



# **CHENNAI METROPOLITAN WATER SUPPLY & SEWERAGE BOARD**

**TENDER NO: CMWSSB/CNT/WSS/ICB/JICA/DESAL/CP01/\_\_\_\_\_/2019-20**

**LOAN AGREEMENT NO. ID-P267**

**JICA FUNDED PROJECT**

## **PREQUALIFICATION DOCUMENT**

**FOR**

### **PROJECT FOR CONSTRUCTION OF CHENNAI SEAWATER DESALINATION PLANT (I)**

**PROCUREMENT OF DESIGN/ENGINEERING, CONSTRUCTION,  
COMMISSIONING OF 400 MLD SEAWATER REVERSE OSMOSIS (SWRO)  
DESALINATION PLANT AT PERUR, CHENNAI WITH 20 YEARS OF  
OPERATION AND MAINTENANCE (DBO BASIS)**

**INTERNATIONAL COMPETITIVE BIDDING**

#### **PROJECT MANAGEMENT CONSULTANTS**

SMEC International Pty Ltd.  
NJS Engineers India Pvt. Ltd.  
Tata Consulting Engineers Ltd.  
SMEC India Pvt. Ltd.

#### **SUPERINTENDING ENGINEER (CONTRACTS & MONITORING) CHENNAI METROPOLITAN WATER SUPPLY & SEWERAGE BOARD**

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## Invitation for Prequalification

Date : March 2020  
Tender Number : CMWSSB/CNT/WSS/ICB/JICA/DESAL/CP01/\_\_\_\_\_/2019-20  
Employer : Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB)  
Country : India  
JICA Loan No : ID-P267  
Project Name : Project for Construction of Chennai Seawater Desalination Plant (I)  
Contract Name : Procurement of Design/Engineering, Construction, Commissioning of 400 MLD Seawater Reverse Osmosis (SWRO) Desalination Plant at Perur, Chennai with 20 years of Operation and Maintenance (DBO Basis)

1. The Government of India (GoI) for Government of Tamil Nadu (GoTN) for Chennai Water Supply and Sewerage Board (CMWSSB) has received a loan from Japan International Cooperation Agency (JICA) towards the cost of Project for Construction of Chennai Seawater Desalination Plant (I), which includes 5 Packages i.e. 400 MLD Desalination Plant, Pumping Stations and Reservoirs, Product Water Transmission Mains, Improvement of the Existing Water Distribution Networks and Installation of External Power Transmission Line and intends to apply part of the proceeds towards payments under the Contract for Procurement of Design/Engineering, Construction, Commissioning of 400 MLD Seawater Reverse Osmosis (SWRO) Desalination Plant at Perur, Chennai with 20 years of Operation and Maintenance (DBO Basis) for Package No.CP01 resulting from the bidding for which this prequalification is conducted.
2. Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) now intends to prequalify firms for Procurement of Design/Engineering, Construction, Commissioning of 400 MLD Seawater Reverse Osmosis (SWRO) Desalination Plant at Perur, Chennai with 20 years of Operation and Maintenance (DBO Basis)
3. It is expected that Invitation for Bids will be made in July 2020.
4. Prequalification will be conducted through procedures in accordance with the applicable Guidelines for Procurement under Japanese ODA Loans, and is open to all Applicants from eligible source countries, as defined in the Prequalification Document.
5. Interested Applicants may obtain further information and inspect the Prequalification Document during the office hours at the office of the Superintending Engineer (Contracts & Monitoring), CMWSSB.
6. The Chennai Water Supply and Sewerage Board (CMWSSB) now invites sealed Application as part of Prequalification process from eligible Applicants for Procurement of Design/Engineering, Construction, Commissioning of 400 MLD Seawater Reverse Osmosis (SWRO) Desalination Plant at Perur, Chennai with 20 years of Operation and Maintenance (DBO Basis), hereafter referred to as “the Works”. International Competitive Bidding (ICB) is to be conducted in accordance with JICA's “*Standard Prequalification Document*”.

7. A complete set of the Prequalification Documents may be purchased by interested Applicant from **19.03.2020 to 23.04.2020** from the office of **Grievances Redressal and Information Officer (GRIO), Chennai Metropolitan Water Supply & Sewerage Board (CMWSSB), No.1, Pumping Station Road, Chintadripet, Chennai 600 002** on the submission of a written application to the address above. Alternatively, a complete set of the Prequalification Documents may be downloaded from CMWSSB website **[www.chennaietrowater.tn.nic.in](http://www.chennaietrowater.tn.nic.in)** and also from the tenders portal of Govt. of Tamil Nadu **[www.tenders.tn.gov.in](http://www.tenders.tn.gov.in)** from **19.03.2020 to 23.04.2020**. The cost towards the Prequalification document either obtained from **Grievances Redressal and Information Officer (GRIO)** or downloaded from CMWSSB website shall be paid in form of Demand Draft in the name of Managing Director, Chennai Metropolitan Water Supply & Sewerage Board (CMWSSB) drawn by the Applicant or any one of the Members of JV for the amount of **USD 1000 (plus GST @ 5%) or equivalent INR (non-refundable)** payable to any nationalized bank in India, shall be submitted along with the Submission of Prequalification Document. The Applicants are required to submit Prequalification Application in Hard Copy format as depicted in Instructions to Applicants. The exchange rate towards Purchase of Prequalification Document of **USD 1000** shall be taken 7 days prior to the date of submission for equivalent INR.
8. The Prequalification Application meeting will be held on **30.03.2020 at 11:00 AM** at CMWSSB, No.1, Pumping Station Road, Chintadripet, Chennai 600 002.
9. The Prequalification Documents in Original + 2 Copies duly signed by authorized signatory must be submitted in hard copy format on or before **3:00 PM on 24.04.2020** and the Prequalification Applications will be opened in the presence of Applicants' representatives who choose to attend on **24.04.2020 at 3:30 PM** at the following office.

**Superintending Engineer (Contracts and Monitoring),**

CMWSSB, No.1, Pumping Station Road,  
Chintadripet, Chennai 600 002.

Telephone: 044 28451300 Extn: 209, Facsimile: 044 28458181,

E-mail: [secandm@cmwssb.in](mailto:secandm@cmwssb.in)

Website: [www.chennaietrowater.tn.nic.in](http://www.chennaietrowater.tn.nic.in)

Superintending Engineer  
(Contracts and Monitoring)  
CMWSSB, Chennai

## **PART 1 - Prequalification Procedures**

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## **Section I. Instructions to Applicants**

The Instructions to Applicants governing this prequalification process are the “Instructions to Applicant” included in Section I of the Standard Prequalification Documents (version 1.0), published by JICA in October 2019.

A copy of these Instructions to Applicants is attached herewith this Prequalification Document.

## Section I. Instructions to Applicants

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## A. General

### 1. Scope of Application

- 1.1 In connection with the Invitation for Prequalification **specified in Section II, Prequalification Data Sheet (PDS)**, the Employer, as **specified in the PDS** located in the Country, as **specified in the PDS**, issues this Prequalification Document (hereinafter referred to as “Prequalification Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for prequalification to bid for the works or the plant described in Section VI, Works Requirements.

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

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

- 1.2 Throughout this Prequalification Document:

- (a) the term “in writing” means communicated in written form and delivered against receipt;
- (b) except where the context requires otherwise, words indicating the singular also include the plural and words indicating the plural also include the singular;
- (c) “day” means calendar day;
- (d) “firm” means a private entity, a state-owned enterprise or institution; and
- (e) “Joint Venture” or “JV” means any combination of two or more firms in the form of a joint venture, consortium, association or other unincorporated grouping under an existing agreement or with the intention to enter into such an agreement supported by a formal letter of intent.

### 2. Source of Funds

- 2.1 The Borrower **specified in the PDS** has received or has applied for a Japanese ODA Loan from the Japan International Cooperation Agency (hereinafter referred to as “JICA”), with the number, in the amount, and on the signed date of the Loan Agreement **specified in the PDS**, towards the cost of the Project. The Borrower intends to apply a portion of the proceeds of the Loan to payments under the contract(s) resulting from the bidding for which this prequalification is conducted.

- 2.2 Disbursement of a Japanese ODA Loan by JICA will be



subject, in all respects, to the terms and conditions of the Loan Agreement, including the disbursement procedures and the applicable Guidelines for Procurement under Japanese ODA Loans **specified in the PDS**. No party other than the Borrower shall derive any rights from the Loan Agreement or have any claim to loan proceeds.

- 2.3 The above Loan Agreement will cover only part of the project cost. As for the remaining portion, the Borrower, the Project Executing Agency and the Employer will take appropriate measures for finance through other sources **specified in the PDS**.

### 3. Corrupt and Fraudulent Practices

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

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

“Cross debarment decisions by the Multilateral Development Banks” is a corporate sanction in accordance with the agreement among the African Development Bank Group, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank Group and the World Bank Group signed on 9 April, 2010 (as amended from time to time). JICA will

recognize the World Bank Group's debarment of which period exceeds one year, imposed after 19 July, 2010, the date on which the World Bank Group started cross debarment, as "cross debarment decisions by the Multilateral Development Banks." The list of debarred firms and individuals is available at the electronic address **specified in the PDS**.

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

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

If it is revealed that the subcontractor, who has a direct contract with the Contractor, was debarred by the World Bank Group on the subcontract date, JICA will, in principle, require the Borrower to have the Contractor cancel the subcontract immediately, unless (i) such debarment period does not exceed one year, or (ii) three (3) years have passed since such debarment decision. If the Contractor refuses, JICA will require the Borrower to declare invalidity or cancellation of the contract and demand the refund of the relevant proceeds of the loan or any other remedies on the grounds of contractual violation.

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

#### **4. Eligible Applicants**

- 4.1 The Applicant may be a single firm or a JV. In the case of a JV:

- (a) all members shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.
- (b) The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, bidding (in the event the JV submits a Bid) and during contract execution (in the

event the JV is awarded the Contract).

- (c) Applications submitted by a JV shall include a copy of the JV Agreement entered into by all members. Alternatively, a formal letter of intent to enter into a JV in the event of a successful Bid shall be signed by all members and submitted with the Application. The JV Agreement or a formal letter of intent, as the case may be, shall indicate at least the part(s) of the works to be executed by each member.

4.2 The Applicant shall not have a conflict of interest. The Applicant shall be disqualified under any of the circumstances set forth below, where it is determined to have a conflict of interest throughout the bidding/selection process and/or the execution of the contract unless the conflict has been resolved in a manner acceptable to JICA.

- (a) A firm shall be disqualified from providing goods or non-consulting services resulting from or directly related to consulting services for the preparation or implementation of a project that it provided or were provided by any affiliate that directly or indirectly controls, is controlled by, or is under common control with that firm. This provision does not apply to the various firms (consultants, contractors, or suppliers) only due to the reason that those firms together are performing the Contractor's obligations under a turnkey or design and build contract.
- (b) A firm that has a close business relationship with a professional personnel staff of the Borrower (or the Executing Agency, or the Employer), who are directly or indirectly involved in any part of: (i) the preparation of the Prequalification and Bidding Documents for the contract, (ii) the Prequalification and Bid evaluation, or (iii) the supervision of such contract, shall be disqualified.
- (c) A firm having any other form of conflict of interest other than (a) and (b) above shall also be disqualified.

4.3 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit their applications for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, based on the "One Bid Per Bidder" principle, which is to ensure fair competition, only one prequalified applicant will be allowed to bid for the same contract. All Bids submitted in violation of this procedure will be rejected. A firm (including its affiliate),

if acting in the capacity of a subcontractor in one Bid, may participate in other Bids, only in that capacity.

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

## B. Contents of the Prequalification Document

### 5. Sections of Prequalification Document

- 5.1 The Prequalification Document consists of Parts 1 and 2 which include all the Sections specified below, and which should be read in conjunction with any addenda issued in accordance with ITA 7.

#### PART 1 Prequalification Procedures

- Section I. Instructions to Applicants (ITA)
- Section II. Prequalification Data Sheet (PDS)
- Section III. Qualification Criteria
- Section IV. Application Forms
- Section V. Eligible Source Countries of Japanese ODA Loans

#### PART 2 Works Requirements

- Section VI. Works Requirements

- 5.2 The Invitation for Prequalification issued by the Employer is not part of the Prequalification Document.

- 5.3 Unless obtained directly from the Employer, the Employer is not responsible for the completeness of the Prequalification Document, responses to requests for clarification, the minutes of the pre-application meeting (if any), or addenda to the Prequalification Document in accordance with ITA 7. In case of any contradiction, documents obtained directly by the Employer shall prevail.

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

### 6. Clarification of Prequalification Document

- 6.1 The Applicant requiring any clarification of the Prequalification Document shall contact the Employer in writing at the Employer's address **specified in the PDS** or raise its enquiries during the pre-application meeting if provided for in accordance with ITA 6.2. The Employer will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of Applications. The Employer shall forward copies of its response to all Applicants who have acquired the Prequalification Document in accordance with ITA 5.3,

including a description of the inquiry but without identifying its source. If so, **specified in the PDS**, the Employer shall also promptly publish its response at the web page **identified in the PDS**. Should the clarification result in changes to the essential elements of the Prequalification Document, the Employer shall amend the Prequalification Document following the procedure under ITA 7 and ITA 15.2.

- 6.2 If so, **specified in the PDS**, the Applicant's designated representative is invited to attend a pre-application meeting. The purpose of the meeting will be to clarify issues and to answer questions on any matter that may be raised at that stage.
- 6.3 The Applicant is requested to submit any questions in writing, to reach the Employer not later than seven (7) days before the meeting.
- 6.4 Minutes of the pre-application meeting, if applicable, including the text of the questions asked by the Applicants, without identifying the source and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all Applicants who have acquired the Prequalification Document in accordance with ITA 5.3. Any modification to the Prequalification Document that may become necessary as a result of the pre-application meeting shall be made by the Employer exclusively through the issue of an addendum pursuant to ITA 7 and not through the minutes of the pre-application meeting. Non-attendance at the pre-application meeting will not be a cause for disqualification of an Applicant.

## 7. Amendment of Prequalification Document

- 7.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Prequalification Document by issuing addenda.
- 7.2 Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the Prequalification Document from the Employer in accordance with ITA 5.3. If so **specified in the PDS**, the Employer shall also promptly publish the addendum at the Employer's web page in accordance with ITA 6.1.
- 7.3 To give Applicants reasonable time to take an addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for the submission of Applications, pursuant to ITA 15.2.

## C. Preparation of Applications

### 8. Cost of Applications

8.1 The Applicant shall bear all costs associated with the preparation and submission of its Application, and the Employer shall not be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

### 9. Language of Application

9.1 The Application, as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be written in the language **specified in the PDS**. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language **specified in the PDS**, in which case, for purposes of interpretation of the Application, the translation shall govern.

### 10. Documents Comprising the Application

10.1 The Application shall comprise the following:

- (a) Application Submission Form, in accordance with ITA 11.1.
- (b) Power of Attorney, authorizing the signatory of the Application to commit the Applicant, in accordance with ITA 13.2 and ITA 13.3.
- (c) copy of the JV Agreement, or a formal letter of intent to enter into a JV in accordance with ITA 4.1.
- (d) documentary evidence in accordance with ITA 12.1 establishing the Applicant's eligibility and qualification to perform the Contract if its Bid is accepted.
- (e) Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans (Form - ACK), which shall be signed and dated by the Applicant's authorized representative; and
- (f) any other document required **as specified in the PDS**.

### 11. Application Submission Form

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

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

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

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

**13. Format and**  
**Signing of**  
**Application**

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

In addition, the Applicant shall submit copies of the Application, in the number **specified in the PDS**, and clearly mark them “COPY”.

In the event of any discrepancy between the original and the copies, the original shall prevail.

- 13.2 The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. This authorization shall be in the form of a Power of Attorney. All pages of the Application where entries or amendments have been made shall be signed or initialed by the person signing the Application.

- 13.3 An Application submitted by a JV shall be signed by an authorized representative of the JV accompanied by a Power of Attorney from each member of the JV giving that authorized representative the power to sign on their behalf and legally bind them all. Such power shall also be given by a person duly authorized to do so on behalf of each member evidenced by a Power of Attorney.

- 13.4 Any interlineation, erasures, or overwriting shall be valid only if they are signed or initialed by the person signing the Application.

- 13.5 The Applicants shall clearly mark “CONFIDENTIAL” any information which they regard as confidential to their business. Such information may include proprietary information, trade secrets, or commercial or financially sensitive information.



## D. Submission of Applications

### 14 Sealing and Marking of Applications

- 14.1 The Applicant shall enclose:
- (a) in a sealed envelope, duly marked as “ORIGINAL”, all documents comprising the Application, as described in ITA 10.1; and
  - (b) in sealed envelopes, duly marked as “COPY”, all required copies of the Application, sequentially numbered.
- These envelopes (inner envelopes) containing the original and the copies shall then be enclosed in one single envelope (outer envelope).
- 14.2 The inner and outer envelopes shall be:
- (a) clearly mark with the name and address of the Applicant;
  - (b) addressed to the Employer, in accordance with ITA 15.1; and
  - (c) clearly marked with the specific identification of this prequalification process, **specified in PDS 1.1**.
- 14.3 If all envelopes are not sealed and marked as required, the Employer will assume no responsibility for the misplacement of the Application.

### 15. Deadline for Submission of Applications

- 15.1 Applications must be received by the Employer at the address and no later than the date and time **specified in the PDS**.
- 15.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 7, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

### 16. Late Applications

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

### 17. Opening of Applications

- 17.1 The Employer shall open all Applications at the date, time and place **specified in the PDS**.
- 17.2 The Employer shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants who submitted Applications in time, and to JICA.

## E. Procedure for Evaluation of Applications

- 18. Confidentiality**      18.1 Information relating to the evaluation of Applications and result shall not be disclosed to the Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 24.

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

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

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

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

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

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

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

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

- (a) the Applicant may list one or more subcontractor(s) against any of the key activities aforementioned and summation of the subcontractors' qualifications

against each of criteria for key activities is accepted;

- (b) the Applicant shall clearly identify the proposed subcontractor(s) in Forms ELI-3 (Not Applicable) and EXP-2(b) in Section IV, Application Forms and submit the Schedule of Subcontractors, as part of its Application, listing out all subcontractors so proposed; and
- (c) substitution of the proposed subcontractor(s) shall not be allowed.

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## **F. Evaluation of Applications and Prequalification of Applicants**

### **22. Evaluation of Applications**

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

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

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

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

### **23. Employer's Right to Accept or Reject Applications**

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

### **24. Notification of Prequalification**

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

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

**25. Invitation for Bids**

- 25.1 Promptly after the notification of the results of the prequalification, the Employer shall invite Bids from all the Applicants that have been prequalified.
- 25.2 The Bidders may be required to provide a Bid Security acceptable to the Employer in the form and an amount to be specified in the Bidding Document, and the successful Bidder shall be required to provide a Performance Security to be specified in the Bidding Document.
- 25.3 The Bidding Document will be prepared in accordance with the applicable Standard Bidding Document of JICA **specified in the PDS.**

**26. Changes in Qualifications of Applicants**

- 26.1 Any change in the structure or formation of the Applicant after being prequalified in accordance with ITA 22 and invited to bid (including, in the case of a JV, any change in the structure or formation of any member thereto) shall be subject to a written approval of the Employer prior to the deadline for submission of Bids. Such approval shall be denied, if;
- (a) such change has not taken place by the free choice of the firms involved;
- (b) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria; or
- (c) in the opinion of the Employer, the change may result in a substantial reduction in competition.

Any such changes should be submitted to the Employer not later than twenty-eight (28) days before the Bid submission deadline.

## **Section II Prequalification Data Sheet**

## Prequalification Data Sheet

A. General	
<b>ITA 1.1</b>	<p>The number of the Invitation for Applicant is: CMWSSB/CNT/WSS/ICB/JICA/DESAL/CP01/_____/2019-20</p> <p>The Employer is: Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB)</p> <p>Country: India</p> <p>Name of the Project is: Project for Construction of Chennai Seawater Desalination Plant (I)</p> <p>Name of the Contract is: Procurement of Design/Engineering, Construction, Commissioning of 400 MLD Seawater Reverse Osmosis (SWRO) Desalination Plant at Perur, Chennai with 20 years of Operation and Maintenance (DBO Basis).</p>
<b>ITA 2.1</b>	<p>The Borrower is: Government of India (GoI) for Government of Tamil Nadu (GoTN) for Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB)</p> <p>The number of the Loan Agreement is: ID-P267</p> <p>The amount of a Japanese ODA Loan is: INR 42,677 million</p> <p>The signed date of the Loan Agreement is: 29/03/2018</p>
<b>ITA 2.2</b>	The applicable Guidelines for Procurement under Japanese ODA Loans are those published in: <i>Standard Prequalification Document</i> , October 2019
<b>ITA 2.3</b>	The other sources of finance are: <i>None</i>
<b>ITA 3.1(b)</b>	The list of ineligible firms and individuals is available at the JICA's website: <a href="http://www.jica.go.jp/english/our_work/compliance">www.jica.go.jp/english/our_work/compliance</a> .
<b>ITA 3.1(c)</b>	A list of debarred firms and individuals is available at the World Bank's website: <a href="http://www.worldbank.org/debarr">www.worldbank.org/debarr</a>

<b>ITA 4.1</b>	<p>The JV shall comprise of max. 3 members (including the Lead Member).</p> <p>The share of the individual members in the JV shall be as follows:</p> <ul style="list-style-type: none"> <li>i. Lead Member shall have a minimum 51% share in the participation of the contract.</li> <li>ii. Other Members shall have a minimum 20% share in the participation of the contract.</li> </ul> <p>If the Applicant (including any member of the JV) is a foreign entity, it is required to comply with the relevant rules and regulations of the Reserve Bank of India and the Ministry of Corporate Affairs (Registrar of Companies) for establishment of its place of business in India. The Applicant, if awarded the Contract shall complete all the formalities for establishment of its place of business within 28 days of the issuance of the Letter of Award and this compliance shall be a pre-requisite for signing of the Contract.</p>
<b>ITA 4.1 (c)</b>	<p>The Following shall be read in continuation to ITA Clause 4.1(c)</p> <p>If the Applicant is JV, the JV agreement should be registered in Chennai as per the prevailing Registration Act, Rules and Conditions, Registration Department after award of contract and before execution of the agreement so as to be legally valid and binding on partners; and the registration fee required for the registration of the JV agreement should be borne by the Applicants, which will not be reimbursed by the Employer to the Applicant.</p> <p>The JV members shall have to establish an office in Chennai, if the JV is awarded with the Contract to facilitate the completion of above-mentioned registration formalities in Chennai.</p>
<b>B. Contents of the Prequalification Documents</b>	
<b>ITA 6.1</b>	<p>For <b><u>clarification purposes</u></b> only, the Employer's address is:          Attention: Superintending Engineer (Contracts and Monitoring)          Mailing Address:          Office of Superintending Engineer (Contracts and Monitoring),          Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB)          No.1, Pumping Station Road, Chintadripet, Chennai 600 002          Telephone: 044 28451300 Extn: 209, Facsimile: 044 28458181          E-mail: <a href="mailto:secandm@cmwssb.in">secandm@cmwssb.in</a>          Responses to any request for clarification, if any, will be published on the Employer's web page indicated below.          Website: <a href="http://www.chennaietrowater.tn.nic.in">www.chennaietrowater.tn.nic.in</a></p>



	Any clarification may be made on the day of pre-application meeting.
<b>ITA 6.2</b>	<p>A pre-application meeting will take place at the following date, time and place:  Date: <b>30.03.2020</b>  Time: <b>11:00 AM</b>  Place: <b>CMWSSB,</b>  No.1, Pumping Station Road,  Chintadripet, Chennai 600 002</p> <p>Maximum of 2 Persons per applicant will be allowed for attending the Pre-Application Meeting.</p>
<b>ITA 6.3</b>	The Applicant may raise the queries up to the date of pre-application meeting.
<b>ITA 7.2</b>	Addenda, if any, will be published on the Employer's web page. However, the Applicant can verify the Employer's web site frequently for any update on Addenda, Minutes of Pre-Application meeting.
<b>C. Preparation of Applications</b>	
<b>ITA 9.1</b>	The language of the Application and for any correspondence is: English
<b>ITA 10.1 (f)</b>	None
<b>ITA 13.1</b>	The Prequalification Document must be submitted in Hard Copy format comprising of – <b>One Original + Two Copies</b> , clearly marking the Original and Copies.
<b>D. Submission of Applications</b>	
<b>ITA 15.1</b>	<p>For <b><u>Application Submission purposes</u></b> only, the Employer's address is:  Attention: Superintending Engineer (Contracts and Monitoring)</p> <p>Mailing Address:  Office of Superintending Engineer (Contracts and Monitoring),  Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB)  No.1, Pumping Station Road, Chintadripet, Chennai 600 002  Telephone: 044 28451300 Extn:209, Facsimile: 044 28458181  E-mail: <a href="mailto:secandm@cmwssb.in">secandm@cmwssb.in</a></p> <p><b>The deadline for Application submission is:</b>  Date: <b>24.04.2020</b>  Time: <b>3:00 PM</b></p>

<b>ITA 17.1</b>	<p>The Application opening shall take place at:</p> <p>Mailing Address: Office of Superintending Engineer (Contracts and Monitoring), Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) No.1, Pumping Station Road, Chintadripet, Chennai 600 002 Telephone: 044 28451300 Extn:209, Facsimile: 044 28458181 E-mail: <a href="mailto:secandm@cmwssb.in">secandm@cmwssb.in</a></p> <p>Date: <b>24.04.2020</b> Time: <b>3:30 PM</b></p>
<b>E. Procedures for Evaluation of Applications</b>	
<b>F. Evaluation of Applications and Prequalification of Applicants</b>	
<b>ITA 25.3</b>	<p>The Bidding documents will be prepared in accordance with the Standard Bidding Documents for the Design Build (July 2015) – “Procurement of Electrical and Mechanical Plant, and for Building and Engineering Works, designed by the Contractor” published by JICA.</p>
<b>Note:</b>	<p>The source of exchange rate shall be: Reserve Bank of India</p> <p>The date for the exchange rate shall be the date 28 days prior to the date of submission of Prequalification Document towards all financial credentials.</p>

## **Section III. Qualification Criteria Requirements**

## **Qualification Criteria**

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

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

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

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

- (a) For turnover or financial data required for each year
- (b) Value of single contract

The date for the exchange rate shall be the date 28 days prior to the date of submission of Prequalification Document towards all financial credentials.

The applicable exchange rate shall be determined as follows:

The source of exchange rate shall be: Reserve Bank of India

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

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor /Sub-Factor	Requirement	Single Entity	Joint Venture (Maximum of three partners - existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
1 Eligibility							
1.1	Nationality	Nationality in accordance with ITA 4.4.	Must meet requirement	N/A	Must meet requirement	N/A	Forms ELI –1 and 2 <sup>(i)</sup> with attachments
1.2	Conflict of Interest	No conflicts of interests in ITA 4.2 and 4.3.	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form
1.3	JICA Ineligibility	Not having been declared ineligible by JICA as described in ITA 4.5.	Must meet requirement	N/A	Must meet requirement	N/A	Application Submission Form - Form ACK
Note for the Applicants:							
(i) ELI – 2 is required only if the Applicants is a JV.							

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/Sub-Factor	Requirement	Single Entity	Joint Venture (Maximum of three partners - existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
2.0 Historical Contract Non-Performance and Litigation							
2.1	History of non-performing Contracts	Non-performance of a contract did not occur as a result of contractor’s default within the last five (5) years prior to the deadline for application submission based on all information on fully settled disputes or litigation.	Must meet requirement (ii)	N/A	Must meet requirement (ii)	N/A	Form CON
2.2	Pending Litigation	The Applicant shall submit along with, the application details of all pending litigation. The maximum possible legal liability arising out of all the pending litigation should not exceed 50% of networth of the Applicant.	Must meet requirement (ii)	N/A	Must meet requirement (ii)	N/A	Form CON

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/Sub-Factor	Requirement	Single Entity	Joint Venture (Maximum of three partners - existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
2.3	<b>Litigation History</b>	The Applicant shall submit details that demonstrate no consistent history of Court orders / arbitral award decisions against the Applicant <sup>(iii)</sup> since 1 <sup>st</sup> January 2015.	Must meet requirement <sup>(ii)</sup>	N/A	Must meet requirement <sup>(ii)</sup>	N/A	Form CON

**Notes for the Applicants**

(i) Non-performance, as decided by the Employer, shall include all contracts: including those being executed/completed for the Employer or for JICA or any other funded agency projects by the Applicant and the Applicant's performance there off.

(a) where non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and

(b) that were so challenged but fully settled against the contractor.

Non-performance shall not include contracts where Employer's decision was overruled by the dispute resolution mechanism. Moreover, non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the applicant have been exhausted.

(ii) This requirement also applies to contracts executed by the Applicant as a JV member.

(iii) The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five (5) years. A consistent history of awards or non-performance against the Applicant or any member of a joint venture may result in failure of the Application. If at any time during evaluation it is determined that the Applicant has concealed information and/or not presented full details of all the litigation till the date of submission of the bid, his application will be considered as non-responsive and rejected.

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (Maximum of three partners - existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
3.0 Financial Situation and Capabilities							
3.1	Financial Performance	<p>The financial statements (audited balance sheets) for the last five (5) years shall be submitted and must demonstrate the current soundness of the Applicant’s financial position and indicate its prospective long-term profitability.</p> <p>As the minimum requirement, Applicant’s net worth calculated as the difference between total assets and total liabilities should be positive for any three out of five years, no two consecutive years should be negative.</p>	Must meet requirement	N/A	Must meet requirement	N/A	Form FIN – 1 with attachments



Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (Maximum of three partners - existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
3.2	<b>Average Annual Turnover</b>	Minimum average annual turnover of INR 20000 million, calculated as total certified payments received for contracts in progress or completed, within the last 5 years divided by 5 years.	Must meet requirement	Must meet requirement	Must meet 25% of the requirement	Lead member in JV Must meet 50% of the requirement	Form FIN – 2
3.3	<b>Financial Capabilities</b>	The Applicant shall demonstrate, to the satisfaction of the Employer that it currently (as of the Application submission deadline), has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as [amount in INR 7000 million] for the subject contract(s) net of the Applicant's all other commitments, both current and	Must meet requirement	Must meet requirement	Must meet 25% of the requirement	Lead member in JV Must meet 50% of the requirement	Form FIN– 3 and FIN-4

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (Maximum of three partners - existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
		future.					
3.4	<b>Financial Performance (Insolvency)</b>	<p>The applicant should not be currently under any Insolvency Bankruptcy Code (IBC) resolution process at National Company Law Tribunal (NCLT) and / or the applicant should not be currently under any Insolvency Proceedings in any country.</p> <p><b>And</b></p> <p>Should not have undergone any Corporate Debt Restructuring (CDR) and/ or Insolvency Proceedings. Both the aforesaid events (NCLT &amp; CDR) should not have occurred in past ten years as on the date of submission of the application.</p>	Must meet requirement	N/A	Must meet requirement	N/A	Form FIN – 5

For international Applicant: The financial year will be from January to December / April to March of the year as followed in the respective bidder's country

For local Applicant:                      The financial year will be from April to March of the next year.

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
4.0 Experience							
4.1	General Experience	The Applicant should have continuous experience under Contracts in the role of a Contractor (single firm or JV member), sub-contractor, or management contractor <sup>(i)</sup> in Water Treatment Plant/Wastewater Treatment Plant/Desalination Seawater Plant of minimum 1no. of 100 MLD capacity in last 10 years in Construction and/or Operation & Maintenance experience as on Application submission deadline.	Must meet requirement	N/A	Each Member must meet the requirement	N/A	Form EXP –1

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
4.2 (a)	<b>Specific Experience</b>	The Applicant should have experience in the role of a Contractor (single entity or JV member), for the Design, Engineering, Construction, Testing & Commissioning of Seawater Desalination Plant, based on Reverse Osmosis (SWRO) process having intake / outfall facility, & energy recovery system to the following capacity requirements:					
		At least 1 (One) SWRO plant of minimum 300 MLD product water capacity.	Must meet requirement	N/A	N/A	Any one member of the JV must meet the requirement	Form EXP –2(a) with attachment
		<b>OR</b> At least 2 (Two) SWRO plants of minimum 200 MLD product water capacity each	Must meet requirement	N/A	N/A		
		<b>OR</b> Atleast 3 (Three) nos. of SWRO Plants of minimum 100 MLD product water capacity	Must meet requirement	N/A	N/A		
		The above plants should have been completed and commissioned in the last Ten (10) years and the same plant should have been in successful operation for minimum one (1) year as on date of submission of Application.					

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
4.2 (b)	<b>Specific Experience – PLC/DCS and SCADA</b>	<p>The Applicant should have experience in the role of a Contractor (single entity or JV member), sub-contractor, or management contractor of installation of PLC/DCS &amp; SCADA in at least one SWRO plant of minimum 100 MLD product capacity single plant or Membrane (MF/UF) based Drinking water plant of 100 MLD single plant capacity or a reverse osmosis (RO) based tertiary treatment reuse plant of 100 MLD single plant capacity.</p> <p>The above project should have been completed and commissioned in last Ten (10) years and should have been operated for a minimum of 1 year by the same agency as on date of submission of Application.</p>	Must meet requirement	N/A	N/A	Anyone member of the JV shall meet the requirement	Form EXP –2 (b) with attachment

Eligibility and Qualification Criteria			Compliance Requirements				Documentation
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
4.2 (c)	<b>Specific Experience of minimum RO skid size</b>	<p>The Applicant should have designed and Constructed in the last Ten (10) years in the role of a contractor (single entity or JV member), at least one SWRO plant having a minimum single RO skid capacity of 20 MLD.</p> <p>The above project should have been completed and commissioned in last Ten (10) years and has been in successful operation for atleast 1 year as on date of submission of Application.</p>	Must meet requirement	N/A	N/A	Anyone member of the JV shall meet the requirement	Form EXP –2 (c) with attachment
4.2 (d)	<b>Specific Experience – Operation and Maintenance</b>	<p>The Applicant should have done Operation &amp; Maintenance<sup>(ii)</sup> for at least 5 continuous years in the last Fifteen (15) years in the role of a contractor (single entity or JV member), of one SWRO plant of minimum 100 MLD single plant capacity.</p> <p>The above project should have been completed and commissioned in last Fifteen (15) years as on date of submission of Application.</p>	Must meet requirement	N/A	N/A	Anyone member of the JV shall meet the requirement	Form EXP – 2 (d) with attachment

Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
<b><u>Notes for the Applicants</u></b>  (i) A management contractor is a firm which takes on the role of contract management as a “general” contractor of sort could do. It does not normally perform directly the construction work(s) associated with the contract. Rather, it manages the work of other (sub) contractors while bearing full responsibility and risk for price, quality, and timely performance of the work contract.  (ii) Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted.  (iii) Completion shall be evidenced by submission of performance certificate from the owner of the project such as Taking-over Certificates and Completion Certificates as required to be submitted as attachment to Form EXP-1, Form EXP-2(a), Form EXP-2(b), EXP – 2(c) and EXP – 2(d) of Section IV, Application Forms.  (iv) For contracts under which the Applicant participated as a JV member, only the Applicant’s share, as per the participation, shall be considered to meet this requirement.  (v) Operation & Maintenance experience shall be counted from actual date of commissioning of the Plant. Operation & Maintenance carried out during defect liability period shall also be considered as a part of O&M requirement for Clause 4.2 (d) above.  (vi) The applicant shall submit performance certificate from the owner of the project for successful completion in specific construction experience as of application submission date: for Clauses 4.1 and 4.2. All experience certificates to be provided with English translation shall be identified, as true translated copies of the original, by a duly certified / authorized / qualified Translator, supported by the affidavit of the said Translator, certifying the correctness of the English translation.							



Eligibility and Qualification Criteria			Compliance Requirements			Documentation	
No.	Factor/ Sub-Factor	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirements
				All Members Combined	Each Member	One Member	
<p>Each and every page of Foreign Document(s), i.e. Document(s) created or originating from outside the Republic of India, such as work experience certificate(s), financial detail(s), Power of Attorney(s), Undertaking(s), documentary evidence(s), qualifying document(s), etc. shall be compulsorily authenticated / embossed / legalized from the Indian Embassy / Indian High Commission situated in the country from where such Foreign Document(s) are created or are originating before the above cited such Foreign Document(s) are sent to India for the purpose of applying towards this Project. This clause shall be applicable documents submitted to fulfil the conditions as called in Clause 3.1 to 3.4 and 4.1 to 4.2.</p> <p>Alternatively, the Applicants may affix as “Apostil” sticker on each and every page of their Foreign Document(s) [including all commercial document(s) duly notarized] from Countries that have signed, ratified and have made operational the Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents, 5 October, 1961 “Hague Legalization for Convention, 1961”.</p> <p>However, in case of certificates/financial data originated within India, the same needs to be duly notarized.</p> <p>Even though the Applicants meet the pre-qualification criteria, they are subject to be disqualified if they have, made misleading or false representations in the forms, statements and attachments submitted as proof of the qualification requirements.</p>							

**Schedule of Subcontractors/Manufacturers**

Subcontractors/manufacturers – Not Applicable

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## **Section IV. Application Forms**

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

## **Application Submission Form**

Date : *[insert date of Bid submission]*

Tender No. : *[insert Invitation for Bid number]*

Project : *[insert name of Project]*

Contract : *[insert name of Contract]*

To: *[insert full name of Employer]*

We, the undersigned, apply to be prequalified for the contract of referenced number and declare that:

- (a) We, have examined and have no reservations to the Prequalification Document, including addenda issued in accordance with Instructions to Applicants (ITA) 7: *[insert the number and issuing date of each Addendum]*.
- (b) We, meet the eligibility requirements as stated in ITA 4.
- (c) We, have no conflict of interest in accordance with ITA 4.
- (d) We, understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to bid for the contract, in respect of which this prequalification is conducted, without incurring any liability to the Applicants, in accordance with ITA 23.
- (e) We, hereby certify that we have taken steps to ensure that no person acting for us or on our behalf will engage in any type of fraud and corruption.

Name of the Applicant<sup>1</sup> *[insert complete name of person signing the Application]*

Name of the person duly authorized to sign the Application on behalf of the Applicant<sup>2</sup>  
*[insert complete name of person duly authorized to sign the Application]*

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

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

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

**Notes for the Applicants**

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

## Form ELI - 1: Applicant Information Form

Date: [insert day, month, year]

Tender No.: [insert number]

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

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

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

## Form ELI - 2: JV Member Information Form

Date: [insert day, month, year]

Tender No.: [insert number]

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

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

1. Applicant's legal name: [insert full name]
2. JV Member's legal name: [insert full name of Applicant's Party]
3. JV Member's country of registration: [insert country of registration]
4. JV Member's year of incorporation: [insert year of incorporation]
5. JV Member's legal address in country of registration: [insert street/number/town or city/country]
6. JV Member's authorized representative information Name: [insert full name] Address: [insert street/number/town or city/country] Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes] E-mail address: [insert E-mail address]
7. 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.
8. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.



## Form CON: Historical Contract Non-Performance and Litigation

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

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Joint Venture Member's Name: [insert full name]

Tender No.: [insert number]

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

### 1. History of Non-Performing Contracts

Non-Performing Contracts			
<p>In accordance with Section III, Qualification Criteria, Sub-Factor 2.1, as appropriate, since 1<sup>st</sup> January 2015.</p> <p>[The Applicant shall indicate the applicable wording below by checking the appropriate box.]</p> <p><input type="checkbox"/> contract non-performance did not occur.</p> <p><input type="checkbox"/> contract non-performance occurred as indicated below:</p>			
Year	Non- performed portion of Contract	Contract Identification	Total Contract Amount
[insert year]	[insert amount and percentage]	<ul style="list-style-type: none"> <li>Contract Identification: [indicate complete Contract name, number, and any other identification]</li> <li>Name of Employer: [insert full name]</li> <li>Address of Employer: [insert street/city/country]</li> <li>Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes]</li> <li>Email address: [insert email address]</li> <li>Reason(s) for non-performance: [indicate main reason(s)]</li> </ul>	[insert current value, currency, exchange rate and USD equivalent]

The date for the exchange rate for USD conversion shall be the date 28 days prior to the date of submission of Prequalification Document.

## 2. Pending Litigation

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

The date for the exchange rate for USD conversion shall be the date 28 days prior to the date of submission of Prequalification Document.

### 3. Litigation History

Litigation History		
<p>In accordance with Section III, Qualification Criteria, Sub-Factor 2.3, as appropriate, since 1<sup>st</sup> January 2015:</p> <p>[The Applicant shall choose the relevant wording below by checking the appropriate box.]</p> <p><input type="checkbox"/> there are no court orders against the Applicant.</p> <p><input type="checkbox"/> there are court orders against the Applicant as indicated below:</p>		
Year of award	Contract Identification	Total Contract Amount
[insert year]	<ul style="list-style-type: none"> <li>Contract Identification: [indicate complete Contract name, number, and any other identification]</li> <li>Name of Employer: [insert full name]</li> <li>Address of Employer: [insert street/city/country]</li> <li>Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes]</li> <li>Email address: [insert email address]</li> <li>Matter in dispute: [indicate main issues in dispute]</li> <li>Party who initiated the litigation: [indicate “Employer” or “Contractor”]</li> <li>Abstract of the Court Order: [state concisely the court order concerning main issues in dispute]</li> </ul>	[insert current value, currency, exchange rate and USD equivalent)]

\* The date for the exchange rate for USD conversion shall be the date 28 days prior to the date of submission of Prequalification Document.

## Form FIN - 1: Financial Situation

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

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Joint Venture Member's Legal Name: [insert full name]

Tender No.: [insert number]

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

### 1. Financial data

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

The date for the exchange rate for USD conversion shall be the date 28 days prior to the date of submission of Prequalification Document.

For international Applicant – The financial year will be from January to December or April to March of the next year as followed in the respective bidder's country.

For local Applicant – The financial year will be from April to March of the next year

## **2. Financial documents**

The Applicant and its parties shall provide copies of the financial statements <sup>1</sup> for last 5 years pursuant to the Prequalification Criteria or Section III. The financial statements shall:

- (a) reflect the financial situation of the legal entity(ies) comprising the Applicant, and not of the affiliated entities (such as parent company(ies), group companies or subsidiaries) of the Applicant unless they are parties to the Applicant under a JV in accordance with ITA 4.1.
- (b) be independently audited or certified in accordance with local legislation.
- (c) be complete, including all notes to the financial statements.
- (d) correspond to accounting periods already completed and audited.

Attached are copies of financial statements for the 5 (Five) years required above; and complying with the requirements.

### **Note for the Applicants**

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

For international Applicant – The financial year will be from January to December or April to March of the next year as followed in the respective bidder's country.

For local Applicant: The financial year will be from April to March of the next year

## Form FIN - 2: Average Annual Turnover

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

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Joint Venture Member's Legal Name: [insert full name]

Tender No.: [insert number]

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

Annual Turnover Data			
Year	Amount and Currency	Exchange rate	USD equivalent
[indicate year]	[insert amount and indicate currency]	[insert applicable exchange rate]	[insert amount in USD equivalent]
Average Annual Turnover <sup>1</sup>			
Average Annual turnover includes Construction, Equipment & O&M Turnover			

<sup>1</sup> Total USD equivalent for all years divided by the total number of years, in accordance with the Prequalification criteria of Section III.

The date for the exchange rate for USD conversion shall be the date 28 days prior to the date of submission of Prequalification Document.

For international Applicant – The financial year will be from January to December or April to March of the next year as followed in the respective bidder's country.

For local Applicant: The financial year will be from April to March of the next year.

## Form FIN - 3: Financial Resources

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

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Joint Venture Member's Legal Name: [insert full name]

Tender No.: [insert number]

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

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

Financial Resources		
No.	Source of financing <sup>1</sup>	Amount (USD equivalent)
1		
2		
3		
4		
5		

### **Notes for the Applicants**

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

The date for the exchange rate for USD conversion shall be the date 28 days prior to the date of submission of Prequalification Document.

For international Applicant – The financial year will be from January to December or April to March of the next year as followed in the respective bidder's country.

For local Applicant: The financial year will be from April to March of the next year.

## Form FIN - 4: Current Contract Commitments

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

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Joint Venture Member's Legal Name: [insert full name]

Tender No.: [insert number]

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

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

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

The date for the exchange rate for USD conversion shall be the date 28 days prior to the date of submission of Prequalification Document.

For international Applicant – The financial year will be from January to December or April to March of the next year as followed in the respective bidder's country.

For local Applicant: The financial year will be from April to March of the next year



## Form FIN - 5: Financial Performance

(Insolvency Bankruptcy Code)

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

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Joint Venture Member's Legal Name: [insert full name]

Tender No. [insert number]

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

### To Whom So Ever It May Concern

This is to certify that our Firm (name of the Applicant) is not under any Insolvency Bankruptcy Code (IBC) resolution process at National Company Law Tribunal (NCLT) and / or Insolvency Proceedings in any country during the last ten years as on the date of Submission of the Prequalification Document.

Further, it is certified that our Firm (name of the Applicant) has not undergone any Corporate Debt Restructuring (CDR) mode during the last ten years as on the date of submission of the Prequalification Document.

Duly Signed by the Company Secretary as well as the Authorized Signatory.

## Form EXP –1: General Experience

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

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Joint Venture Member's Legal Name: [insert full name]

Tender No.: [insert number]

Page [insert page number] of [if the Applicant is a JV.]insert total number] pages

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

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

## Form EXP –2(a): Specific Experience

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

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

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

Contract of Similar Size and Nature			
Similar Contract No. [insert number] of [insert number of similar Contracts required]	Information		
Contract Identification	[insert Contract name and reference identification number, if applicable]		
Award Date	[insert day, month, year, e.g., 15 June, 2015]		
Completion date*	[insert day, month, year, e.g., 03 October, 2017]		
Role in Contract [check the appropriate box]	Prime Contractor		
	Single entity <input type="checkbox"/>	JV member <input type="checkbox"/>	
Total Contract Amount	[insert Total Contract amount(s) and currency(ies)]	USD [insert exchange rate and total Contract amount in USD equivalent]	
If member in a JV, specify participation in total Contract amount	[insert percentage of participation]	[insert total contract amount and currency(ies)]	USD [insert exchange rate and total contract amount in USD equivalent]
	[describe participation in JV and work performed]		
Employer's Name	[insert full name]		
Address	[insert mailing address]		

<b>Contract of Similar Size and Nature</b>	
<b>Similar Contract No. [insert number] of [insert number of similar Contracts required]</b>	<b>Information</b>
Telephone/fax number	[insert telephone/fax numbers, including country and city area codes]
E-mail	[insert E-mail address, if available]
Description of the similarity in accordance with Sub-Factor 4.2(a) of Section III:	
1. Physical size of required items	[insert physical size of items]
2. Complexity	[insert description of complexity]
3. Construction Methods/ Technology	[insert specific aspects of the methods/technology involved in the Contract]
4. Other Characteristics	[insert other characteristics as described in Section VI, Works Requirements]
<p>Attached herewith are the copies of originals of:</p> <p>(a) abstracts of contract documents, JV Agreements, etc. evidencing that the size and nature of the above-mentioned contract meets the requirements specified in Section III, Qualification Criteria, Sub-Factor 4.2(a).</p> <p>(b) the performance certificate(s) from the owner of the project (i.e. Taking-over Certificate(s)/ Completion Certificate(s)), evidencing that the above-mentioned contract has been successfully completed.</p> <p>* Also, mention the date of commissioning of the plant and the number of years of successful operation of the plant</p>	

## Form EXP –2(b): Specific Experience

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Tender No.: [insert number]

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

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

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

<b>Contract of Similar Size and Nature</b>	
<b>Similar Contract No. [insert number] of [insert number of similar Contracts required]</b>	<b>Information</b>
Description of the similarity in accordance with Sub-Factor 4.2(b) of Section III:	
1. Physical size of required items	[insert physical size of items]
2. Complexity	[insert description of complexity]
3. Construction Methods/ Technology	[insert specific aspects of the methods/technology involved in the Contract]
4. Other Characteristics	[insert other characteristics as described in Section VI, Works Requirements]
<p>Attached herewith are the copies of originals of:</p> <p>(a) abstracts of contract documents, JV Agreements, etc. evidencing that the size and nature of the above-mentioned contract meets the requirements specified in Section III, Qualification Criteria, Sub-Factor 4.2(b).</p> <p>(b) the performance certificate(s) from the owner of the project (i.e. Taking-over Certificate(s)/ Completion Certificate(s)), evidencing that the above-mentioned contract has been successfully completed.</p> <p>* Also, mention the date of commissioning of the plant and the number of years of successful operation of the plant.</p>	

## Form EXP –2(c): Specific Experience

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

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

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

Contract of Similar Size and Nature			
Similar Contract No. [insert number] of [insert number of similar Contracts required]	Information		
Contract Identification	[insert Contract name and reference identification number, if applicable]		
Award Date	[insert day, month, year, e.g., 15 June, 2015]		
Completion date*	[insert day, month, year, e.g., 03 October, 2017]		
Role in Contract [check the appropriate box]	Prime Contractor		
	Single entity <input type="checkbox"/>	JV member <input type="checkbox"/>	
Total Contract Amount	[insert Total Contract amount(s) and currency(ies)]	USD [insert exchange rate and total Contract amount in USD equivalent]	
If member in a JV, specify participation in total Contract amount	[insert percentage of participation]	[insert total contract amount and currency(ies)]	USD [insert exchange rate and total contract amount in USD equivalent]
	[describe participation in JV and work performed]		

<b>Contract of Similar Size and Nature</b>	
<b>Similar Contract No. [insert number] of [insert number of similar Contracts required]</b>	<b>Information</b>
Employer's Name	[insert full name]
Address	[insert mailing address]
Telephone/fax number	[insert telephone/fax numbers, including country and city area codes]
E-mail	[insert E-mail address, if available]
Description of the similarity in accordance with Sub-Factor 4.2(c) of Section III:	
1. Physical size of required items	[insert physical size of items]
2. Complexity	[insert description of complexity]
3. Construction Methods/ Technology	[insert specific aspects of the methods/technology involved in the Contract]
4. Other Characteristics	[insert other characteristics as described in Section VI, Works Requirements]
<p>Attached herewith are the copies of originals of:</p> <p>(a) abstracts of contract documents, JV Agreements, etc. evidencing that the size and nature of the above-mentioned contract meets the requirements specified in Section III, Qualification Criteria, Sub-Factor 4.2(c).</p> <p>(b) the performance certificate(s) from the owner of the project (i.e. Taking-over Certificate(s)/ Completion Certificate(s)), evidencing that the above-mentioned contract has been successfully completed.</p> <p>* Also, mention the date of commissioning of the plant and the number of years of successful operation of the plant.</p>	



## Form EXP –2(d): Specific Experience

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

Date: [insert day, month, year]

Applicant's Legal Name: [insert full name]

Joint Venture Member's Legal Name: [insert full name]

Tender No.: [insert number]

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

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

Contract of Similar Size and Nature			
Similar Contract No. [insert number] of [insert number of similar Contracts required]	Information		
Contract Identification	[insert Contract name and reference identification number, if applicable]		
Award Date	[insert day, month, year, e.g., 15 June, 2015]		
Completion date*	[insert day, month, year, e.g., 03 October, 2017]		
Role in Contract [check the appropriate box]	Prime Contractor		
	Single entity <input type="checkbox"/>	JV member <input type="checkbox"/>	
Total Contract Amount	[insert Total Contract amount(s) and currency(ies)]	USD [insert exchange rate and total Contract amount in USD equivalent]	
If member in a JV, specify participation in total Contract amount	[insert percentage of participation]	[insert total contract amount and currency(ies)]	USD [insert exchange rate and total contract amount in USD equivalent]
	[describe participation in JV and work performed]		

<b>Contract of Similar Size and Nature</b>	
<b>Similar Contract No. [insert number] of [insert number of similar Contracts required]</b>	<b>Information</b>
Employer's Name	[insert full name]
Address	[insert mailing address]
Telephone/fax number	[insert telephone/fax numbers, including country and city area codes]
E-mail	[insert E-mail address, if available]
Description of the similarity in accordance with Sub-Factor 4.2(d) of Section III:	
1. Physical size of required items	[insert physical size of items]
2. Complexity	[insert description of complexity]
3. Construction Methods/ Technology	[insert specific aspects of the methods/technology involved in the Contract]
4. Other Characteristics	[insert other characteristics as described in Section VI, Works Requirements]
<p>Attached herewith are the copies of originals of:</p> <p>(a) abstracts of contract documents, JV Agreements, etc. evidencing that the size and nature of the above-mentioned contract meets the requirements specified in Section III, Qualification Criteria, Sub-Factor 4.2(d).</p> <p>(b) the performance certificate(s) from the owner of the project (i.e. Taking-over Certificate(s)/ Completion Certificate(s)), evidencing that the above-mentioned contract has been successfully completed.</p> <p>* Also, mention the date of commissioning of the plant and the number of years of successful operation of the plant.</p>	

## Form ACK

### Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans

A) I, [insert name and position of authorized signatory], being duly authorized by [insert name of Applicant/members of joint venture (“JV”)] (hereinafter referred to as the “Applicant”) to execute this Acknowledgement of Compliance with Guidelines for Procurement under Japanese ODA Loans, hereby certify on behalf of the Applicant and myself :

- (i) all information provided in the Application submitted by the Applicant for [insert name of the Project, and name, number and identification of lot(s) (contracts(s)) as stated in PDS 1.1] is true, correct and accurate to the best of the Applicant’s and my knowledge and belief; and
- (ii) the Applicant has not, directly or indirectly, taken any action which is or constitutes a corrupt or fraudulent practice and is not subject to any conflict of interest as stipulated in the relevant section of the Guidelines.

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

B) I certify that the Applicant has NOT been debarred by the World Bank Group for more than one year since the date of issuance of Invitation for Prequalification.

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

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

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

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

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

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

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

(1) **JICA Headquarters:** Legal Affairs Division, General Affairs Department  
URL: <https://www2.jica.go.jp/en/odainfo/index.php>  
Tel: +81 (0)3 5226 8850

(2) **JICA Delhi office**  
16<sup>th</sup> Floor, Hindustan Times Building, Kasturba Gandhi Marg  
New Delhi 110 001  
Tel: +91-11-4909-7000

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

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

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**Authorized Signatory**  
[Insert name of signatory; title]

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

**Date:**

DRAFT

## **Section V. Eligible Source Countries of Japanese ODA Loans**

**All Countries and Areas are eligible**

DRAFT

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## **PART 2 – Works Requirements**

DRAFT

## Section VI. Works Requirements

### 1. Description of Works

The Chennai Metropolitan Area (CMA) is facing chronic water shortage due to short rainfall and the ever-increasing water demand resulting out of increasing population and growing economy. The surface water from the rivers and reservoirs, as well as the groundwater, has been the major water resources for the CMA, over the years. However, the yields from such conventional water resources are not stable because of the frequent droughts.

According to the Master Plan for Water Supply and Sewerage Sectors in Chennai Corporation and Rest of CMA, the water production capacity in 2020 is about 882 million liters per day (MLD) against the estimated demand of 1720 MLD. In wide areas in Chennai, the service continuity is only three to four hours in a day.

To secure sufficient water supply for the people and businesses, as a countermeasure against the said issue(s), the State Government of Tamil Nadu (GoTN) decided to construct seawater desalination plants (DSPs) as a more reliable climate-independent water resource, which is not subject to drought. As shown in Table 1, below, at present, two DSPs are already operational in the CMA, but the water demand is not yet satisfied. In order to further mitigate the water shortages, GoTN has prepared an expansion plan of the existing Nemmeli DSP by 150 MLD and a construction plan of a DSP with a capacity of 400 MLD at Perur (Perur DSP). Following the state government's direction, the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) prepared the detailed project reports (DPRs) for the projects mentioned above.

In accordance with the results of the DPR prepared earlier, the Government of India (GoI) proposed the construction project of Perur DSP in the list of expected projects for Japanese Official Development Assistance (ODA) loan, known as the Rolling Plan. On receiving the proposal from GoI, the Japan International Cooperation Agency (JICA) carried out the Preparatory Survey on the Seawater Desalination Plant Project in Chennai and based upon the results of this study the final loan agreement was signed between the GoI and JICA for the implementation of the Seawater desalination project with additional components.

**Table 1. Existing and Planned DSPs in the CMA**

No.	Name	Capacity	Status
1	Minjur DSP (Existing)	100 MLD	Operational since 2010
2	Nemmeli DSP (Existing)	100 MLD	Operational since 2013
3.	Nemmeli DSP (Expansion)	150 MLD	Planned – under execution
4.	Perur DSP	400 MLD	Planned*

\* Project for which Prequalification Application is being sought.

#### 1.1 Existing Seawater Desalination Plants -Capacities and Locations

As stated earlier, there are two DSPs in CMA that supply water to the households and businesses in Chennai Corporation area, as shown in Figure 1. Both plants adopt Reverse Osmosis (RO) desalination technology and the production capacities of these plants are 100 MLD each, of product water. The Nemmeli DSP, which was inaugurated on February 22, 2013, owned by CMWSSB, is located at the southern side of the Chennai city, while the Minjur Plant, which started its operation in July 2010 by a private operator under



Design-Build-Own-Operation (DBOOT) scheme, is located at the northern side of the Chennai city. The outlines of the two DSP's are presented in Table 2 below.

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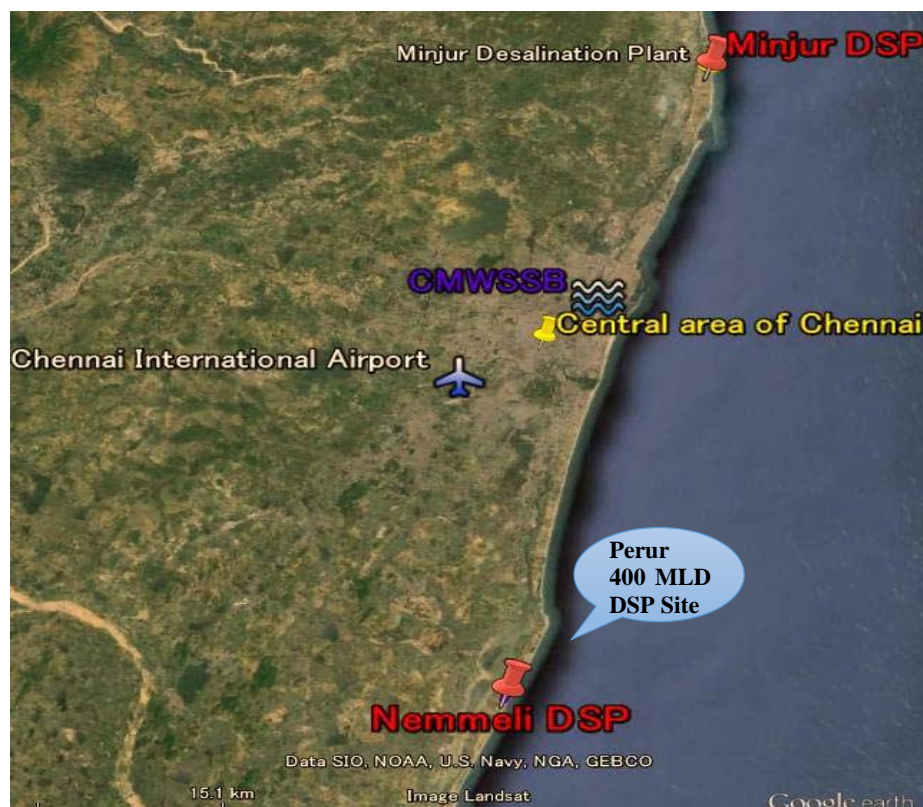


Figure 1: Locations of the existing DSPs (Source: JICA Study Team)

Table 2 Outlines of the Existing DSPs of CMWSSB

Item		Nemmeli	Minjur
Contractor		VATECH WABAG (India) + IDE Technology (Israel)	Abengoa (Spain) + IVRCL (India)
Contract type		Design-Build-Operate (DBO) (7-year)	Design-Build-Own-Operate-Transfer (DBOOT) (25-year operation)
Raw seawater quality	Max. TDS <sup>*1</sup> (mg/l)	38,000 (Jan. 2015 - Dec 2015)	34,000 (July 2014 - July 2015)
	Temperature (deg. C)	26 - 31 (Jan. 2015 - Dec 2015)	26 - 31 (July 2014 - July 2015)
	Max. TSS <sup>*2</sup> (mg/l)	400 (Jan. 2015 - Dec 2015)	280 (July 2014 - July 2015)
Pre-treatment section		Lamella filter + Disc filter + Ultra	Lamella filter + Dual media filter
RO section		One stage RO, Spiral membrane. Micron cartridge filters (MCF) are inserted before the RO units	One stage RO, spiral membrane, Pressure filter and MCF are inserted before the RO units
Recovery ratio		45%	45%
Post-treatment section		CO <sub>2</sub> injection + Limestone filter + Disinfection injection + Caustic soda dosing	CO <sub>2</sub> injection + Lime powder dosing + Disinfection injection

\*1: Total Dissolved Solids, which is the indicator for salinity in the seawater

\*2: Total Suspended Solids, which is the indicator for cleanliness of the seawater

Source: JICA Study Team by compiling information from CMWSSB

For the past one year i.e. from Feb'2019, the Nemmeli DSP has experienced high turbidity, TSS and TOC conditions during monsoon. As the water-stress conditions in CMA are severe, it is expected that the new Perur 400 MLD plant will be designed to maintain a high level of availability and process performance capability so as to consistently meet the full production capacity during the whole year.

## **2. Site Location for the New DSP at Perur**

The proposed construction site of the new DSP is located at Perur, 40 km south from the Chennai city center. It is a rectangular-shaped land having a width of 400 m and length of 850m with a total area of approximately 34 hectares. It is situated along the coastal side of the East Coast Road (ECR), which is the primary access road to the construction site.

The seawater intake and brine outfall are planned to be located some 1.1 to 1.8 km offshore from the DSP site, in a water depth of approximately 10 to 12 m. Sedimentary layers of silty sand have been identified between 0.0 and -8.0 m below the seabed. Also, buried rocks have been found near the shore that are spread in different direction and depth.

## **3. Indicative Project Milestones**

The indicative milestone dates for the 400 MLD Perur DSP Project are as follows:

- RFQ submission – 24.04.2020
- Shortlisted Applicants notified – June 2020
- Commencement of Request for Proposals (RFP) process – July 2020
- RFP submissions close – October 2020
- Award of contract – December 2020
- Construction and commissioning complete – June 2024
- Operation and maintenance contract – 20 years

The typical work execution period for construction of 400 MLD SWRO plant at Perur is about 42 months from kickoff to completion of work including successful demonstration of working of the plant.

These dates are indicative only and subject to change.