the option of submitting their Applications electronically. For application submission purposes only, the Employer's address is: Attention: <i>Mr. Sarder Sirazul Hoque, Project Director, ECRRP (BWDB Part</i> Address: <i>Office of The Project Director, Emergency 2007 Cyclone Recovery and Restoration Project, Bangladesh Water Development Board,</i> <i>Elite House (8th Floor), 54- Motijheel C/A,</i> City: <i>Dhaka-1000</i> Country: <i>Bangladesh</i>
ITA 18.1	<i>Late Applications will be returned unopened to the Applicants.</i>

ITA 19.1	The opening of the Applications shall be at : Time – <i>14 Hours Bangladesh Standard Time (GMT + 6 hours) on the same day of the deadline of submission.</i> <i>Office of The Project Director, Emergency 2007 Cyclone Recovery and Restoration Project, Bangladesh Water Development Board,</i> <i>Elite House (8th Floor), 54 Motijheel C/A,</i> City: <i>Dhaka</i> ZIP Code: <i>1000</i> Country: <i>Bangladesh</i>
ITA 19.2	If electronic submission of Applications shall be permitted, electronic Application opening procedures are: <i>Not applicable</i>
E. Procedures for Evaluation of Applications	
ITA 23.1	A margin of preference “<i>shall not</i>” apply for eligible domestic bidders.
ITA 24.1	At this time the Employer “<i>does not intend</i>” to execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 24.3	Maximum percentage of subcontracting permitted is 20% of the total value of the contract. Applicants planning to subcontract more than 10% of total volume of works shall specify, in the Application Submission Form, the activity (ies) or parts of the works to be subcontracted along with complete details of the sub-contractors and their qualification and experience. The qualification and experience of the sub-contractors must meet the minimum criteria for the relevant works to be subcontracted failing which such sub-contractors will not be permitted to participate. Sub-contractors’ qualification and experience will not be considered for evaluation of the Applicant. The Applicant on its own (without taking into account the qualification and experience of the sub-contractor) should meet the prequalification criteria.

Section III.

Qualification Criteria and Requirements

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

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Eligibility and Qualification Criteria				Compliance Requirements			Documentation
No	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
1. Eligibility							
1.1	Nationality	Nationality in accordance with ITA 4.5	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in accordance with ITA 4.6	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Form
1.3	Bank Eligibility	Not having been declared ineligible by the Bank, as described in ITA 4.7 and 5.1	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Form
1.4	Government Owned Entity of the Borrower country	Meet conditions of ITA 4.9	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.5	United Nations resolution or Borrower’s country law	Not having been excluded as a result of prohibition in the Borrower’s country laws or official regulations against commercial relations with the Applicant’s country, or by an act of compliance with UN Security Council resolution, both in accordance with ITA 5.1 and Section V.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments

Eligibility and Qualification Criteria				Compliance Requirements			Documentation
No	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
2. Historical Contract Non-Performance							
2.1	History of Non-Performing Contracts	Non-performance of a contract ⁴ did not occur as a result of contractor's default since 1 st January 2008	Must meet requirement 5	Must meet requirements	Must meet requirement ⁵	N/A	Form CON-2
2.2	Suspension Based on Execution of BidSecuringDeclaration by the Employer	Not under suspension based on execution of a Bid Securing Declaration pursuant to ITA 4.10.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Form
2.3	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	N/A	Must meet requirement	N/A	Form CON – 2
2.4	Litigation History	No consistent history of court/arbitral award decisions against the Applicant ⁶ since 1 st January2009	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Form CON – 2

⁴Non performance, as decided by the Employer, shall include all contracts where (a) nonperformance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Non performance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Non performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the applicant have been exhausted.

⁵ This requirement also applies to contracts executed by the Applicant as JV member.

⁶The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant or any member of a joint venture may result in failure of the application.

Eligibility and Qualification Criteria				Compliance Requirements			Documentation
No	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
3. Financial Situation and Performance							
3.1	Financial Capabilities	(i) The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as USD \$ 4.5 Millions (USD Four Point Five Million) for the subject contract(s) net of the Applicants other commitments (ii) The Applicant shall also demonstrate, to the satisfaction of the Employer, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments. (iii) The audited balance sheets or, if not required by the laws of the Applicant's country, other financial statements acceptable to the Employer, for the last 5	Must meet requirement	Must meet requirement	N/A	N/A	Form FIN – 3.1, with attachments
			Must meet requirement	Must meet requirement	N/A	N/A	

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		(five)years shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability.	Must meet requirement	N/A	Must meet requirement	N/A	
3.2	Average Annual Construction Turnover	Minimum average annual construction turnover of US\$ 20 million (Twenty Million)/calculated as total certified payments received for contracts in progress and/or completed within the last 5 (five)years, divided by 5 (five) years	Must meet requirement	Must meet requirement	Must meet 25 %, [Twenty Five percent] of the requirement	Must meet 40%, [Forty percent] of the requirement	Form FIN – 3.2
4. Experience							
4.1 (a)	General Construction Experience	Experience under construction contracts in the role of prime contractor, JV member, sub-contractor, or management contractor for <i>at least the last 7 (seven)years, starting 1st January 2006</i>	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1
4.2 (a)	Specific Construction & Contract Management Experience	(i) A minimum number of similar ⁷ contractsspecified below that have been	Must meet requirement	Must meet requirement ¹⁰	N/A	N/A	Form EXP 4.2(a)

⁷The similarity shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section VI, Scope of Works. Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted.

Eligibility and Qualification Criteria				Compliance Requirements			Documentation
No	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		satisfactorily and substantially ⁸ completed as a prime contractor, joint venture member ⁹ , management contractor or sub-contractor between 1st January 2008 to submission deadline: (i) 2 (two) contracts, each of minimum value USD 12 million or its equivalent or 1 (one) contract of minimum value of USD 20 million or equivalent.					
4.2 (b)		For the above and any other contracts completed and under implementation as prime contractor, joint venture member, management contractor or sub-contractor ⁹ between 1st January 2008 and application submission deadline, a minimum construction experience in	Must meet requirements	Must meet requirements	N/A	Must meet the following requirements for the key activities listed below <i>Coastal/River/other Embankments/dykes – 20 km</i> <i>Coastal/River</i>	Form EXP – 4.2 (b)

¹⁰In the case of 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.

⁸ Substantial completion shall be based on 80% or more works completed under the contract.

⁹ For contracts under which the Applicant participated as a joint venture member or sub-contractor, only the Applicant's share, by value, shall be considered to meet this requirement.

Eligibility and Qualification Criteria				Compliance Requirements			Documentation
No	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Parties Combined	Each Member	One Member	
		the following key activities successfully completed ¹¹ : <i>Coastal/River/other Embankments/dykes – 50 km</i> <i>Coastal/River /other Embankment slope and Bank Protective Works – 5 km</i> <i>Construction/Rehabilitation of Hydraulic Structures, sluice, Weir, Dam, Barrage, Bridges – 5nos</i>				<i>Embankment/Bank Protective Works - 2 km</i> <i>Construction/Rehabilitation of Hydraulic Structures Weir, sluice, Dam, Barrage, Bridges, - 2nos</i>	

¹¹ Volume, number or rate of production of any key activity can be demonstrated in one or more contracts combined if executed during same time period. The rate of production shall be the annual production rate for the key construction activity (or activities). For the rate of production, either the average during the entire period or in any one or more years during the period should be specified.

Section IV: Application Forms

Section IV. Application Forms

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Application Submission Form

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

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

To: *[insert full name of Employer]*

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

- (a) We have examined and have no reservations to the Prequalification Document, including Addendum(s) No(s) issued in accordance with Instructions to Applicants (ITA) 8: *[insert the number and issuing date of each addendum]*.
- (b) We have no conflict of interest in accordance with ITA 4.6;
- (c) We meet the eligibility requirements as stated ITA 4.1, we have not been suspended by the Employer based on execution of a Bid Securing Declaration in accordance with ITA 4.10;
- (d) We, in accordance with ITA 24.2, plan to subcontract the following key activities and/or parts of the works:

[Insert any of the key activities identified in Section III- 4.2(a) or (b) which the Employer has permitted under the Prequalification document and which the Applicant intends to subcontract along with complete details of the sub-contractors, their qualification and experience]

- (e) We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding bidding process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
<i>[insert full name for each occurrence]</i>	<i>[insert street/number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount currency, value, exchange rate and US equivalent]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If no payments are made or promised, add the following statement: “No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application]”

- (f) We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to bid for the contract subject of this prequalification process, without incurring any liability to the Applicants, in accordance with ITA 26.1.
- (g) All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

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

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

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

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

Applicant's Name *[insert full name of Applicant or the name of the JV]*

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

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

[For an a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

Form ELI -1.1

Applicant Information Form

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

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

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

Applicant's name <i>[insert full name]</i>
In case of Joint Venture (JV), name of each member: <i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration: <i>[indicate country of Constitution]</i>
Applicant's actual or intended year of incorporation: <i>[indicate year of Constitution]</i>
Applicant's legal address [in country of registration]: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
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, in accordance with ITA 4.5. ☐ In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.2. ☐ In case of Government-owned enterprise or institution, in accordance with ITA 4.9 documents establishing: • Legal and financial autonomy • Operation under commercial law • Establishing that the Applicant is not dependent agency of the Employer
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI -1.2

Applicant's JV Information Form

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

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

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

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

Applicant name: <i>[insert full name]</i>
Applicant's JV Member's name: <i>[insert full name of Applicant's JV Member]</i>
Applicant's JV Member's country of registration: <i>[indicate country of registration]</i>
Applicant JV Member's year of constitution: <i>[indicate year of constitution]</i>
Applicant JV Member's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant JV Member's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
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, in accordance with ITA 4.5. ☐ In case of a Government-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and absence of dependent status, in accordance with ITA 4.9. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form CON – 2

Historical Contract Non-Performance, Pending Litigation and Litigation History

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

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

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

Joint Venture Member Name: *[insert full name]*

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

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

Non-Performed Contracts in accordance with Section III, Qualification Criteria and Requirements			
☐ Contract non-performance did not occur since 1 st January <i>[insert year]</i> specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.			
☐ Contract(s) not performed since 1 st January <i>[insert year]</i> specified in Section III, Qualification Criteria and Requirements, requirement 2.1			
Year	Non-performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and US\$ equivalent)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Reason(s) for non performance: <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>
Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements			
☐ No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2.			
☐ Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2 as indicated below.			

Year of dispute	Amount in dispute (currency)	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert amount]</i>	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate “Employer” or “Contractor”]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>
☐ No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2. ☐ Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.2 as indicated below.			
Year of award	Outcome as percentage of Net Worth	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert percentage]</i>	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate “Employer” or “Contractor”]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>

Form FIN – 3.1

Financial Situation and Performance

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

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

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

Joint Venture Member Name: *[insert full name]*

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

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

1. Financial data

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

* Refer ITA 14 for the exchange rate

2. Sources of Finance

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

Specify sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.

No.	Source of finance	Amount (US\$ equivalent)
1		
2		
3		

3. Financial documents

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

- (a) reflect the financial situation of the Applicant or in case of JV member , and not an affiliated entity (such as parent company or group member).
- (b) be independently audited or certified in accordance with local legislation.
- (c) be complete, including all notes to the financial statements.
- (d) correspond to accounting periods already completed and audited.

☐ Attached are copies of financial statements¹² for the *[number]* years required above; and complying with the requirements

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

Form FIN - 3.2

Average Annual Construction Turnover

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

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

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

Joint Venture Member Name: *[insert full name]*

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

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

Annual turnover data (construction only)			
Year	Amount Currency	Exchange rate*	USD equivalent
<i>[indicate calendaryear]</i>	<i>[insert amount and indicate currency]</i>		
		Average Annual Construction Turnover **	

* Refer ITA 14 for date and source of exchange rate.

** Total USD equivalent for all years divided by the total number of years. See Section III, Qualification Criteria and Requirements, Clause 3.2.

Form EXP - 4.1

General Construction Experience

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

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

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

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

* Refer ITA 14 for date and source of exchange rate.

Form EXP - 4.2(a)

Specific Construction and Contract Management Experience

[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]

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

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

Joint Venture Member Name: *[insert full name]*

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

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

Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information			
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award date	<i>[insert day, month, year, i.e., 15 June, 2015]</i>			
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>			
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor ☐	Member in JV ☐	Management Contractor ☐	Sub-contractor ☐
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		US\$ <i>[insert Exchange rate and total contract amount in US\$ equivalent]*</i>	
If member in a JV or sub-contractor, specify participation in total Contract amount	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i>	<i>[insert exchange rate and total contract amount in US\$ equivalent]*</i>	
Employer's Name:	<i>[insert full name]</i>			
Address:	<i>[indicate street / number / town or city / country]</i>			
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>			
E-mail:	<i>[insert e-mail address, if available]</i>			

*Refer ITA 14 for date and source of exchange rate.

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

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

Form EXP - 4.2(b)

Construction Experience in Key Activities

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

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

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

Sub-contractor's Name¹³ (as per ITA 24.2 and 24.3): *[insert full name]*

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

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

All Sub-contractors for key activities must complete the information in this form as per ITA 24.2 and 24.3 and Section III, Qualification Criteria and Requirements, Clause 4.2.

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

Total Quantity of Activity under the contract: _____

Information				
Contract Identification	<i>[insert contract name and number, if applicable]</i>			
Award date	<i>[insert day, month, year, i.e., 15 June, 2015]</i>			
Completion date	<i>[insert day, month, year, i.e., 03 October, 2017]</i>			
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor ☐	Member in JV ☐	Management Contractor ☐	Sub-contractor ☐
Total Contract Amount	<i>[insert total contract amount in contract currency(ies)]</i>		US\$ <i>[insert exchange rate and total contract amount in US\$ equivalent]</i>	
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year <i>[Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]</i>	Total quantity in the contract (i)	Percentage participation (ii)		Actual Quantity Performed (i) x (ii)
Year 1				
Year 2				
Year 3				
Year 4				

¹³ If applicable

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

2. Activity No. Two

3.

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

Section V: Eligible Countries

Section V. Eligible Countries

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

In reference to ITA 5.1, for the information of the Applicants, at the present time firms and individuals, supply of goods, or contracting of works or services, from the following countries are excluded from this prequalification process:

Under ITA 5.1(a) *Israel*

Under ITA 5.1(b) *None*

Section VI:
Bank Policy-
Corrupt and Fraudulent Practices

Section VI. Bank Policy - Corrupt and Fraudulent Practices

Guidelines for Procurement of Goods, Works, and Non-Consulting Services under IBRD Loans and IDA Credits & Grants by World Bank Borrowers, dated January 2011

“Fraud and Corruption

1.16 It is the Bank’s policy to require that Borrowers (including beneficiaries of Bank loans), bidders, suppliers, contractors and their agents (whether declared or not), sub-contractors, sub-consultants, service providers or suppliers, and any personnel thereof, observe the highest standard of ethics during the procurement and execution of Bank-financed contracts.¹⁴ In pursuance of this policy, the Bank:

- (a) defines, for the purposes of this provision, the terms set forth below as follows:
 - (i) “corrupt practice” is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;¹⁵
 - (ii) “fraudulent practice” is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation;¹⁶
 - (iii) “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;¹⁷
 - (iv) “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;¹⁸
 - (v) “obstructive practice” is
 - (aa) deliberately destroying, falsifying, altering, or concealing of evidence material to the investigation or making false statements to investigators in

¹⁴In this context, any action to influence the procurement process or contract execution for undue advantage is improper.

¹⁵ For the purpose of this sub-paragraph, “*another party*” refers to a public official acting in relation to the procurement process or contract execution. In this context, “*public official*” includes World Bank staff and employees of other organizations taking or reviewing procurement decisions.

¹⁶ For the purpose of this sub-paragraph, “*party*” refers to a public official; the terms “benefit” and “obligation” relate to the procurement process or contract execution; and the “act or omission” is intended to influence the procurement process or contract execution.

¹⁷ For the purpose of this sub-paragraph, “*parties*” refers to participants in the procurement process (including public officials) attempting either themselves, or through another person or entity not participating in the procurement or selection process, to simulate competition or to establish bid prices at artificial, non-competitive levels, or are privy to each other’s bid prices or other conditions.

¹⁸ For the purpose of this sub-paragraph, “*party*” refers to a participant in the procurement process or contract execution.

order to materially impede a Bank investigation into allegations of a corrupt, fraudulent, coercive or collusive practice; and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation, or

- (bb) acts intended to materially impede the exercise of the Bank's inspection and audit rights provided for under paragraph 1.16(e) below.
- (b) will reject a proposal for award if it determines that the bidder recommended for award, or any of its personnel, or its agents, or its sub-consultants, sub-contractors, service providers, suppliers and/or their employees, has, directly or indirectly, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question;
- (c) will declare misprocurement and cancel the portion of the loan allocated to a contract if it determines at any time that representatives of the Borrower or of a recipient of any part of the proceeds of the loan engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices during the procurement or the implementation of the contract in question, without the Borrower having taken timely and appropriate action satisfactory to the Bank to address such practices when they occur, including by failing to inform the Bank in a timely manner at the time they knew of the practices;
- (d) will sanction a firm or individual, at any time, in accordance with the prevailing Bank's sanctions procedures,¹⁹ including by publicly declaring such firm or individual ineligible, either indefinitely or for a stated period of time: (i) to be awarded a Bank-financed contract; and (ii) to be a nominated²⁰
- (e) will require that a clause be included in bidding documents and in contracts financed by a Bank loan, requiring bidders, suppliers and contractors, and their sub-contractors, agents, personnel, consultants, service providers, or suppliers, to permit the Bank to inspect all accounts, records, and other documents relating to the submission of bids and contract performance, and to have them audited by auditors appointed by the Bank;"

¹⁹ A firm or individual may be declared ineligible to be awarded a Bank financed contract upon: (i) completion of the Bank's sanctions proceedings as per its sanctions procedures, including, inter alia, cross-debarment as agreed with other International Financial Institutions, including Multilateral Development Banks, and through the application the World Bank Group corporate administrative procurement sanctions procedures for fraud and corruption; and (ii) as a result of temporary suspension or early temporary suspension in connection with an ongoing sanctions proceeding. See footnote 14 and paragraph 8 of Appendix 1 of these Guidelines.

²⁰ A nominated sub-contractor, consultant, manufacturer or supplier, or service provider (different names are used depending on the particular bidding document) is one which has either been: (i) included by the bidder in its pre-qualification application or bid because it brings specific and critical experience and know-how that allow the bidder to meet the qualification requirements for the particular bid; or (ii) appointed by the Borrower.

PART 2 – Works Requirements

Section VII: Scope of Works

Section VII. Scope of Works

Contents

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1. Description of the Works

The works includes the rehabilitation of embankments in seven polders in Barguna and Patuakhali Districts in Southern Bangladesh. These polders are under three administrative Divisions of Bangladesh Water Development Board. The rehabilitation works includes the repairing of damages of coastal/river embankment and related structures damaged due to cyclone Sider 2007, and subsequent cyclones namely Aila occurred in year 2009 and Mahasen occurred on year 2012. The rehabilitation of polders included under the contract include:

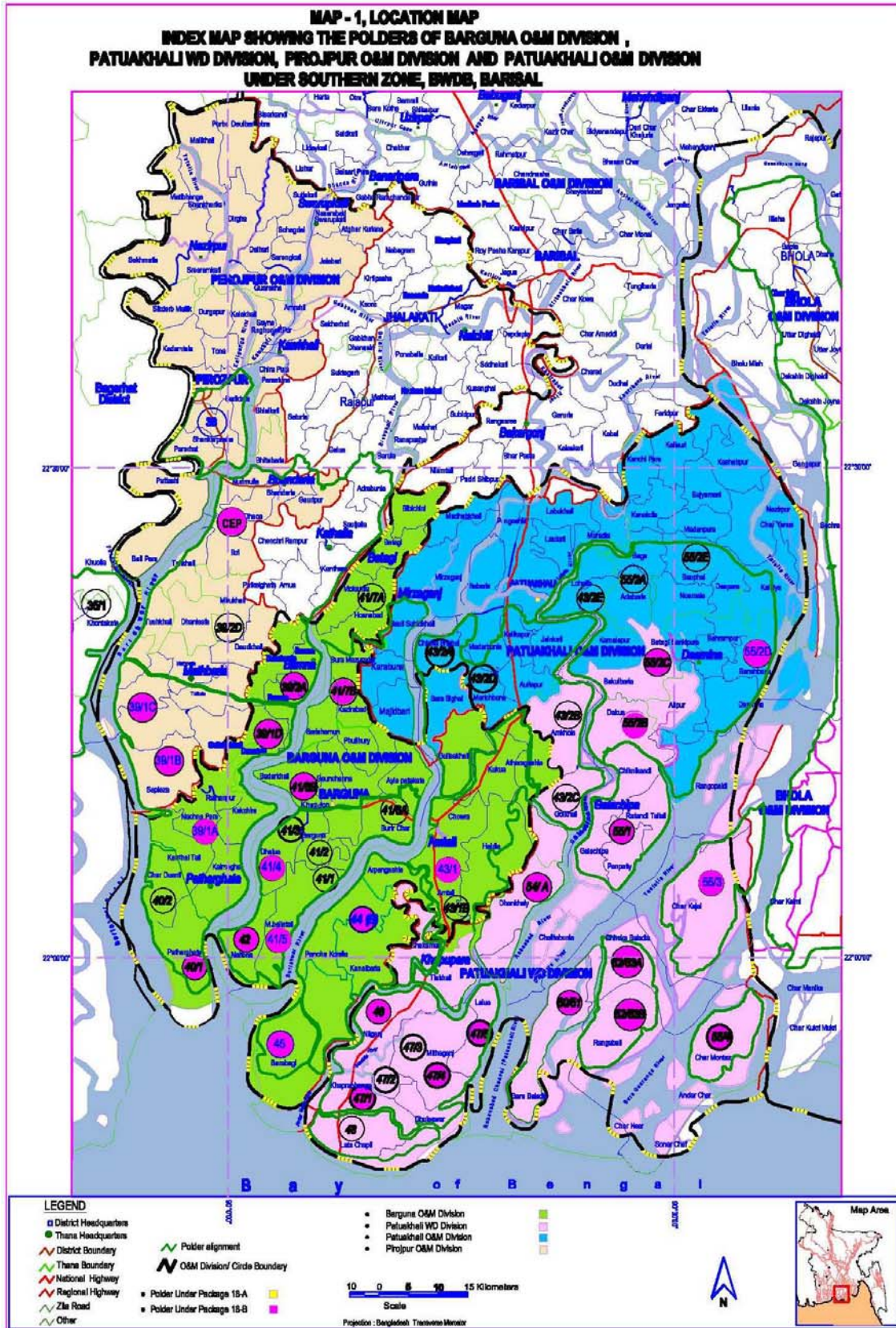
1. Polder No 55/2D located at DosminaUpzill, Patuakhali District, under Patuakhali O&M Division, BWDB.
2. Polder no 55/3 located at GalachipaUpzilla, Patuakhali District under Patuakhali WD Division, BWDB
3. Polder No 45 located at AmtoliUpzilla, Barguna District under Barguna O&M Division, BWDB
4. Polder No 43/1 located at AmtoliUpzilla, Barguna District under Barguna O&M Division
5. Polder No 44(B) located iatAmtoliUpzilla, Barguna District under Barguna O&M Division
6. Polder no 41/4 located at BargunaUpzilla, Barguna District under Barguna O&M Division
7. Polder No 41/5 located at BargunaUpzilla, Barguna District under Barguna O&M Division

The location maps indicating above mentioned polders are presented in map -1 in following page. The above-mentioned polders were damaged due to the cyclonic surges mentioned earlier and inflicted the damages in terms of embankments, and water control structures. The proposed rehabilitation includes the re-sectioning of embankment up to the designed height with proper side slopes, repairing of water control structures covering sluices, regulators, and flushing inlets, and construction of new structures to prevent the damages of embankment in future. The works to be done under this contract are illustrated in table 1. The works presented in table below is estimated based on the survey work. This list is subject to have minor changes and will be presented accurately in Bid Documents.

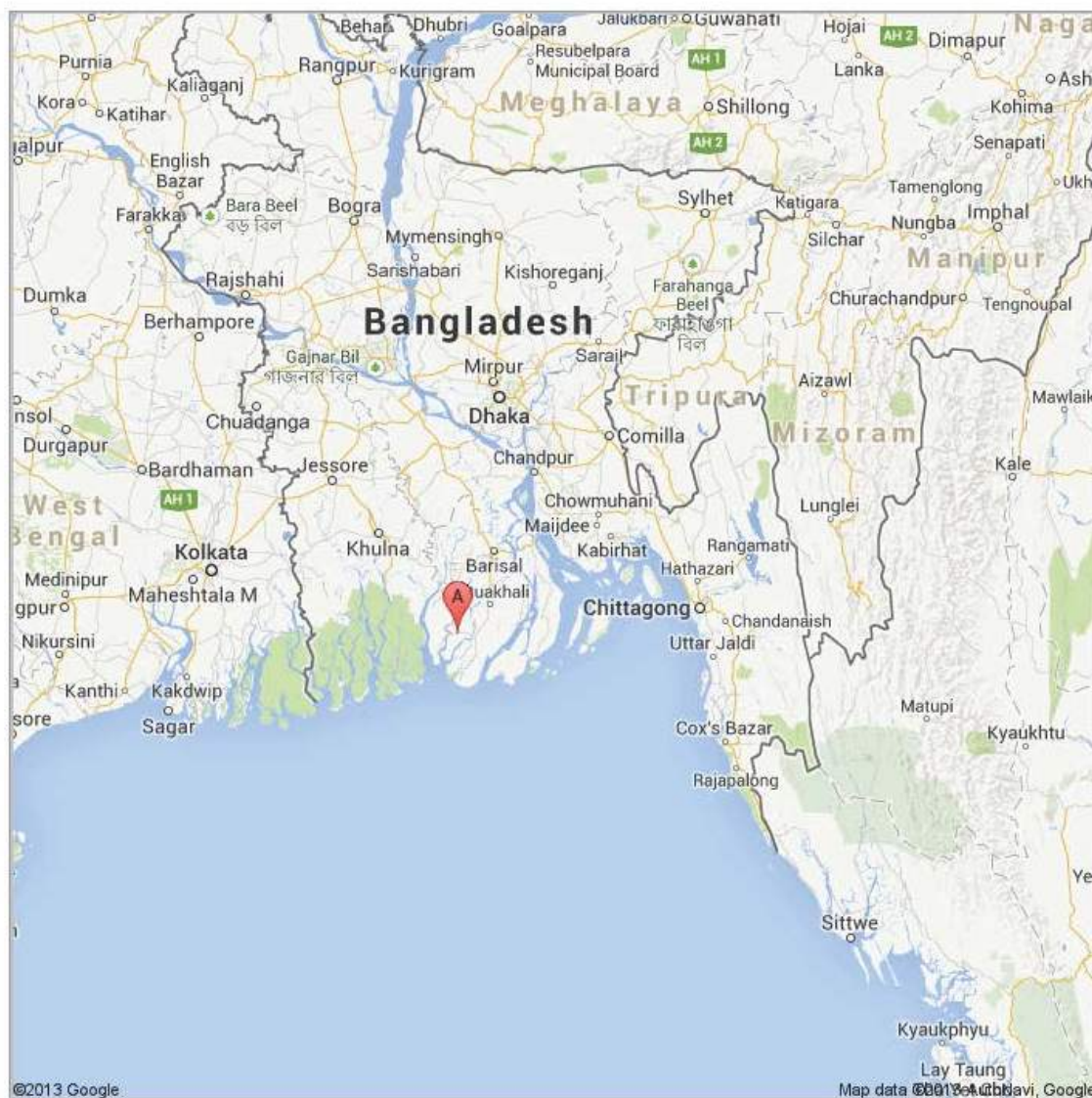
Table – 1 List of Rehabilitation works

S.N.	Polder s Name/ No	Total Existing Embank ment Length in KM	Rehabilitation Works							
			Re- sectioni ng of Embank ment in Km	Construct ion of New Embank ment in Km	Rehabilita tion/Repa ir of Flushing Sluices innos	Rehabilit ation/Rep air of Inlets in Nos	Constru ction of New Flushing Sluices in nos	Constru ction of New Inlets in Nos	Embank ment Slope Protecti on Works in meter	Embankment Bank Protection Works in meter
1	55/2D	64.5	22.58	12.5	5			9	1800	200
2	55/3	66.85	11.04	10.7	8		2	8		300
3	44(B)	61	23.5		6		6	8		1100
4	41/4	18.6	13.7	1.5	5		1	3	1200	
5	41/5	50	23	2.2	5		1	7		
6	45	26.56	15.95	1.65	3	4	1	1		
7	43/1	86	29.86		8		3	6	1000	1500
Total		373.51	139.63	28.55	40	4	14	42	4000	3100

The location Map showing above polders is presented in following pages. In addition, the Individual Polder Maps showing the works as stated above are presented in appendix -1 of this document.



barguna, Bangladesh - Google Maps

Address **Barguna**

2. Construction Period

The construction period of the work package ECRRP/BWDB/W-19 will be 24 months from the date of signing the contract.

3. Site and Other Data

3.1. Project Location

The project site is located within seven polders under Patuakhali and Barguna District in Southern Bangladesh. The nearest towns located within the construction sites include Patuakhali and Barguna. These Polders are among the worst affected by the cyclone Sidr occurred in year 2007. The total population of the four upzila viz. Dashamina (123338), Amtoli (270802), Barguna (201443) and Galachipa(361518) under which the construction/rehabilitation works is planned, is estimated at 957501 (BBS 2011).

The project area is accessible from Dhaka by road as well as through water transport. The Barguna town is about 300 km southwest from Dhaka by road, and about 12 hours travel by water transport to Patuakhali. The nearest airport is Jessore, which is about 80 km from Patuakhali.

The location of works as indicated in Table -1 is presented briefly on Individual Polder Map and they are presented in appendix -1.

3.2. Climate of The Project Area

The project area has tropical monsoon type climate with hot and rainy summer and dry winter. January is the coolest month with temperature average near to 26 degree Celsius (78 degree F) and April is the warmest temperature ranging from 33 degree Celsius to 36 degree Celsius (91 to 96 degree F). The average annual rainfall of the project area is 2140 mm (recorded at Barisal). Most of this rain occurs during monsoon (June to September) and little in the winter. The average monthly rainfall pattern and temperature of the project area recorded at Barisal is presented in Table 2.

Table 2: Climatic Data of the Project Area

Month	Mean Temperature C		Mean Total Rainfall (MM)	Mean Number of Main Days
	Daily	Daily		
	Minimum	Maximum		
Jan	11.9	25.6	8	1
Feb	14.9	28.2	27	3
Mar	20.2	32.2	56	3
Apr	36.6	33.3	128	7
May	24.7	33	230	11
Jun	25.6	31.7	409	18
Jul	25.5	30.9	408	23
Aug	25.5	30.9	370	22
Sep	25.3	31.5	258	16
Oct	23.6	31.5	162	8
Nov	18.8	29.6	53	2
Dec	13.3	26.5	15	0
Total			2124	114

The entire project area is located in coastal zone of Bangladesh. The area also experience high tide during the months of July, August, September, and October. The mean monthly tide related information of the project area recorded at Patuakhali is presented in Table 3.

Table 3: Mean Monthly Tide Level Information in meter PWD.

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
High	1.60	1.63	1.81	1.89	2.17	2.16	2.42	2.57	2.60	2.43	2.15	1.97
Low	0.66	-0.69	-0.72	0.61	-0.46	-0.23	-0.17	-0.21	-0.23	0.21	0.49	0.34

As a result monsoon rain and high tide, the construction work within the polders included under this contract is not possible during monsoon months starting from July, August and September. In addition, there might be difficulties in mobility team of work force during these months.

3.3 The Project and Implementation Status

The Emergency 2007 Cyclone Recovery and Restoration Project (ECRRP) is being implemented in Bangladesh from 2008 with the financial support of The World Bank with the objective of supporting the efforts of Government of Bangladesh to facilitate recovery from damage to livelihoods and infrastructures caused by Cyclone and build long term preparedness through strengthened disaster risk reduction management. The ECRRP includes five components viz. (A) Recovery of Agriculture Sector and Improvement Program, (B) Reconstruction of Multipurpose Shelters, (C) Rehabilitation of Coastal Embankment, (D) Long Term Disaster Risk Management Program and (E) Monitoring and Evaluation of Project Impact.

Among five components, Bangladesh Water Development Board (BWDB) under the Ministry of Water Resources, Government of Bangladesh is responsible for the implementation of Component with the objective of prevention of saline inundation during normal weather and sustained crop production made possible by reducing cyclonic damages. In order to achieve this ECRRP- BWDB part intends to rehabilitate/repair of coastal embankments and related structures damaged by cyclones in ten Upzillas and three coastal districts up to the improved design standard.

Under this project thirty numbers of polders were selected for the rehabilitation under ECRRP – BWDB part. The rehabilitation works were implemented in phased manner. Up to September 2013, the rehabilitation works were limited on 19 Polders located within Barguna, and Patuakhali WD Division. In order to implement the project Design and Supervision Consultant is on board from November 2009 and with the responsibilities of planning, design and Construction Supervision. As of now, rehabilitation works of 19 polders have been implemented with the total contract value of USD 14 million. The design and supervision Consultant acted as Engineer to facilitate the Contract Administration.

At present ECRRP has received additional funding from the World Bank to complete the rehabilitation of 10 Polders located in Barguna, Patuakhali, and Perojpur Districts. Among them 7 polders have been included under this contract packages. These polders are located in Patuakhali, and Barguna Districts. However, they are under three administrative Division of Bangladesh Water Development Board.

For the implementation of the Contract the Project Director, ECRRP will be the employer and Team Leader, Design and Supervision Consultant will act as “Engineer/Project Manager” to facilitate the contract administration. In addition, Design and Supervision Consultant will deploy Senior Construction Engineer, and Senior Quality Control Engineer as Engineers representatives. To support the construction supervision adequate number of professionals at site will be mobilized by the Design and Supervision Consultant.

The Executive Engineers Barguna, Patuakhali, and Kalapara will facilitate the construction activities with the necessary support.

3.4 Construction Material

Almost all types of construction materials are available in Bangladesh. The fine sand is available from rivers / streams within 150 km-200 km of the Project area. Well-graded coarse sand is available from the huge sand deposits in the northern District of Sylhet and in limited areas of northern districts Panchaghar and Lalmonirhat.

Good quality stones/rocks as boulder and gravel are available from the deposits of rivers in northern part of Sylhet and also in limited areas of northern districts Panchaghar and Lalmonirhat. Rock materials are also available from Madhaypara Hard Rock Mining Project, which are to be used in bank protection works as they satisfy the Specification. The hard

available at Madhopara is not adequate to cater the need of the construction activities across the country.

There is a scarcity of good quality stone/rocks in the country. The stones are also imported from across the national boundary for projects in Bangladesh.

The cement is produced in the country. However, indigenous cement satisfies about 75% of total need of the country; the shortfall is being met by importing them.

The steel for the reinforcement (both mild and high grade) is produced in the country. However, a guarantee of quality, quantity and delivery schedule is important.

Good quality bricks are not available in the project area but it can be procured from the distant places.

Appendix-1

Polder Maps

