

<b>Name of STD :</b>	e-PW3
<b>Procurement Type :</b>	Works
<b>Section :</b>	Tender Data Sheet

Instructions for completing Tender/Proposal Data Sheet are provided in italics in parenthesis for the relevant ITT clauses

<b>ITT Clause</b>	Amendments of, and Supplements to, Clauses in the Instructions to Tenderers/Consultants
<b>A. General</b>	
ITT Clause	1. Scope of Tender
	1.1 The Procuring Entity named in the Tender Data Sheet (TDS) (hereinafter referred to as the “PE”) wishes to issues these e- Tender Document (hereinafter referred to as the “e-TD”) for the procurement of Works and physical services as specified in the TDS and as detailed in section 6: Bill of Quantities. The name of the Tender and the number and identification of its constituent lot(s) are stated in the TDS.
	The PE is [state name of PE]  The Name of the Tender is: Brief Description of the Works: Tender Ref: Lot No(s): [if there is more than one(1) lot, individual lots are to be identified in conformity with Section 6: Bill of Quantities]
ITT Clause	3. Source of Funds
	3.1 PE has been allocated public funds as indicated in the TDS and intends to apply a portion of the funds to eligible payments under the Contract for which this e-TD is issued.
	The source of public funds is [state source, GoB or other source of funds].
	3.3 Payments by the Development Partner, if so indicated in the TDS, will be made only at the request of the Government and upon approval by the Development Partner or foreign state or Organisation in accordance with the applicable Loan / Credit / Grant Agreement, and will be subject in all respects to the terms and conditions of that Agreement.
	The name of the Development Partner is [state name of Development Partner]
ITT Clause	5. Eligible Tenderers
	5.1 This Invitation for Tenders is open to all potential Tenderers from all countries, except for any specified in the TDS.
	Tenderers from the following countries are not eligible [ state countries, if any ]
ITT Clause	6. Eligible Materials, Equipment and Associated Services
	6.1 All materials, equipment and associated services to be supplied under the Contract are from eligible sources, unless their origin is from a country specified in the TDS.
	Materials, Equipments and associated services from the following countries are not eligible: [state countries, if any]

<b>B. e-Tender Document (e-TD)</b>	
ITT Clause	10. Clarification of e-TD
	10.2 A prospective Tenderer requiring any clarification of the e-TD shall be allowed to post clarification as stated under ITT Sub Clause 10.1 till the date and time as specified in the TDS, but not later than the date of Pre-Tender meeting as stated under ITT Clause 11, if held.
	Allowed to post clarification till [Date and Time]
ITT Clause	11. Pre-Tender Meeting
	11.1 To clarify issues and to answer questions on any matter arising in the e-TD, the PE may, if stated in the TDS, hold a Pre-Tender Meeting.
	A Pre-Tender meeting shall not be held or A Pre- Tender meeting shall be held through e-GP System [delete whichever is not applicable]
	11.2 Pre-Tender Meeting will be held online on the date and time as specified in the TDS. Clarifications to the queries of Tenderer will be made online, and also responses will be shared through dashboard of Tenderers, who have purchased the e-TD.
	Pre- Tender meeting [Date & Time]
<b>C. Qualification Criteria</b>	
ITT Clause	15. Experience Criteria
	15.1 Tenderer shall have the following minimum level of construction experience to qualify for the performance of the Works under the Contract: (a) a minimum number of years of general experience in the construction of works as Prime Contractor or Subcontractor or Management Contractor as specified in the TDS; and (b) specific experience as a Prime Contractor or Subcontractor or Management Contractor in construction works of a nature, complexity and methods/construction technology similar to the proposed Works in at least a number of contract(s) and of a minimum value over the period, as specified in the TDS.
	<p>The minimum number of years of general experience of the Tenderer in the construction works as Prime Contractor or Subcontractor or Management Contractor shall be [state number] years. [a minimum of three (3) years would be deemed reasonable; years counting backward from the date of publication of IFT in the newspaper]</p> <p>The minimum specific experience as a Prime Contractor or Subcontractor or Management Contractor in construction works of at least [state number] contract(s) of similar nature, complexity and methods/construction technology successfully completed within the last [state number] years, each with a value of at least Tk. [state amount]. [the minimum number of contracts will depend upon the size and type of construction work, and the PE should make its own judgement based upon its experience in the sector and construction industry. For example, for large works, it could be one (1) contract of similar nature during the last three (3) years or five (5) years or ten (10) years (whichever appropriate); years counting backward from the date of publication of IFT in the newspaper]</p> <p>[for Tenders where the package contains more than one (1) lot, this qualification requirements, only when applicable, shall be mentioned separately for each lot in the package] [the minimum value of the similar works is recommended to be between 50 and 75 percent of the estimated cost of the proposed work]</p>
ITT Clause	16. Financial Criteria
	16.1 Tenderer shall have the following minimum level of financial capacity to qualify for the performance of the Works under the Contract. (a) the average annual construction turnover as specified in the TDS during the period specified in the

TDS;

(b) Availability of minimum liquid assets i.e. working capital or credit line(s) from any Scheduled Bank, net of other contractual commitments of the amount as specified in the TDS

(c) Satisfactory resolution of all claims, arbitrations or other litigation cases and shall not have serious negative impact on the financial capacity of Tenderer.

The required average annual construction turnover shall be greater than Tk [insert amount] over the last [state number] years.

[ the required average annual construction turn over is recommended to be about twice the estimated annual cash flow for the Contract; however the multiplier may vary from 1.0 to 2.0, the larger the Contract size the lesser the multiplier should be. The period may be best three (3) years in the last five (5) years or best five (5) years in the last ten (10) years (as appropriate) ; years counting backward from the date of publication of IFT in the newspaper]

Example:

Estimated Contract Value: Tk 24 Cr.

Contract period: 18 months

Estimated Annual Cash Flow: Tk 16 Cr.

Required average annual construction turn over: Tk 24 Cr., using a multiplier of 1.5.

[for Tenders where the package contains more than one (1) lot, this qualification requirements shall be mentioned separately for each lot in the package]

The minimum amount of liquid assets or working capital or credit facilities of the Tenderer shall be Tk [state amount]

[usually the required liquid asset is the equivalent of 2-6 months payment flow at the average construction rate (straight line distribution), accessible or available after taking into account the financial requirements of existing commitments. The actual period will depend on the speed with which the PE will pay the Contractor's monthly certificate, allowing time to prepare an invoice, for the Project Manager's time to certify it, and at least one month contingency for preparing the cheque and making actual payment.

Example:

Contract Value: Tk 24 Cr.

Contract period: 18 months

Assuming work time: 1 month

Invoice period: 0.5 month

Certification Time: 0.5 month

Contingency Time: 1 month

Therefore, the minimum required liquid asset will be Tk 4 Cr., i.e. 3 months cash flow based on the above assumptions.]

[for Tenders where the package contains more than one (1) lot, this qualification requirements shall be mentioned separately for each lot in the package]

ITT  
Clause

## 17. Personnel Capacity

17.1 Tenderer shall have the minimum level of personnel capacity to qualify for the performance of the Works under the Contract consisting of a Construction Project Manager, Engineers, and other key staff with qualifications and experience as specified in the TDS;

A Construction Project Manager, Engineer, and other key staff shall have the following qualifications and experience:

No	Position	Total Works Experience (years)	In Similar Works Experience (years)


[ qualification of an alternative Construction Project Manager may also be requested]  
[ for Tenders where the package contains more than one (1) lot, this qualification requirement may be necessary for each lot in the package, subject to the nature of the control required over each package]

ITT  
Clause

#### 18. Equipment Capacity

18.1 Tenderer shall own suitable equipment and other physical facilities or have proven access through contractual arrangement to hire or lease such equipment or facilities for the desired period, where necessary or have assured access through lease, hire, or other such method, of the essential equipment, in full working order, as specified in the TDS.

Tenderer shall own or have proven access to hire or lease of the major construction equipments, in full working order as follows :

No	Equipment Type and Characteristics	Minimum Number Required

[for Tenders where the package contains more than one (1) lot, this qualification requirement may be necessary for each lot in the package, subject to the nature of the control required over each package]

ITT  
Clause

#### 19. Joint Venture, Consortium or Association (JVCA)

19.1 Tenderer may participate in the procurement proceedings forming a Joint Venture, Consortium or Associations (JVCA) by an agreement,executed case by case on a non judicial stamp of value as stated in TDS or alternately with the intent to enter into such an agreement supported by a Letter of Intent along with the proposed agreement duly signed by all partners of the intended JVCA and authenticated by a Notary Public.

TDS Clauses References	Requirements by summation	Requirements for Lead Partner of JVCA	Requirements for other Partner(s) of JVCA
ITT-15.1(a)	Summation not applicable	Same as stated in TDS	Same as for Leading Partner
ITT-15.1(b)	100%	At least one Contract	Minimum requirement not applicable
ITT-16.1(a)	100%	40%	25%

ITT-16.1(b)	100%	40%	25%
ITT-17.1	100%	Minimum requirement not applicable	Minimum requirement not applicable
ITT-18.1	100%	Minimum requirement not applicable	Minimum requirement not applicable

The value of non-judicial stamp for execution of the Joint Venture agreement shall be Tk [state amount]  
[the value of the non-judicial stamp shall be Tk.300.00]

19.2 The figures for each of the partners of a JVCA shall be added together to determine the Tenderer's compliance with the minimum qualifying criteria; however, for a JVCA to qualify, lead partner and its other partners must meet the criteria stated in the TDS. Failure to comply with these requirements will result in rejection of the JVCA Tender.

The minimum qualification requirements of Leading Partner and other Partner(s) of a JVCA shall be as follows :

[it is suggested that the PE adheres to the above proportion of minimum qualifying requirements to meet the specific procurement needs. Percent share of business of the JVCA partners shall not be taken into account in determining the qualification of a JVCA]

ITT  
Clause

20. Subcontractor(s)

20.3 PE may also select nominated Subcontractor(s) to execute certain specific components of the Works and if so, those will be specified in the TDS.

The Nominated Subcontractor(s) named [insert name(s)] shall execute the following specific components of the proposed Works:

[state the components of the proposed works ; if not applicable state 'none']

ITT  
Clause

16. Financial Criteria

(d) The Minimum Tender Capacity as specified in the TDS.

**The minimum Tender Capacity shall be:**

[The following formulae may be used to calculate the Tender Capacity

Assessed Tender Capacity =  $(A \times N \times 1.5 - B)$

Where

A=Maximum value of Works performed in any one year during last five years

N= Completion time of the proposed work in years

B= Value of Existing commitments and works to be completed during the next N Years

For Tenders where the package contains more than one (1) Lot, this qualification requirement shall be mentioned separately for each lot in the package]

#### D. Tender Preparation

ITT  
Clause

25. Contents of Tender

25.1 The Tender prepared by the Tenderer shall comprise the following:

(a) the Tender Submission Letter (Form e-PW3-1) as furnished in Section 5: e-Tender Forms;

(b) Tenderer Information (Form e-PW3-2) as furnished in Section 5: e-Tender Forms;

(c) the priced Bill of Quantities for each lot in accordance with ITT Clauses 26 and 27;

(d) Tender Security as stated under ITT Clauses 34 and 35.

(e) Written confirmation authorizing the signatory of the Tenderer including National ID to submit the e-

	<p>Tender, as stated under ITT Sub Clause 39.4;</p> <p>(f) Valid Trade license to be mapped from e-GP Common document library of the Tenderer ;</p> <p>(g) Documentary evidence of Tax Identification Number (TIN) and Value Added Tax (VAT) as a proof of taxation obligations as stated under ITT Sub Clause 5.10 to be mapped from e-GP Common document library of the Tenderer;</p> <p>(h) Technical Proposal describing work plan &amp; method, personnel, equipment and schedules as stated under ITT Clause 30;</p> <p>(i) documentary evidence as stated under ITT Clause 28 and 31 establishing the Tenderer's eligibility and the minimum qualifications of the Tenderer required to be met for due performance of the Works and physical services under the Contract;</p> <p>(j) Documents establishing legal and financial autonomy and compliance with commercial law, as stated under ITT Sub-clause 5.4 in case of government owned entity; and</p> <p>(k) any other document as specified in the TDS.</p>
	<p>The Tenderer shall submit with its Tender the following additional documents:</p> <p>[in case of purchase of capital equipment by the Contractor as part of the overall Contract, a Performance Statement of the capital equipment in Bangladesh may be necessary and may be requested. if no other documents are required then specify "none"]</p>
ITT Clause	26. Tender Prices, Discounts and Price Adjustment
	26.3 Unless otherwise provided in the TDS and the Contract, the price of a Contract shall be fixed in which case the unit prices may not be modified in response to changes in economic or commercial conditions.
	<p>The prices quoted by the Tenderer shall be fixed for the duration of the Contract.</p> <p>OR</p> <p>The prices quoted by the Tenderer shall be adjustable as follows: If prices shall be adjustable, the methodology for adjustment should be specified]</p>
<b>E. Tender e-Submission</b>	
ITT Clause	40. Deadline for submission of e-Tender
	40.1 e-Tenders shall be submitted to the e-GP System no later than the date and time specified in the TDS.
	<p>The deadline for lodgement of e-Tenders is [state time, and identify a.m or p.m, i.e 10.30 a.m]</p> <p>[state date i.e. 15 june,2011 ].</p>
<b>G. Contract Award</b>	
ITT Clause	58. Performance Security
	58.1 Performance Security shall be furnished by the successful Tenderer in the amount as specified in the TDS.
	<p>The amount of Performance Security shall be [state percentage] percent of the Contract Price. [usually ten(10) percent of the Contract price, however, should not be less than 5% if retention money is kept at least 5% of contract price; Maximum twenty five (25) percent of the total Contract price in case the Tender price is significantly below the updated official estimate or seriously unbalanced as a result of front loading ]</p>