

**Standard Document**

**Prequalification for Construction**

**of Works**

**Central American Bank for Economic Integration**

**Introduction**

***(This instruction sheet should not form part of the Base Prequalification Document, as well as the texts marked in red, which have the sole purpose of guiding the Employer on the text that should appear in its place).***

This document has been updated based on the Norms for the Application of the Procedures for the Procurement of Goods, Works, Non-consulting and Consulting Services Financed by the Central American Bank for Economic Integration , available on the website, and contains the standard guidelines for the preparation of the Bases for Prequalification of Works with resources from CABEI.

This document requires applicants to submit, in an envelope, documents demonstrating their legal, administrative, financial and experience capabilities.

This document should be used when prequalifying prior to a public bidding process for the contracting of works.

The Prequalification document is divided into five sections:

1. Instructions to Applicants (ITA)
2. Prequalification Data (PDS)
3. Qualification Criteria and Requirements
4. Application Forms
5. Scope of Work

The information contained in the ITA are the only ones of the five sections that are not subject to change, while the PDS, Qualification Criteria and Requirements, Application Forms and Scope of Works must include for each prequalification, the specific conditions and requirements of the process and the forms that apply to the case.

For Section III, Qualification Criteria and Requirements, the contractor shall define and establish in detail the aspects and criteria to be evaluated, as well as the qualifications to be awarded so that the applicants may know how the applications will be evaluated. These criteria shall be developed in accordance with the expectations of the works to be performed as detailed in Section V Scope of Works, with the objective of prequalifying suitable contractors to perform the work.

Section IV "Application Forms" contains the forms for the submission of information to review and analyze the capabilities and background of the applicants, available equipment and executed contracts. Only those forms that specifically apply to the process will be included in this section.

The Contracting Party shall prepare the document and agree with CABEI on the adjustments that may be appropriate for the operation and the Prequalification process to be carried out.

This document is made available to the public through the Bank's website and before preparing a Standard Bidding Document, the user should be familiar with CABEI's Procurement Policy and Norms currently in effect.

Text appearing in red, and italics refer to information or process data that must be adapted to each case or instructions to the Employer that must be removed as part of the preparation of the respective base prequalification document.

**Standard Bidding Document**

**Summary**

Introduction

Model Prequalification Notice

The attached model corresponds to the notice to be used by the borrower for the Prequalification process.

**PART 1 - PREQUALIFICATION PROCEDURE**

**Section I. Instructions to Applicants (ITA)**

This section provides information to assist applicants in preparing their information. It also provides information on the submission, opening and evaluation of applications. **The provisions of Section I should be used without modification.**

**Section II. Prequalification Data (PDS)**

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

**Section III. Qualification Criteria and Requirements**

This section details the criteria and requirements that will be used to determine how Applicants will be prequalified and how they will subsequently be invited to bid.

**Section IV. Application Forms**

This section contains the Application Cover Letter and all other forms to be submitted with the Application.

**PART 2 - WORK REQUIREMENTS**

**Section V. Scope of Work**

This section includes a descriptive summary, delivery and performance schedules, the location of the works and other data subject to this prequalification.

***Introduction***

***Model of Prequalification Notice***

***No. ------ (pre-qualification number)***

***Date:***

1. **SOURCE OF RESOURCES**

The Central American Bank for Economic Integration (CABEI), as part of the services it provides to its beneficiary member countries, is granting financing *(indicate if total or partial)* for the selection and contracting of *the contractor(s)* that will execute *(Indicate the name of the work, if more than one contract is invited, describe each contract and indicate if applications can be made for one or more contracts), within the* framework of the *(name of the operation for which CABEI has approved the resources).*

1. **EXECUTING AND CONTRACTING AGENCY OF THE PREQUALIFICATION PROCESS**
   1. Contractor's background *(brief description).*
   2. *The (Insert name of contractor),* is responsible for this prequalification process and intends to prequalify contractors for (*insert number(s) and/or name(s) of the contract(s), a brief description of the type(s) of work to be provided, including quantities, location, and other information necessary to enable applicants to decide whether or not to respond to this prequalification). The Tender(s) is expected to be held in (insert month and year).*

Contractors may apply for prequalification either individually or as a member of an APCA.

* 1. Prequalification will be carried out in accordance with the procedures of the Central American Bank for Economic Integration established in the Policy for the obtaining Goods, Works, Services and Consultancies with CABEI Resources and its Norms of Application, which can be found at the following website: https://www.bcie.org.

1. **PRESENTATION OF THE PREQUALIFICATION PROCESS**
   1. General objectives of the work(s) for which you are prequalifying (*describe briefly).*
   2. The contractor makes available to interested parties all documentation related to this prequalification.

This information will be available *free of charge:*

1. *For download on the website:*
2. *Physically at: (Specify place, date, and time for interested applicants to obtain the necessary documentation)*

*If there is a cost for obtaining the documents, it must be indicated that such cost is non-refundable. The charge should only be nominal and should be the amount necessary to cover the printing and mailing costs.*

* 1. Applications for prequalification must be sent to the address below, no later than *(Indicate date and time)*.

The submission of electronic applications for prequalification will be allowed *(not be allowed)*. Late applications will not be accepted.

* 1. The address*(es)* mentioned above is (are*): (give address(es) in detail) (give name of office and office number)*

*(indicate the name and position of the officer)*

*(indicate mailing address and/or home address)*

*(indicate zip code, city, country)*

*(include country code and city code)*

*(indicate e-mail address if electronic submission of information is permitted)*

*(indicate URL address)*



Employer´s Logo

**Standard Document for the Prequalification of Construction of Works**

**Insert the name of the works:**

***(Insert the identification of the works)***

Transaction: *(Indicate the name and number of the operation).*

Title of Contract(s)*: (Indicate the title of the Contract)*

Process No.: *(Indicate the process reference number).*

Contractor: *(Indicate the name of the executing agency)*

Country: *(Indicate the borrower's country)*

*Date of Issuance: (Indicate the date on which the Prequalification Document is issued to the Applicants).*

**STANDARD PREQUALIFICATION DOCUMENT**

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# PART ONE: PREQUALIFICATION PROCEDURES

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1. **Instructions to Applicants (ITA)**

| **Section I. Instructions to Applicants (ITA)** | | | |
| --- | --- | --- | --- |
| 1. **General** | | | |
| 1. **Scope** |  | | Scope of Application  The Employer, identified in the **PDS**, issues this prequalification document to Applicants interested in submitting bids for the prequalification of works, which are described in the Section V. In addition, the **PDS** also specifies the name and identification number of this bidding process corresponding to this prequalification. |
| 1. **Source of funds** |  | | The Borrower/Recipient has received or has requested financing from CABEI, and these resources will be used to defray all or part of the cost of eligible payments under the contracts resulting from the bid(s) for which this prequalification is being carried out. |
|  | | No applicant for bidding processes or contractor to execute works may derive rights or demand payments from the Bank since, at all times, the legal relationship involving rights and responsibilities is between them and the Employer. |
| 1. **Prohibited Practices** |  | | CABEI requires that Borrowers/Recipients and all natural or legal persons participating or providing services in projects or operations financed by CABEI, whether as applicants, borrowers, executing agencies, coordinators, project supervisors, contractors, subcontractors, consultants, suppliers, grant recipients (and all their officers, employees, representatives, and agents), as well as any other type of similar relationship, to comply with the following:  Observe the highest ethical standards at all stages of the procurement process or the execution of a contract.  Refrain from performing any act or action that is or may be categorized as a Prohibited Practice.  c. Report to CABEI using the Reporting Channel or other reporting mechanism available to CABEI any act suspected of constituting a Prohibited Practice of which becoming aware or informed.  In accordance with best practices and in order to establish a reference framework for their operation, the following are understood as Prohibited Practices:   1. Corrupt Practice: Consists of offering, giving, receiving, or soliciting, directly or indirectly, something of value to unduly influence the actions of another party. 2. Coercive Practice: Consists of harming or causing harm, or threatening to harm or cause harm, directly or indirectly, to any party or its property in order to improperly influence the actions of a party. 3. Fraudulent Practice: Any act or omission, including the misrepresentation of facts and circumstances that willfully or negligently deceives or attempts to deceive any party to obtain a financial or other benefit of its own or of a third party, or to evade an obligation in favor of another party. 4. Collusive Practice: An agreement made between two or more parties with the intention of achieving an improper purpose or unduly influencing the actions of another party. 5. Obstructive Practice: Consists of: (a) deliberately destroying, falsifying, altering or concealing evidence material to an investigation, or making false statements in investigations, in order to impede an investigation into allegations of corrupt, fraudulent, coercive or collusive practices and/or threatening, harass or intimidate any party to prevent them from disclosing their knowledge of matters relevant to the investigation or to prevent the investigation from proceeding, or (b) intentionally take action to physically impede the exercise of CABEI's contractual rights of audit and access to information.   In the event of complaints received through the reporting channel or other means acceptable to CABEI, related to Prohibited Practices occurring during the procurement processes of Goods, Works, Services and Consultancies, as well as during the execution of a contract resulting from those processes within the framework of an operation financed with CABEI resources, CABEI shall proceed in accordance with its internal policies related to the subject.  Prior to determining the existence of a Prohibited Practice, CABEI reserves the right to carry out audit and investigation procedures.  The right to execute the audit and investigation procedures established in the previous paragraph refers to the unrestricted access of CABEI or its duly authorized representatives to visit or inspect the offices or physical facilities used in connection with the procurement processes or projects financed with CABEI's own funds or administered by CABEI. Likewise, interviews and access to physical and digital files related to such procurement processes, projects, or operations, and to provide all necessary collaboration and assistance for the proper execution of the activities foreseen, at the Bank's discretion.  When the existence of a Prohibited Practice is determined, CABEI will issue one or more of the actions and/or recommendations listed below, without limitation:   1. Referral of the corresponding case to the competent local authorities. 2. Issuance of a written warning. 3. Adoption of measures to mitigate identified risks. 4. Suspension of disbursements. 5. Resource deobligation. 6. Request advance payment of resources. 7. Cancel the business or contractual relationship. 8. Suspension of procurement processes, or execution of contracts, regardless of their status 9. Request for additional guarantees. 10. Execution of bonds or guarantees. 11. Request the reimbursement of expenses or costs related to the activities and investigations carried out in connection with the commission of Prohibited Practices.   The actions and/or recommendations issued by CABEI shall be of mandatory observance and compliance.  CABEI reserves the right, in any case and without prejudice to the sanctions imposed by the authorities of the Borrower/Beneficiary's country, to request the suspension of the contracting procedures or of the execution of the contract(s) resulting therefrom, regardless of their status. If CABEI requests the suspension of the contracting procedures or of the execution of the contract(s) and this does not occur, CABEI reserves the right to not finance the contract(s) resulting from those procedures.  As a As a result of the investigation process, CABEI, may include individuals or legal entities on the List of Prohibited Counterparties or in other CABEI´s ineligibility list established for such purpose. |
| 1. **Eligible applicants** |  | | An applicant and all parties constituting the applicant, the related goods, and services they provide may originate from Bank member and non-member countries.  Participation in the procurement processes will be restricted when determined by the source of financing to be used by CABEI, a restriction that will be clearly defined in the **PDS**. |
|  | | The Bank's member countries are: Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, Panama, Dominican Republic, Belize, Mexico, China (Taiwan), Argentina, Colombia, Spain, Cuba and Korea. |
|  | | Legal entities or individuals who meet one of the following conditions may not be awarded or be subject to contract extensions with total or partial financing from CABEI or funds administered by CABEI:   1. Are included in the CABEI List of Prohibited Counterparties or other ineligibility list of CABEI. 2. Have been disqualified or declared by an entity as ineligible or sanctioned for obtaining resources or awarding contracts financed by organizations recognized by CABEI for such purpose. 3. Convicted by final judgment of crimes or sanctions related to Prohibited Practices by the competent authority, while the sanction is in force. |
|  | | Applicants as well as goods supplied under the contract shall not be eligible when, pursuant to a decision of the Security Council of the United Nations taken under Chapter VII of the Charter of the United Nations, the Borrower's country prohibits any importation of goods or procurement of works or services from that country, or any payment to any country, person, or entity in that country. |
|  | | The following persons may not participate directly or indirectly in the supply of goods, execution of works, services or consultancies for operations financed by CABEI:   1. In public sector financing, individuals with family or business ties to representatives of the Borrower/Recipient, its executing agency or of a recipient of a portion of the Bank's financing, or to any other person representing or acting on behalf of the Borrower/Recipient up to and including the second degree of consanguinity or second degree of affinity and who participates directly or indirectly in:    1. Preparation of technical specifications or equivalent activity;    2. The contract bidding process; or    3. Supervision of the contract,   This prohibition shall not apply when:   1. The persons named therein must certify that they have been habitually engaged in the business activity that is the object of the respective contract for at least two (2) years prior to the publication of the bid. 2. The costs involved are in line with the market and that; 3. The conflict arising from this relationship has been disclosed and resolved in a manner acceptable to the Bank throughout the selection process and the execution of the contract. 4. In the bidding of goods, works or services: Any applicant (including its shareholders, executive directors, and key personnel) engaged by the Borrower/Recipient to provide consulting services in connection with the preparation or execution of a project, as well as its parent company and all its subsidiaries, shall be disqualified from supplying goods or constructing works or services that are directly related to the consulting services for the preparation or execution. 5. All those who submit more than one bid in a bidding or tender process, except in the case of alternative bids allowed in the standard bidding document of the respective process. This does not limit the participation of subcontractors in more than one bid. 6. Any additional conflict of interest situations that are listed in the **PDS.** |
|  | | A company that is an applicant (either individually or as a member of an APCA) may not participate as an applicant or as a member of an APCA in more than one Bid, except in the case of permitted alternative Bids. Such participation will result in the disqualification of all Bids in which the company in question has been involved.  A company that is neither an Applicant nor a member of an APCA may participate as a subcontractor in more than one Bid.  Unless specified **in the PDS**, there is no limit on the number of members of an APCA. |
|  | | An Applicant must not be suspended by the Employer from submitting bids as a result of failure to comply with a Bid or Proposal Maintenance Statement. |
|  | | Applicants shall submit such documentary evidence of eligibility as the Employer may request and deem satisfactory, in accordance with ITA 12.1. |
| 1. **Prequalification Documents** | | | |
| 1. **Sections of the D BP** |  | | The Base Prequalification Document consists of the following five (5) sections:  Section I: Instructions to Applicants (ITA)  Section II: Prequalification Data (PDS)  Section III: Qualification Criteria and Requirements  Section IV: Application Forms  Section V: Scope of Work  These sections should be read in conjunction with any clarifications issued and any amendments issued in accordance with ITAs. 7 |
|  | | The Employer shall not be responsible for the completeness of the Prequalification Documents and amendments thereto, if they are not obtained directly from the source indicated by the Employer in the notice of the process. |
|  | | Applicants should study all instructions, forms, conditions, and specifications contained in the Prequalification Document. Failure on the part of the applicant to provide all the information or documentation required in the Prequalification Documents may result in the rejection of its information. |
| 1. **Clarifications on the Prequalification Document** |  | | Any applicant requiring clarification of the Prequalification Documents should contact the Employer in writing at the address provided in the **PDS** or raise their concerns at the approval meeting or field visit when such activities are foreseen, in any case, the deadline for inquiries and clarifications will be indicated in the **PDS.**  Likewise, the deadline for the Employer to respond to queries and/or clarifications shall be indicated in the **PDS**. |
|  | | The Employer shall respond in writing to all requests for clarification, sending copies of the responses to all requesters, including a description of the queries made, without identifying their source. |
|  | | The applicant and any member of its staff or representative shall access the information and site related to the required works at their own risk, being responsible for any loss, damage, costs, and expenses incurred. |
|  | | If a field visit and/or accreditation meeting has been scheduled, the necessary data will be provided in the **PDS**. The approval meeting is intended to clarify doubts and answer questions regarding any issues raised during that stage. The field visit is intended to facilitate the applicants' understanding of the site conditions. Expenses related to this visit will be borne by the applicant. The approval meeting and/or field visit may not be defined as mandatory. |
|  | | The minutes of the approval meeting, including the questions posed, without identifying their source, and the answers thereto, together with any other answers prepared as a product of the meeting, shall be transmitted in writing and without delay to all applicants. |
|  | | The official communication channel for this prequalification process will be in accordance with the **PDS.** |
| 1. **Modification of the DBP** |  | | If at any time during the process, the Employer deems it necessary to amend the Prequalification Standard Bidding Document or any information of the process, it may amend the documents as necessary through the issuance of amendments, which will be communicated to the applicants in a timely manner, in order to give the potential applicants a reasonable period of time to take the amendments into account in the preparation of their Applications.  Such deadline shall not be less than ten (10) days prior to the date of receipt of applications. |
|  | | Any amendment issued shall form part of the Prequalification Documents and shall be communicated in writing to all the applicants that have obtained the Base Prequalification Document in accordance with the provisions set forth in item 6.6 of the **PDS**. |
| 1. **Preparation of the Applications** | | | |
| 1. **Cost of Applications** |  | | The applicant shall bear all costs related to the preparation and submission of its Application. The Employer shall in no event be liable or responsible for such costs, regardless of the outcome of the prequalification process. |
| 1. **Language of the Application** |  | | The Application, as well as all correspondence and documents relating thereto exchanged between the Applicant and the Employer shall be written in the Employer´s official language as indicated in **the PDS.** |
|  | | Supporting documents and printed material forming part of the application may be in another language, provided that the relevant parts are accompanied by an accurate translation into the language indicated in the **PDS**. For the purposes of interpretation of the application, such translation shall prevail. |
| 1. **Documents that make up the Application** |  | | The Application must contain the following documents:   1. Application Cover Letter prepared in accordance with the ITA 11. 2. Applicant's eligibility: Documentary proof, in accordance with ITA 12; 3. Qualifications: Documentary evidence, in accordance with ITA 12. 4. Any other document required in the **PDS**. |
|  | | The period for which the contracting background, general and specific experience will be analyzed will be indicated in the **PDS**.  The financial situation will be analyzed based on information for at least the last three years. |
| 1. **Cover letter from Application** |  | | The Application cover letter, list of forms and documents to be submitted with the Application are detailed in item 10.1. of the **PDS** and Section IV Forms, which must be completed without any modifications. All blanks must be filled in with the required information. |
| 1. **Documents Establishing Applicant's Eligibility and Qualifications** |  | | To establish an applicant's Eligibility under the provisions of ITA 4, applicants shall complete the Letter of Offer and its attachments included in Section IV. Section IV, "Prequalification Forms."  Additionally, a simple copy of the applicant's articles of incorporation (and its amendments, if any) duly registered in the competent public registry must be submitted. In the case of bids submitted by an APCA, the articles of incorporation (and their amendments, if any) of each of the members of the APCA must be submitted, duly registered with the competent Public Registry. |
|  | | In accordance with the provisions of Section III, Qualification Criteria and Requirements, in order to establish its qualifications for the execution of the Contract, the applicant shall provide the information requested in the forms included in Section IV*,* "Prequalification Forms". |
| 1. **Submission and opening of Applications** | | | |
| 1. **Format of the Application** |  | | The Applicant shall prepare an original set of the documents constituting the Application, as outlined in these Instructions to Applicants.  In addition, the applicant shall submit the number of bid copies indicated in the **PDS**. |
|  | | They shall deliver the original and a copy of each of the separate envelopes, sealed in inviolable form and duly identified as "ORIGINAL" and "COPY".  In case of discrepancies, the original text shall prevail over the copies.  Text between lines, crossings out or superimposed words will not be accepted.  Applicants should mark as "EXTERNAL CONFIDENTIAL" information included in their Applications that is confidential to their companies. This may include proprietary information, trade secrets, or commercially or financially sensitive information. |
|  | | The original and all copies of the Offer must be typed or written in indelible ink and must be signed by the person duly authorized to sign on behalf of the applicant. This authorization shall consist of a written confirmation by a power of attorney, which must be attached to the Application. The name and title of each person signing the authorization must be printed or printed under his or her signature. All pages of the Application containing notations or amendments must be signed or initialed by the person signing the Application. |
|  | | In the event that the applicant is an APCA, the Application must be signed by the authorized representative of the APCA on behalf of the APCA, as evidenced in the form of Intention of Joint Venture, Consortium or Association (APCA) or in the respective agreement and in legally binding representation to act on behalf of all members, formalized by a power of attorney signed by their legal representatives. |
|  | | Any spacing, erasures or replacements will be valid only if signed or initialed by the person signing the Application. |
| 1. **Procedure for signing, sealing, and marking Applications** |  | | Applicants shall deliver the application in a sealed envelope to the attention and address listed on the **PDS**. Inside that envelope the applicant shall place the following separate sealed envelopes:   1. In an envelope marked "ORIGINAL", all the documents that make up the Application, as described in item 10.1. of the **PDS**. 2. In an envelope marked "COPIES", all copies of the requested Application. |
|  | | The inner envelopes and outer envelope shall:   1. Bear the name and address of the applicant; 2. Be addressed to the Employer and bear the address indicated in the ITA. 14.1; 3. Carry the specific identification of this prequalification process indicating the name of the process; 4. Include a warning not to open before the opening time and date of the application. |
|  | | If the envelopes are not sealed and identified as required, the Employer shall not be liable in case the Application is lost or prematurely opened. |
| 1. **Deadline for Submission of Bids** |  | | a. Applications must be received by the Employer at the address and no later than the time and date indicated in the **PDS.**  b. Unless a different deadline is agreed upon **in the PDS**, the deadline for the preparation of Applications shall be at least 30 calendar days from the next business day after the date of publication of the Standard Bidding Document, or from the next business day after the date on which the Standard Bidding Document become available. |
|  | | The Employer may extend the deadline for submission of bids by amending the Prequalification Document, in which case, all obligations and rights of the Employer and the applicants that were subject to the deadline will be subject to the new deadline. |
|  | | Applicants will have the option to submit their Applications electronically, when so indicated in the **PDS**. In that case, applicants submitting their Applications electronically will follow the procedures indicated in that section for the submission of Applications. |
| 1. **Late Applications** |  | | The Employer will not consider any Application that arrives after the time and date due for submission, in accordance with the provisions No. 15.1. 15.1 ( a ) of the **PDS.** No Application arriving after the deadline time will be received. |
| 1. **Reception and Opening of the Applications** |  | | After the deadline for the submission of Applications, the Employer shall conduct the opening ceremony for all Applications received by the deadline at the address, date and time specified in No. 15.1 (a) of the **PDS**. The procedure to be followed shall be as follows:  All applications received will be opened one at a time and the applicant's name will be read aloud.  If there are electronic applications, they shall be posted and read in accordance with the above.  Proceedings’ minutes shall be taken and shall be signed by the Employer's representative(s). A copy of the minutes shall be distributed to all Applicants. |
| 1. **Evaluation and comparison of the Application** | | | |
| 1. **Confidentiality** |  | | No information relating to the evaluation, or the prequalification recommendation, will be disclosed to applicants or any person not officially involved in the prequalification process until prequalified Applicants have been notified in accordance with ITA 25 |
|  | | Any attempt by an applicant to influence the Employer in the evaluation or comparison of the Applications may result in the rejection of its Application. |
|  | | Notwithstanding the provisions of ITA 26, if during the period between the Bid opening and the date of award contract, an Applicant wishes to communicate with the Employer on any matter related to the Prequalification process, it must do so in writing. |
| 1. **Clarification of the Applications** |  | | In order to facilitate the evaluation and comparison of the Applications up to the qualification of the Applicants, the Employer may, at its discretion, request clarifications to any Applicant's Application. Clarifications will not be considered when they are not in response to a request from the Employer. The request for clarification, and the response, must be in writing.  If an applicant has not submitted the clarifications to its Application before the date and time set, the Application will be evaluated with the information available and may be rejected. |
|  | | The deadline for submission of additional information or clarifications to the Employer shall be established in the **PDS**. |
| 1. **Determination of compliance Requests** |  | | In determining whether the Bid substantially conforms to the Prequalification document, the Employer shall rely on the contents of the Solicitation itself, as defined in ITA 10.1. |
| 1. **Subcontractors** |  | | Unless otherwise stated **in the PDS**, the Employer does not intend to entrust the execution of specific elements of the Works to pre-selected subcontractors (referred to as "Designated Subcontractors"). |
|  | | The Applicant may not propose to subcontract the entire Works. The Employer, in agreement with the ITA, may allow the Applicant to propose subcontractors for certain specialized parts of the Works, which are referred to as "Specialized Subcontractors" in that subsection. Applicants intending to use such Specialty Subcontractors shall specify in the Application Cover Letter the activities or parts of the Works that the Applicant intends to subcontract, together with details of the proposed subcontractors, including their qualifications and experience. |
| 1. **Evaluation of the Applications** |  | | In determining whether the Application substantially conforms to the Prequalification Documents, the Employer, based on the contents of the Application itself and the requirements set forth in the Prequalification Standard Bidding Document, will examine and evaluate the various aspects of the Application in order to confirm that it meets the requirements set forth in Section III. The Employer reserves the right to disregard minor deviations from the qualification criteria if they do not specifically affect an Applicant's technical capability and financial resources to perform the Contract(s). |
|  | | Subcontractors proposed by the Applicant must be fully qualified to undertake their portions of the Works. The qualifications of Subcontractors shall not be used by the Applicant for the purpose of qualifying for the Works, unless  the Employer has previously indicated in the **PDS** that the relevant portions of the Works may be entrusted to Specialty Subcontractors. In that case, the qualifications  of the Applicant's proposed Specialty Subcontractor may be added to the Applicant's qualifications for evaluation purposes. |
|  | | If there are several contracts, Applicants must indicate in the Application the contract or combination of contracts in which they are interested. The Employer will pre-qualify each Applicant for the maximum combination of contracts in which the Applicant has expressed interest and for which it meets the corresponding total requirements. The qualification criteria and requirements are referred to in Section III. |
|  | | However, with respect to the specific experience required in item 4. of Section III, Section III, "Qualification Criteria and Requirements," the Employer shall choose any or more of the following options:  **N** is the minimum number of contracts.  **V** is the minimum value of a contract.  **(a) Prequalification for a contract**  Option 1: (i) N contracts, each of a minimum value V;  **Or**  Option 2: (i) N contracts, each of a minimum value V;  **Or**  (ii) Number of contracts less than or equal to N, each of a minimum value V, but with a total value of all contracts equal to or greater than N x V.  **(b) Prequalification for several contracts**  Option 1: (i) The minimum requirements for the combined contract(s) shall consist of the total requirements for each contract for which  the Applicant has submitted Applications, as follows, with N1, N2, N3, etc. being different contracts:  **Lot 1:** N1 contracts, each of a minimum value V1;  **Lot 2:** N2 contracts, each with a minimum value V2;  **Lot 3:** N3 contracts, each of a minimum value V3; etc.  **Or**  Option 2: (i) The minimum requirements for the combined contract(s) shall consist of the total requirements for each contract for which the Applicant has submitted Applications, as follows, with N1, N2, N3, etc. being different contracts:  **Lot 1:** N1 contracts, each of a minimum value V1;  **Lot 2:** N2 contracts, each with a minimum value V2;  **Lot 3:** N3 contracts, each of a minimum value V3; etc.  **Or**  (ii) **Lot 1:** N1 contracts, each of a minimum value V1; or number of contracts less than or equal to N1, each of a minimum value V1, but with a total value of all contracts equal to or greater than N1 x V1.  **Lot 2:** N2 contracts, each of a minimum value V2; or number of contracts less than or equal to N2, each of a minimum value V2, but with a total value of all contracts equal to or greater than N2 x V2.  **Lot 3:** N3 contracts, each of a minimum value V3; or number of contracts less than or equal to N3, each of a minimum value V3, but with a total value of all contracts equal to or greater than N3 x V3, etc.  **Or**  Option 3: (i) The minimum requirements for the combined contract(s) shall consist of the total requirements for each contract for which the Applicant has submitted Applications, as follows, with N1, N2, N3, etc. being different contracts:  **Lot 1:** N1 contracts, each of a minimum value V1;  **Lot 2:** N2 contracts, each with a minimum value V2;  **Lot 3:** N3 contracts, each of a minimum value V3; etc.  **Or**  (ii) **Lot 1:** N1 contracts, each of a minimum value V1; or number of contracts less than or equal to N1, each of a minimum value V1, but with a total value of all contracts equal to or greater than N1 x V1.  **Lot 2:** N2 contracts, each of a minimum value V2; or number of contracts less than or equal to N2, each of a minimum value V2, but with a total value of all contracts equal to or greater than N2 x V2.  **Lot 3:** N3 contracts, each of a minimum value V3; or number of contracts less than or equal to N3, each of a minimum value V3, but with a total value of all contracts equal to or greater than N3 x V3, etc.  **Or**  (iii) Provided that what is stated in item (ii) above is met with respect to the minimum value of a single contract for each lot, the total number of contracts is equal to or less than N1 + N2 + N3 +---, but the total value of all such contracts is equal to or greater than N1 x V1 + N2 x V2 + N3 x V3 +---. |
|  | | Only the qualifications of the Applicant will be considered. The ratings of other companies, including subsidiaries, parent companies, affiliates, subcontractors (except Specialty Subcontractors, in accordance with ITA 21.1) of the Applicant and any firm other than the Applicant will not be considered. |
| 1. **Employer's right to accept any or reject any or all of Applications** |  | | The Employer reserves the right to accept or reject any Application, to cancel the prequalification process and to reject all Applications at any time, without thereby acquiring any liability whatsoever to the applicants. |
| 1. **Prequalification of Applicants** |  | | The Employer will award prequalification to all Participants whose Applications substantially meet or exceed the specified Qualification Requirements. |
|  | | An Applicant may be "conditionally prequalified," i.e., qualified but subject to the requirement to submit or correct certain minor documents or deficiencies until the Employer is satisfied. |
|  | | Applicants that are conditionally prequalified will be promptly informed thereof and will receive the list of conditions, which must be fulfilled to the Employer's satisfaction prior to or at the time of submitting their bids. |
| 1. **Notification  of Prequalification** |  | Once the Employer has completed the evaluation of the Applications, it will notify in writing to all Applicants the names of the Applicants that have been prequalified, without indicating a specific order of priority, or in alphabetical order. | |
|  | Applicants that have not been prequalified may write to the Employer to request, in writing the reasons for their disqualification. | |
| 1. **Invitation to submit bids** |  | Immediately upon notification of the prequalification results, the Employer will invite prequalified Applicants to submit bids. | |
|  | Bidders may be required to furnish a Bid Maintenance Security or Bid Maintenance Statement acceptable to the Employer in a form and amount to be specified in the bidding document. | |
|  | The Bidder or successful bidder shall provide a Performance Security, the terms of which shall be specified in the bidding document. | |
| 1. **Changes in Applicant Qualifications** |  | Any change in the structure or conformation of an Applicant after it has achieved prequalification, in accordance with ITA 25 and having been invited to submit a bid (including, in the case of an APCA, any change in the structure or formation of any member and any change in any Specialty Subcontractor whose qualifications were considered in prequalifying the Applicant) shall be subject to the written approval of the Employer prior to the deadline for submission of bids. Such approval will be withheld (i) if a prequalified Applicant proposes to partner with a disqualified Applicant or, in the case of a disqualified APCA, any of its members; (ii) if, as a result of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III, "Qualification Criteria and Requirements," or (iii) if, in the opinion of the Employer, the change would result in a substantial reduction in competition. Such changes may be submitted to the Employer up to fourteen (14) days after the date of the Invitation for Bids. | |
|  | A prequalified bidder will be disqualified for the corresponding bidding process or processes in the event that the prequalification or registration has originated with incorrect information or subsequent circumstances arise that make it unlikely that the bidder will be able to comply with the requirements of the operation, in accordance with the Rules for the Application of the Policy for the Procurement of Goods, Works, and Consulting Services with CABEI Resources. | |
| 1. **Filing of Protests in the procurement process** |  | | The term to file protests to the prequalification results once these are notified to the applicants shall be ten business days from the next business day following the Prequalification notification.  This term will not apply when only one Application is submitted and when the process is carried out in an emergency situation recognized by CABEI, in which case it will be indicated in the **PDS**. |
|  | | Protests by applicants may only be formulated in response to notifications they receive regarding the results obtained from the evaluation of their Application.  Any protest filed shall:   * + - * 1. Be submitted by the applicant's representative         2. Identify the procurement action for which the claim is being made.         3. Describe the nature of the protest and the facts supporting the protest including references to CABEI procurement policies that are believed to have been breached.         4. Indicate and attach all the information required to evidence the chronology of the claim. |
|  | | All protests must be sent in writing to any of the addresses indicated in the **PDS.** |
|  | | The Employer shall resolve the protests within the period specified in the **PDS.** |
|  | | The Employer shall suspend activities related to the procurement process upon receipt of a protest until the protest is resolved.  In the event of a protest in the framework of a process for which lots are established, only the lot affected by the protest will be subject to suspension. |
|  |  | | The Employer shall inform the Bank of the filing and settlement of protests during the prequalification process.  CABEI reserves the right to refrain from financing any work when the respective solution is not timely reached or when, in its opinion, the solution adopted does not respond to the best interests of the operation. |

1. **Prequalification Data (PDS)**

The following are the specific details of this process, which will supplement or amend the Instructions to Applicants (ITA), in case of conflict, the provisions contained in this PDS will prevail over the provisions of the ITA.

| **Ref. from the ITA** | **Prequalification Data** |
| --- | --- |
| **A. General** | |
| **1.1** | Name of Employer:  Prequalification identification number:  Name of the prequalification and description of the works to be performed: *(In case the bidding involves awarding by lots, each lot must be indicated and described).* |
| **4.1** | *Choose one of the two text options:*  *The bidding is restricted to applicants whose country of origin is only (Indicate the names of the countries)*  *The bidding is not restricted to the participation of applicants from a specific origin; national or international applicants from any country interested in participating will be accepted.* |
| **4.5 (d)** | In addition to the provisions of the ITAs, a conflict of interest shall be considered a conflict of interest:  *If other grounds for conflict of interest are required (insert grounds here); otherwise delete this item.* |
| **4.6** | *(Delete if there is no limit) or indicate* the maximum number of APCA members.  (*Insert a number) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| **B. Prequalification Document** | |
| 6.1 | If for the preparation of Applications subject of this Prequalification it is considered necessary to make inquiries, communications should be addressed to:  Attention: (indicate the person's full name, if applicable)  Address: (indicate street and number)  Floor/Office Number: (indicate floor and office number, if applicable)  City: (indicate the name of the city or town)  Zip Code: (enter ZIP code, if applicable)  Country: (indicate the name of the country)  Telephone: (provide telephone number, including country and city codes)  E-mail address: (enter e-mail address, if applicable)  Website: (If applicable, identify the free access website where the information on the Prequalification Process is published).  The deadline for making inquiries and requesting clarifications is as follows:  Clarifications may be requested no later than *(day, month, year, a minimum of 13 days prior to the date of submission of bids is recommended*).  The Employer shall respond to inquiries from applicants for the preparation of their applications no later than *(day, month, year, the date shall be not less than 12 days prior to the date of submission of bids).* |
| **6.4** | 1. *(To be held/Not to be held)* homologation meeting, which shall be of a non-binding nature.   *If an approval meeting is held, add the following paragraph*  *The place, date and time of the meeting are indicated below:*  *Date:*  *Time:*  *Location:*   1. *(Will/will not)* visit the site where the works will be carried out, organized by the Employer*,* which will be of a non-binding nature.   *If the visit is made, add the following paragraph*  *The meeting place, date and time are indicated below:*  *Date:*  *Time:*  *Location:* |
| **7.2** | Communication of responses to applicant inquiries and amendments to this Standard Bidding Document will be made by:  *(Select one of the disclosure mechanisms)*   * *Publication on the web portal (indicate e-mail address)* * *Other (detail*) |
| **C. Preparation of Applications** | |
| **9.1** | The language in which the Application must be written is: \_\_\_\_\_\_ *(indicate the official language of the contracting party).* |
| **9.2** | Supporting documents and any other printed material forming part of the Application may be in another language, provided that they are accompanied by an accurate translation into the language \_\_\_\_\_\_ *(indicate the official language of the contracting party).* |
| **10.1 (d)** | The following forms shall be submitted with the Application: *(Insert any other document required in this prequalification)* |
| **10.2** | The periods for which the information presented will be analyzed are as follows:   1. Financial information for the periods *January - December* corresponding to the years 20xx, 20xx and 20xx*, (At least the last three years).* 2. Contracting history information for the years 20xx, 20xx, 20xx, 20xx ... 3. General experience information for the years 20xx, 20xx, 20xx ... 4. Specific experience information for the years 20xx, 20xx, 20xx, 20xx ... |
| **D. Applications Submission and Opening** | |
| **13.1** | The applicant shall submit the following number of copies: *(indicate the number of copies \_\_\_\_)* |
| **14.1** | Exclusively for the purpose of submitting the application, the address of the Employer is:  Attention: *(indicate the person's full name, if applicable)*  Address: *(please indicate street and number)*  Floor/Office No. *(indicate floor and office number, if applicable)*  City: *(indicate the name of the city or town)*  Zip Code: *(indicate zip code, if applicable)*  Country: *(indicate the name of the country)* |
| **15.1** | a. Applications must be received no later than *(insert day, month, and year)* on \_\_\_\_ of \_\_\_\_\_\_, by \_\_\_\_\_\_\_ hours at the address detailed in the pre-qualification notice.  b. The time limit for the preparation of the Application will be *(indicate number of days)* |
| **15.3** | Applicants (*will/will not) have* the option to submit their applications electronically.  If applicants have the option to submit their applications electronically, procedures should be defined. |
| **E. Applications Evaluation and Comparison** | |
| **19.2** | The period for submitting clarifications or additional information requested by the Employer shall be at least *(Indicate number of days)* working days. |
| **21.1** | Subcontracting proposed by the Contractor:  The maximum percentage of subcontracting is xx% of the total amount of the contract or *xx%* of the volume of works \_\_\_\_\_\_\_\_ *(e.g., up to 20%*). |
| **22.2** | *Choose one of the two text options:*   * + 1. *Not Applicable*     2. The parts of the works for the performance of which the Employer will permit the proposal of Specialty Subcontractors are as follows:  1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   With respect to such parties, the qualifications to be shown by the proposed Specialty Subcontractors will be added to the qualifications of the applicants for evaluation purposes. |
| **28.1** | The process is carried out in an emergency situation recognized by CABEI: \_\_\_\_(Yes) \_\_\_\_(No) |
| **28.3** | All protests must be sent in writing to any of the following addresses:  **Attn**: *(please indicate the full name of the person receiving the complaint)*  **Title / position**: *(insert title / position)*  **Employer**: *(insert name of Employer)*  **E-mail address:** *(insert e-mail address*)  **Physical address:** *(insert physical address)* |
| **28.4** | Any protest shall be resolved by the Employer and communicated to the Requester within *(recommended 10 working days)* after receipt of the protest. |

1. **Criteria for Qualification and Requirements**

This section contains the criteria to be used to evaluate eligibility, qualifications, and experience.

1. **Applicant Background Screening**

The applicant shall submit, as part of its Application, all documents evidencing its background to participate in the prequalification and its qualifications to provide the required works.

| **Criterion 1: Legal Information** | |
| --- | --- |
| **Evaluation** | **Evidence Presented** |
| Compliant /  Not Compliant | 1. Letter of application, duly signed by the applicant's legal representative.   The attachment to this letter is remediable |
| Compliant /  Not Compliant | 1. Articles of Incorporation and its amendments (if any) duly registered in the competent Public Registry.   In the case of bids submitted by an APCA, the articles of incorporation duly registered with the competent Public Registry of each of the members of the APCA. |
| Compliant /  Not Compliant | 1. Simple copy of the power of attorney of the person signing the application.   In case of bids submitted by an APCA, a simple copy of the power of attorney of the person signing the form of Intention of Joint Venture, Consortium or Association (APCA). |
| Compliant /  Not Compliant | 1. Simple copy of identity card or similar identification document, in force, of the person who subscribes the request. |
| Compliant /  Not Compliant /  Not Applicable | 1. Form CC-2: Intention of Joint Venture, Consortium or Association (APCA) (*For applications submitted by an APCA)* |

| **Criterion 2: Eligibility to contract with CABEI financing**  In the case of Applications submitted by an APCA, each of the members must meet the requirement. | | |
| --- | --- | --- |
| **Requirement** | **Evaluation** | **Required Documentation** |
| 1. The Applicant: 2. Its agents, personnel, contractors, consultants, directors, officers or shareholders have no relationship with, and have not been involved in activities related to money laundering and terrorist financing; 3. It is not in bankruptcy or liquidation; 4. It is not under judicial interdiction; 5. No conflict of interest as described in the Instructions to Applicants and Bid Data; 6. Its agents, personnel, contractors, consultants, directors, officers or shareholders are not included in CABEI's Prohibited Counterparties List or other CABEI ineligibility list; 7. Its agents, personnel, contractors, consultants, directors, officers or shareholders have not been disqualified or declared by an entity or authority as ineligible for obtaining resources or awarding contracts financed by any other entity, while the sanction is in force; 8. Its agents, personnel, contractors, consultants, directors, officers, or shareholders have not been found guilty of offenses or sanctions related to Prohibited Practices by the competent authority. 9. They have no history of breach of contract in the last 10 years. | Compliant / Not Compliant | Form CC-4  Affidavit |
| 2. The applicant is not disqualified or declared ineligible or sanctioned for obtaining resources or awarding contracts in:   1. United Nations (UN) Security Council Consolidated List of Sanctions 2. Consolidated list of persons, groups, and entities subject to European Union (EU) financial sanctions 3. Consolidated list of individuals, groups, and entities subject to World Bank (WB) sanctions 4. Consolidated List of the Office of Foreign Assets Control (OFAC) 5. CABEI List of Prohibited Counterparties 6. UK Office for the Financial Sanctions Enforcement (OFSI) | Compliant /  Not Compliant | Form CC-4 and search in the lists of disqualified, sanctioned or declared ineligible in CABEI and CABEI-recognized organizations. |
| 3. Applicant has no current sanctions for non-compliance with a bid maintenance statement, and no history of non-compliance with contracts attributable to the contractor within the last 10 years | Compliant /  Not Compliant | Form CC-1  and CC-4 affidavit |
| In the case of a state-owned company or institution, they certify that:   * 1. They are legally and financially autonomous;   2. They operate in the borrower/beneficiary's country in accordance with commercial laws and regulations;   3. Are not subject to the supervision of the entity acting as executing agency or contractor | Compliant /  Not Compliant | Form CC-3 and  and CC-3.1 |

1. **Applicant Qualifications**

| **Criterion 1: History of breaches of contracts and litigation**  In the case of a bid submitted by an APCA, each of the members must meet the following requirement | | |
| --- | --- | --- |
| **Requirement** | **Requirement** | **Required Documentation** |
| * 1. The applicant has not been in breach of contract for the execution of works attributable to the contractor in the last 5 years prior to the date of receipt of the application. | Compliant /  Not Compliant | Form CC-5 |
| * 1. The applicant has no history of court rulings or arbitration awards against the contractor, related to the execution of works contracts, in the last 5 years prior to the date of receipt of the application. | Compliant /  Not Compliant | Form CC-5 |
| * 1. The Applicant, including specialized subcontractors, has not had any civil works contracts suspended or terminated, or performance bonds charged, for reasons related to non-compliance with any environmental and social requirements or safeguards (including sexual exploitation and abuse) in the last *(indicate number of years)*. | Compliant /  Not Compliant | Form CC-7 |

For evaluation purposes, breach of contract attributable to the contractor will be considered as breach of contract when the breach implied the termination of the Contract and any of the following scenarios occurred:

1. The Contractor did not challenge the breach of contract, including through its use of the dispute resolution mechanism provided for in the relevant Contract, or
2. If the non-compliance was contested, but there is a final determination against the Contractor.

In addition, the following will be considered:

1. A breach of contract attributable to the Contractor shall not be deemed to be a breach of contract when the Employer's decision has been overruled under the dispute resolution mechanism.
2. Non-compliance shall be determined on the basis of all information relating to disputes or litigation that have been finally resolved, i.e., disputes or litigations that have been resolved under the dispute resolution mechanism provided for in the relevant Contract and in which all instances of appeal available to the applicant have been exhausted.

| **Criterion 2: Soundness of current financial position**  The evaluation will be made on the assumption that all pending litigation, as identified on Form CC-5, will be resolved against the Applicant. | | |
| --- | --- | --- |
| **Requirement** | **Evaluation** | **Required Documentation** |
| * 1. **Financial indicators**   In the case of bids submitted by an APCA, each member of the APCA must meet the requirements.  In accordance with the years indicated in the IAO 10.2 (a) | | |
| Presentation of audited financial statements | Compliant /  Not Compliant | Audited financial statements |
| Average Liquidity Ratio  *Equal to or greater than* \_\_\_\_\_\_:  Where: CL = AC/ PC  CL= Average liquidity ratio  AC = Average short-term assets  PC = Average short-term liabilities | Compliant /  Not Compliant | Form  FIN-1  with their respective annexes |
| Average Debt Ratio  *Equal to or less than \_\_\_\_\_\_:*  Where: CE = TP/ TA  EC = Average Debt-to-Equity Ratio  TP = Average total liabilities  TA = Average total assets | Compliant /  Not Compliant |
| * 1. **Financial Capacity:** In case of bids submitted by an APCA select one of the options:  1. The requirement may be met by the sum of the values of the APCA members. 2. The lead firm must meet at least *x %* (51% recommended) of the requirement. | | |
| Working capital for the last year evaluated discounting contractual advances and discounting the values resulting from the assumption that all pending litigation will be resolved against the applicant.  *Greater than or equal to (\*): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*  *(Indicate currency and amount in letters and numbers)* | Compliant /  Not Compliant | Form FIN-3  with its respective annexes |

(\*) May be an amount equal to or greater than the estimated payment flow for a period of 4 - 6 months, considering a linear distribution of payments over the resulting contract term.

| **Criterion 3: Contracting background** | | |
| --- | --- | --- |
| *Select one of the options*:   * *The figures for each of the members of an APCA will be added together to determine whether the applicant meets the minimum qualification requirements; and the APCA lead firm must meet at least fifty-one percent (51%) of them.*   ***The figures for each of the members of an APCA will be added together to determine whether the applicant meets the minimum qualification requirements. The APCA lead firm must meet all of the evaluation criteria.*** | | |
| **Requirement** | **Evaluation** | **Required Documentation** |
| Average annual turnover *(\*\*) equal to or greater than \_\_\_\_\_\_\_\_\_\_\_\_*  *(Indicate currency and amount in letters and numbers)*  Average annual certified payments received for work performance contracts, according to the years indicated in the IAO. 10.2 (b) | Not Compliant | Form FIN-2 with its respective attachments |

*(\*\*)* Must be an amount equal to or greater than the estimated annual flow of payments, considering a linear distribution.

| **Criterion 4: Experience** | | |
| --- | --- | --- |
| *Select one of the following options*   * *The figures for each of the members of an APCA will be added together to determine whether the applicant meets the minimum qualification requirements; and the APCA lead firm must meet at least fifty-one percent (51%) of the minimum qualification requirements.* * *The figures for each of the members of an APCA will be added together to determine whether the applicant meets the minimum qualification requirements.* * *The APCA lead firm must meet all of the evaluation criteria.* | | |
| **Requirement** | **Evaluation** | **Required Documentation** |
| Minimum general experience in: *(Detail the quantity and characteristics of the works executed that will be considered as general experience)* in accordance with the years indicated in the IAO. 10.2 (c) | Compliant /  Not Compliant | Form EXP-1 with its respective attachments |
| *To pre-qualify for a contract*  The similarity of the contracts will be based on the following:  *(Based on Section V, Scope of Works, specify the minimum key requirements in terms of physical size, complexity, method of construction, technology and/or other characteristics, including part of the requirements may be addressed by specialized subcontractors, if permitted in accordance with ITA 22.2.)*  **N** = *(indicate the minimum number of contracts and their characteristics)* that have been satisfactorily completed as a prime contractor or APCA member in accordance with the years indicated in the IAO. 10.2 (d)  **V** = (*is the minimum value of a contract)*  Minimum specific experience in:  *Select an option*   1. N contracts, each with a minimum value V; OR 2. Less than or equal to N contracts, each of minimum value V, but with the total value of all contracts equal to or greater than N x V.   *Eliminate the numeral that does not apply.* |  |  |
| **Prequalification for several contracts**  Similarity of contracts shall be based on the following: *(Based on Section V, Scope of Works, specify the minimum key requirements in terms of physical size, complexity, method of construction, technology and/or other characteristics, including part of the requirements may be addressed by specialized subcontractors, if permitted in accordance with ITA 22.2).*  **N** = *(indicate the minimum number of contracts and their characteristics),* and N1, N2, N3, etc. shall be different contracts, which have been satisfactorily completed as prime contractor or APCA member according to the years indicated in the IAO. 10.2 (d)  **V** = (*is the minimum value of a contract)*  Minimum specific experience in:  *(the minimum number of contracts required to assess the qualification shall be selected from the options mentioned in ITA 22.4 (b))* | Compliant /  Not Compliant | Form EXP-2 with its respective attachments |

1. **Prequalification Forms**

**CC - 1** Application Cover Letter

**CC - 2** Intention of Joint Venture, Consortium or Association (APCA) (Applies in case of proposals submitted by APCA)

**CC - 3** Applicant Identification

**CC - 3.1** Information on Applicants incorporated as APCAs

**CC - 4** Affidavit

**CC - 5** History of breaches of contracts and litigation

**CC - 7** Environmental and social performance statement

**FIN - 1** Financial Situation

**FIN - 2** Contracting background

**FIN - 3** Working capital

**EXP - 1 General** Experience

**EXP - 2** Specific Experience

**FORM CC-1**

**Cover Letter from Application**

Prequalification No.:

Mr./Mrs.: *(Name of Employer)*

Dear Mr./Mrs.:

We, the undersigned, hereby confirm our decision to participate in the prequalification *"(title of the process)".*

We also declare that:

1. We have reviewed the Prequalification document, including the amendments issued in accordance with the Instructions to Applicants, and have no reservations in this regard.
2. We submit our Application as an attachment.
3. We accept that any false information or omission that this Application and/or its attachments may contain may be an element justifiable for disqualification and we declare that:

We have not been suspended or declared ineligible by the Employer in connection with the execution of a Bid Maintenance Statement in the Employer's country.

1. It is understood that the submitted documents and all the information attached to this Application will be used by the Employer to determine, at its discretion, the capacity to provide the required services through the Prequalification process.

We are submitting our Application as an APCA formed by: (*in this case insert a list with the full name and address of each member of the APCA, indicating the company or firm leading the consortium, if this item does not apply delete these lines)*

We are submitting this prequalification for the following *contract / combination* of contracts: *(List in order of preference the contracts or combination of contracts you are interested in participating)*

The signature of the undersigned on this document is duly authorized to sign for and on behalf of (*applicant's full name*) and warrants the truth and accuracy of all statements and documents herein.

Dated at \_\_\_\_\_\_\_\_\_\_ on the day\_\_\_\_\_ of the month of \_\_\_\_\_\_\_\_\_\_\_ of the year \_\_\_\_\_\_.

Company Name or APCA \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position of the Signatory \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name and signature of legal representative \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

They are part of the present letter:

Annex: CC-4 Affidavit

**FORM CC-2**

*Applies in the case of applications submitted by companies intending to form joint ventures, consortia, or other forms of joint ventures.10.210.2 Partnership (APCA)*

**Intention of Joint Venture, Consortium or Association (APCA)**

*(Name of Contracting Party)* of Process No. (*indicate name and number of process)*

From our consideration:

We hereby declare our intention to form an Association in Participation, Consortium or Association (APCA) in which the participating members are jointly and severally liable, under the following considerations:

APCA name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APCA Lead Legal Entity: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Estimated date of incorporation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of the proposed legal representative for the APCA: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identification document of the proposed legal representative of the APCA: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of the legal entities comprising the APCA and their respective percentage participation.

|  |  |  |
| --- | --- | --- |
| Legal Entity | Tax identification | Share (%) |
|  |  |  |
|  |  |  |
|  |  | Total 100% of |

Sincerely yours,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Legal Representative (Legal Entity *1)* Legal Representative (Legal Entity *2)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Designated Legal Representative

*(Signatures of the legal representatives of the legal entities in APCA and of the designated legal representative)*

*Each of the APCA members must attach a written confirmation by means of a power of attorney to sign*

NOTE: The letter of intent for a Joint Venture, Consortium or Association (APCA) should be submitted with an attached copy of the proposed APCA agreement.

**FORM CC-3**

**Applicant Identification**

Prequalification No.:

Name of Applicant*: (indicate full name)*

Date: *(indicate day, month, and year*)

*The information contained in this form will be used during the evaluation process for the identification of the Applicant, therefore the information presented here must be consistent with, among others, the financial statements, contracting history, general and specific experience presented.*

|  |
| --- |
| Name of Applicant |
| If an APCA, name of each APCA member: |
| Applicant's country of actual or intended registration: (indicate where incorporated or intended to be incorporated) |
| Year of actual or planned incorporation of the Applicant: |
| Applicant's legal domicile (in the country of incorporation): |
| Information on the Applicant's authorized representative and addresses for receiving notifications  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Telephone numbers: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  E-mail address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Copies of the original of the following documents are attached:  Articles of Incorporation (or the equivalent documents of incorporation or association) and/or the registration documents of the legal entity mentioned above, as required by IAO 18  In the case of an APCA, letter of intent to form an APCA or APCA agreement, as provided for in IAO 5.10, IAO 23.4  In the case of a state enterprise or institution, in accordance with the provisions of IAO 5.9 documents proving:   1. They are legally and financially autonomous; 2. They operate in the borrower/beneficiary's country in accordance with commercial laws and regulations; 3. Are not subject to the supervision of the entity acting as executing agency or contractor |

**FORM CC-3.1**

**Information on Applicants incorporated as APCAs**

Prequalification No.:

Name of Applicant*: (indicate full name)*

Date: *(indicate day, month, and year*)

*The information contained in this form will be used during the evaluation process for the identification of the Applicant, therefore the information presented here must be consistent with, among others, the financial statements, contracting history, general and specific experience presented.*

*Information to be filled out by each APCA member*

|  |
| --- |
| Name of the Applicant's APCA: |
| Name of APCA member: |
| Country of incorporation of the APCA member: |
| Year of incorporation of the APCA member: |
| Legal domicile of the APCA member in the country of incorporation: |
| APCA member's authorized representative information  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Telephone numbers: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  E-mail address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Copies of the original of the following documents are attached:  ◻ Memorandum of Association (or equivalent documents of incorporation or association) and/or registration documents of the legal entity mentioned above, as required by IAO 18  ◻ In the case of a state enterprise or institution, in accordance with the provisions of IAO 5.9 documents proving:   1. They are legally and financially autonomous; 2. They operate in the borrower/beneficiary's country in accordance with commercial laws and regulations; 3. They are not subject to the supervision of the entity acting as executing agency of the operation or as contractor in the case of a state enterprise or institution, in accordance with ITB 4.6, documents evidencing that it enjoys legal and financial autonomy, that it operates under commercial law and that it is not under the supervision of the Employer. |

**FORM CC - 4**

**Annex to the Application Cover Letter**

**Affidavit**

Prequalification No: *(insert the name and identification number of the prequalification)*

I *(Name of the person accredited in the Power of Attorney)* \_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with identification document \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in my capacity as legal representative of *(Name of the applicant according to CC-3*)\_\_\_\_\_\_\_,

I certify and declare the following:

1. That my client, its agents, personnel, contractors, consultants, directors, officers or shareholders have no relationship whatsoever, nor have they been involved in activities related to money laundering and financing of terrorism;
2. Is not in bankruptcy or liquidation;
3. Is not under judicial interdiction;
4. No conflict of interest as described in the Instructions to Applicants and Prequalification Data;
5. That my client, its agents, personnel, contractors, consultants, directors, officers or shareholders are not included in CABEI’s List of Prohibited Counterparties or any other CABEI ineligibility list;
6. That my client, its agents, personnel, contractors, consultants, directors, officers or shareholders have not been disqualified or declared by any entity or authority as ineligible for obtaining resources or awarding contracts financed by any other entity, while the sanction is in force;
7. That my client, its agents, personnel, contractors, consultants, directors, officers, or shareholders have not been found guilty of crimes or sanctions related to Prohibited Practices by the competent authority.
8. That my client has no history of breach of contract in the last 10 years.

Likewise, I authorize the corresponding *(Name of Contractor)* and the Central American Bank for Economic Integration (CABEI) to carry out the verifications it deems pertinent in order to corroborate the above with any search system or database available to the Contractor or CABEI for such purposes, as well as with any competent authority deemed necessary.

Likewise, I certify and declare that I know the origin of the funds of my client's assets and that they do not come from any illicit activity.

Finally, and if applicable, I declare that the funds provided will be managed in accordance with best practices, transparency, and integrity and at no time will be used for illicit activities.

We further declare that immediate notice will be given to the Employer and CABEI in the event of any change in the aforementioned conditions at a later time.

We agree that the Employer shall have the right to exclude us from this Prequalification process if the information provided in this Affidavit is false or if the change of status occurs at a time subsequent to the delivery of this Affidavit.

**Applicant:** *(Applicant's full name)*

**Name:** *(Full name of person signing)*

**Title:** *(of signatory)*

**Signature***: (signature of the person whose name and title appear above).*

**Date***: (day, month, and year in which the offer is signed).*

*In the case of bids submitted by an APCA, the form must be submitted by all APCA members.*

**Form CC-5**

**History of non-compliance with contracts and litigation**

Name of Applicant: *(indicate full name)*Date: *(indicate day, month, year)*Name of APCA Member: *(insert full name)*

1. **History of Noncompliance**

|  |
| --- |
| The applicant declares that: |
| Has not been in breach of contract in the last 5 years prior to the date of submission of bids, as specified in evaluation criterion No. 1.1 of Section III, item B.  Has incurred in any breach of contract in the last 5 years prior to the date of submission of bids, as specified in evaluation criterion No. 1.1 of Section III, item B. |

*In case of breach of contract, indicate the details thereof****,*** *otherwise indicate Not Applicable.*

|  |  |  |  |
| --- | --- | --- | --- |
| **Year** | **Party to the Contract affected by the breach** | **Contract Identification** | **Total amount of the Contract (discounted to the currency of the bid)** |
| *(indicate year)* | *(indicate amount and percentage)* | **Contract Identification:** *(indicate the full name and number of the contract and all other relevant identifying information)*  **Name of Contracting Party:** *(indicate full name)*  **Employer's Address:** *(indicate street, city, and country)*  **Reasons for non-compliance:** *(indicate the main reasons)* | *(indicate amount)* |

1. **Pending litigation**

|  |
| --- |
| The applicant declares that: |
| There is no history of court judgments or arbitration awards against the Applicant in the last 5 years prior to the date of submission of bids, as specified in evaluation criterion No. 1.2 of Section III, item B.  There is history of court judgments or arbitration awards against the Applicant in the last 5 years prior to the date of submission of bids, as specified in evaluation criterion No. 1.2 of Section III, paragraph B. |

*If there are court judgments or arbitration awards against the applicant or pending litigation, indicate the details thereof****,*** *otherwise indicate Not Applicable.*

|  |  |  |  |
| --- | --- | --- | --- |
| **Year of award** | **Profit or loss expressed as a percentage of net value** | **Contract Identification** | **Total amount of the Contract (discounted to the currency of the offer)** |
| *(indicate year)* | *(indicate percentage)* | **Contract Identification:** (indicate the full name and number of the contract and all other relevant identifying information)  **Name of Contracting Party:** *(indicate full name)*  **Employer's Address: (***indicate street, city, and country)*  **Subject of the dispute:** *(indicate the main issues of the dispute)*  **Party initiating the dispute:** *(indicate "Employer" or "Contractor")*  **Status of the dispute:** *(indicate whether it is being dealt with by the conciliator, has been submitted to arbitration or is in court).* | *(indicate amount of litigation)* |

Applicant / APCA member**:** *(indicate full name of applicant / APCA member)*

Name: *(indicate the full name of the representative's person)*

Title: *(of signatory)*

*In the case of bids submitted by an APCA, the form must be submitted by all the bidders.*

*APCA members*

**Form CC-7**

**Environmental and Social Performance Statement**

*(This form must be completed by the Applicant, each member of an APCA and each Specialty Subcontractor.)*

Name of Applicant: *(indicate full name)*Date: *(indicate day, month, year)*Name of APCA Member: *(insert full name)*

Name of Specialized Subcontractor: *(indicate full name)*

|  |  |  |  |
| --- | --- | --- | --- |
| **Environmental and Social Performance Statement** | | | |
| ◻ **No Contract Suspension or Termination:** No Employer has suspended or terminated a contract with us or collected a contract performance bond for reasons related to environmental and social performance in the period indicated in evaluation criterion No. 1.3 of Section III, item B.  ◻ **Statement of Contract Suspension or Termination**: The following contract(s) has/have been suspended or terminated and/or the environmental performance guarantee charged by an Employer for reasons related to Environmental and Social performance, in the period indicated in evaluation criterion No. 1.3 of Section III, item B  The details are described below: | | | |
| **Year** | **Suspension or partial termination of the contract** | **Contract Identification** | **Total contract amount (present value, currency, exchange rate and US$ equivalent)** |
| *(indicate year)* | *(indicate amount or percentage)* | *Contract Identification: (indicate the full name of the contract/ number and any other relevant identification)*  *Name of Contracting Party: (insert  full name)*  *Employer's Address: (insert state, city, and country)*  *Reasons for suspension or termination: (indicate  the main reasons, e.g., for exploitation, abuse, and sexual harassment offenses)* | *(indicate amount)* |
| *(indicate year)* | *(indicate amount or percentage)* | *Contract Identification: (indicate the full name of the contract/ number and any other relevant identification)*  *Name of Contracting Party: (insert  full name)*  *Employer's Address: (insert state, city, and country)*  *Reasons for suspension or termination: (indicate  main reasons)* | *(indicate amount)* |
| *...* | *...* | *(indicate all relevant contracts)* | *...* |
| **Performance bonds charged by an Employer for performance-related reasons AS** | | | |
| **Year** | **Contract Identification** | | **Total Contract Amount (Present Value, currency, exchange rate and US$ equivalent)** |
| *(indicate year)* | *Contract Identification: (indicate the full name of the contract/ number and any other relevant identification)*  *Name of Contracting Party: (insert full name)*  *Employer's Address: (insert state, city and country)*  *Reasons for the collection of the Guarantee: (indicate the  main reasons, e.g., for exploitation and sexual abuse offenses)* | | *(indicate amount)* |
| *...* | *(indicate all relevant contracts)* | | *...* |

**FORM FIN-1**

**Financial Situation**

*In case of Applications submitted by an APCA, the form must be submitted by all members of the APCA.*

Information to be completed by the applicant, in case of an APCA to be completed by each member.

Applicant's legal name: *(indicate full name)*  Date: *(indicate day, month, year*)

APCA member's legal name: *(indicate full name*)

Call for Prequalification No.: *(Indicate Prequalification number)*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Financial information in *(indicate currency)*** | **Historical Financial Information (*Indicate currency*)** | | | | | |
| **Year 1** | **Year 2** | **Year 3** | **Year ...** | **Year *n*** | **Average** |
| **Balance Sheet Information** | | | | | | |
| Total Assets (TA) |  |  |  |  |  |  |
| Total Liabilities (TP) |  |  |  |  |  |  |
| Shareholders' equity (NP) |  |  |  |  |  |  |
| Short-term assets (CA) |  |  |  |  |  |  |
| Short-term liabilities (PC) |  |  |  |  |  |  |

Copies of financial statements (balance sheets, including all related notes, and income statements) of the applicant and each of the APCA members for the required fiscal years, which meet the following conditions, must be attached:

1. The historical financial statements must be audited by authorized independent auditors.
2. The historical financial statements must be complete, including all notes to the financial statements.
3. The historical financial statements must correspond to accounting periods already completed and audited (financial statements for partial periods will not be requested or accepted).

**FORM FIN-2**

**Contracting background**

**Information to be completed by the applicant and each member of the APCA**

Applicant's legal name*: (indicate full name)* Date: *(indicate day, month, and year)*

Legal name of APCA member: *(indicate full name)*

|  |  |
| --- | --- |
| **Year** | **Amount and Currency** |
| *(indicate year)* | *(indicate amount and currency)* |
|  |  |
|  |  |
|  |  |
|  |  |
| \* Average **annual turnover** |  |

\* Average annual invoicing is obtained by calculating the total certified payments received for the execution of works divided by the number of years.

**Applicant:** *(indicate applicant's full name)*

**Name:** *(indicate the full name of the person signing the offer).*

**Title:** *(of signatory)*

**Signature***: (signature of the person whose name and title appear above).*

**Date***: (day, month, and year in which the offer is signed).*

**FORM FIN-3**

**Working Capital**

Applicant's legal name: *(indicate full name)* Date*: (indicate day, month, and year*)

APCA member's legal name: *(indicate complete name)*

Describe detailed information on the sources of financing offered, such as liquid assets (net of contractual advances), lines of credit and other financial means (net of current commitments), that are available to meet all construction cash flow needs associated with the contract.

| **Source of working capital** | **Amount and Currency** |
| --- | --- |
|  |  |
|  |  |
|  |  |

Notes:

For evaluation purposes, the following will be considered:

Liquid Assets: Proof indicating the amount available in the bank account no older than 30 days from the date of receipt of bids.

Lines of Credit: Proof indicating the amount available in a bank line of credit, not older than 30 days from the date of receipt of bids.

**Applicant:** *(indicate applicant's full name)*

**Name:** *(indicate the full name of the person signing the offer).*

**Title:** *(of signatory)*

**Signature***: (signature of the person whose name and title appear above).*

**Date***: (day, month, and year in which the offer is signed).*

*In the case of bids submitted by an APCA, the form must be submitted by all APCA members.*

**FORM EXP-1**

**General Experience**

Describe the detailed information of each of the contracts, either individually or as part of an APCA.

Legal name of applicant: *(indicate full name)* Date*: (indicate day, month, year*)

APCA member's legal name: *(indicate full name)*

(Identify contracts that demonstrate continuity of operation)

| **Home**  **Month/ year** | **End**  **Month/Year** | **Years\* Years** | **Identification of the contract \*** | **Applicant's Role** |
| --- | --- | --- | --- | --- |
| *(indicate month/year)* | *(indicate month/year)* | *(indicate number of years)* | Name of contract: *(indicate full name*)  Brief description of the scope of the: *(describe the subject matter of the contract in brief)*  Name of Contracting Party:(indicate full name)  Address: (*indicate street/number/city/country)* | *(indicate function of applicant)* |
|  |  |  |  |  |
|  |  |  |  |  |

\* The information provided herein must be completed for each of the experiences presented and must be supported by the copy of the proof of the works received to full satisfaction, which was issued by the contractor.

*In the case of bids submitted by an APCA, the form must be submitted by all APCA members.*

**FORM EXP-2**

**Applicant's Specific Experience**

Describe the detailed information of each of the contracts, either individually or as part of an APCA.

|  |  |
| --- | --- |
| Description of the works executed by the applicant: | |
| Name of Employer: | |
| Address:  Phone:  Fax:  E-mail: | |
| Country where the work was executed:  Location within the country: | |
|  | |
| Time of execution of the work: | |
| Date of initiation (month/year): | Completion date (month/year): |
| Total value of execution of the work: (*in indicate currency)* | |
| If the contract was performed in an APCA, provide the value of the contract that corresponded to the applicant submitting the specific experience: | |
| If the contract was made in an APCA, provide the name of the other persons/firms/entities that were part of the APCA. | |

The information provided herein must be completed for each of the experiences presented and must be supported by a copy of the proof of the works received to full satisfaction, which was issued by the contractor.

Applicant:*(indicate applicant's full name)*

Name: *(indicate the full name of the person signing the offer)*

Title: *(of signatory)*

*In the case of bids submitted by an APCA, the form must be submitted by all APCA members.*

# 

# PART TWO: WORK REQUIREMENTS

1. **Scope of Work**

***(This section should include information (summary, description, scope, size, or technical specifications) of the works that will be executed later and that are the reason for this Prequalification process).***

*The contractor shall include in this section, among others, a description of the works for which it is prequalifying, indicating at least:*

*1. Description of the works, scope, and size and/or technical specifications*

*Construction period*

*3. Place of construction and other data*

*4. Environmental and social requirements including Bank safeguards.*