



REPUBLIC OF GHANA

## **PREQUALIFICATION DOCUMENT**

# **Procurement of Works, Major Equipment and Industrial Installations**

Public Procurement Board

Accra, Ghana

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## Introduction

1. Procurement under projects financed from the public funds of the Republic of Ghana is carried out in accordance with the provisions of the Public Procurement Act, 2003 (Act 663). This Prequalification Document (PD) has been prepared for use by Procurement Entities in the procurement of works, industrial plant and heavy equipment. The document reflects procedures and practices, which have been developed through broad international experience, and comply with the provisions of the Public Procurement Act, 2003 (Act 663).

2. A “**Prequalification Evaluation Summary**” in the format of Annex A should be completed by procurement entities and submitted to the appropriate Tender Review Board for review prior to notification of applicants.

3. This Prequalification Document (PD) is for use by Procurement Entities (the “Employer”) in prequalifying applicants who express an interest to tender for large building, civil engineering, large plant, heavy equipment, and certain types of supply and installation contracts.

The document includes five main sections:

- A format of the Invitation for Prequalification (IFP)
- General Instructions to Applicants (GITA)
- Particular Instructions to Applicants (PITA) or Prequalification Data
- A standardized Letter of Application
- A set of Information Forms (IF) for applicants to complete

2. To simplify presentation, the text of the PITA has been written primarily for construction contracts (the most common application of prequalification procedures). Care should be taken when preparing prequalification documents to ensure that the prequalification criteria are clear and explicit, and that they reflect the needs and characteristics of the specific contract being tendered. These directions should be observed when using these standard prequalification documents:

- The GITA should be used without change.
- Data and criteria specific to the proposed tender be stated in the PITA, which should follow the general format of this document.
- The attached information forms may require adaptation to a greater or lesser degree to suit the requirements of each proposed tender.

3. For major Equipment and Industrial Installations the following should be noted and the necessary adaptations incorporated into the document:

- Foreign Suppliers and Installers should be required to associate with Local Firms who should be involved in the installation and after-sales-services
- The Applicant should be required to have relevant Manufacturer's Authorization Certificate
- The Applicant should indicate availability of spare parts and the confirmation of Operation and Maintenance Training of the Plant and Equipment to be installed

4. If a number of contracts of a similar nature are to be tendered simultaneously on a "slice and package" basis the nonstandard, contract-specific parts of the tender documents (BOQ, Drawings, etc.) should be prepared for each individual contract (slice) in the event that award of individual contracts will be made to different tenderers. In the prequalification document, the PITA should state the prequalification requirements for each slice based upon the Employer's cost estimates, including contingencies. Applicants will be asked to indicate in their submissions the individual contract (slice) or combination of contracts (package) in which they are interested, and will be invited to tender on those or similar contracts for which their assessed capacity is sufficient.

## ABBREVIATIONS AND ACRONYMS

BOQ	Bill of Quantities
FIDIC	Federation Internationale des Ingenieurs-Conseils; an association based in Switzerland that produces GCOCs for different classes of works construction.
GCOC	General Conditions of Contract
GITA	General Instructions to Applicants, in the SPD
ICT	International Competitive Tender
IF	Information Forms
IFT	Invitation for Tenders
IFP	Invitation for Prequalification
ITT	Instructions to Tenderers
JV	Joint Venture
JVA	Joint Venture Agreement
NCT	National Competitive Tender
PQ	Prequalification
PITA	Particular Instructions to Applicants, in the SPD
STD	Standard Tender Document
SPD	Standard Prequalification Document

## GLOSSARY

Employer	One of the two parties to a works contract, the other party being the “Contractor.”
Contractor	The legal entity that is party to and performs a works contract, the other party to the contract being the “Employer.”
Joint Venture	An ad hoc association of firms that pool their resources and skills to undertake a large or complex contract in the role of “Contractor,” with all firms (partners in the JV) being legally liable, jointly and severally, for the execution of the contract in the event of a partner’s withdrawal.
Management Contractor	A firm, acting in the role of “Contractor,” that does not usually perform Contracts directly, but manages the work of other (sub) contractors, while bearing full responsibility and risk for price, quality, and timely performance of the contract.

Construction Manager	A consultant, acting as agent of the Employer, engaged to coordinate and monitor the timing of preparation, tender award, and execution of a number of different contracts comprising a project, but does not take on the responsibility for price, quality, or performance of those contracts.
Nominated Subcontractor	A specialist enterprise selected and approved by the Employer to provide a prespecified item in the BOQ, and nominated as subcontractor to the Contractor for such purpose. (For a more comprehensive definition, see Sub-Clauses 59.1 and 59.2 of the GCOC FIDIC 1987/92.)
Postqualification	An assessment made by the Employer after the evaluation of tenders and immediately prior to award of contract, to ensure that the lowest-evaluated, responsive, eligible tenderer is qualified to perform the contract in accordance with previously specified qualification requirements.
Prequalification	An assessment made by the Employer of the appropriate level of experience and capacity of firms expressing interest in undertaking a particular contract, before inviting them to tender.
Prime Contractor	A firm that performs a substantial part of a Contracts itself and the balance, if any, by subcontractors, while bearing full responsibility for the whole contract.
Provisional Sum	A sum included provisionally in the BOQ of a contract, normally for a specialized part of the Works or for contingencies, which sum shall be used only on the instructions of the Employer/Engineer for payments to the contractor and/or to nominated subcontractors.
Slice and Package	A procedure whereby a large homogeneous project is sliced into smaller similar contracts, which are tendered simultaneously so as to attract the interest of both small and large firms; firms offer tenders on individual contracts (slices) or on a group of similar contracts (packages), and award is made to the combination of tenders offering the lowest cost to the Employer. Slices comprising a number of similar construction units together in a small area are sometimes referred to as “lots,” which are tender concurrently with other similar “lots” as part of the larger “package.”
Turnover	The gross earnings of a firm (in this context, a construction contractor), defined as the billings for contract work in progress and/or completed, normally expressed on an annual basis, and excluding income from other sources.
Works	The total work involvement in a construction contract, including the “Permanent” Works or finished product as specified, and the “Temporary” Works required by the Contractor for the execution of the contract.

**Writing**

For the purpose of this document, any authenticated handwritten, typed, or printed communication, including telex, cable, electronic mail, and facsimile transmission, with proof of receipt when requested by the sender.

## SPECIFIC PROCUREMENT NOTICE Invitation for Prequalification

\_\_\_\_\_ *[Insert: name of Project]*

\_\_\_\_\_ Brief Description of Works

This invitation for prequalification follows the general procurement notice for this project that appeared in \_\_\_\_\_ *[Specify publication]* No. \_\_\_\_ *[insert number]* of \_\_\_\_ *[insert date, day-month-year]*.

The \_\_\_\_\_ *[Procurement Entity]* intends to apply part of its Budgetary allocation to fund the cost of the *[insert name of project]*, under the contract for *[insert name/no. of contract—if prequalification is being invited for more than one contract, describe each contract and indicate whether applications may be made for prequalification for one or more of the contracts]*. The \_\_\_\_\_ *[insert name of procurement entity]* intends to prequalify contractors and/or firms for \_\_\_\_\_ *[insert description of Works or goods to be procured]*. It is expected that invitations to tender will be made in \_\_\_\_ 20\_\_ *[insert month and year]*.

Prequalification will be conducted through prequalification procedures specified in the Public Procurement Act, 2003 of the Republic of Ghana and is open to all tenderers from eligible source countries, as determined by the Public Procurement Board of the Republic of Ghana.

Interested eligible tenderers may obtain further information from and inspect the prequalification documents at the \_\_\_\_\_ *[insert name of Procurement Entity]* (address below) from \_\_\_\_ to \_\_\_\_ *[insert office hours]*. A complete set of prequalification documents in English may be purchased by interested tenderers on the submission of a written application to the address below and upon payment of a nonrefundable fee of GHC\_\_\_\_ or the equivalent in a freely convertible currency. The method of payment will be \_\_\_\_\_ *[insert method of payment]*.

Applications for prequalification should be submitted in sealed envelopes, delivered to the address below by \_\_\_\_\_ *[insert date]*, and be clearly marked “Application to Prequalify for \_\_\_\_\_ *[insert name of project and the contract name(s) and number(s)]*.”

\_\_\_\_\_ [ insert: ***name of procurement entity*** ]

\_\_\_\_\_ [ insert: ***postal address*** ]

\_\_\_\_\_ [ insert: ***street address*** ]

\_\_\_\_\_ [ insert: ***telephone number*** ]

\_\_\_\_\_ [ insert: ***facsimile number*** ]

\_\_\_\_\_ [ insert: ***e-mail address*** ]

Date:.....

## GENERAL INSTRUCTIONS TO APPLICANTS (GITA)

### 1. Source of Funds and Scope of Works

- Source of Funds** 1.1 The Procurement Entity (hereinafter referred to as the “Employer”) named in the Particular Instructions to Applicants (PITA) intends to apply a part of its budgetary allocation to payments under the contract(s) for which this prequalification is issued.
- Scope of Work** 1.2 The Employer, as named in the PITA, intends to prequalify contractors for the Works described in the PITA.
- Slice and Package** 1.3 If so indicated in the PITA, the total Works to be constructed have been divided into a number of similar individual contracts (slices) and tenders will be invited concurrently for individual contracts and for combinations of contracts (packages). Tenderers can tender on individual contracts only or on a combination of contracts within their prequalified capacity as assessed by the Employer. Qualification criteria for slice and package tender are described in Sub-Clause 4.15.
- Tender Invitation** 1.4 It is expected that prequalified applicants will be invited to submit tenders during the month and year indicated in the PITA.
- Type of Contract** 1.5 The tender documents, type of contract, and method of payment, whether prices are fixed or adjustable, and the time for completion are indicated in the PITA.
- Site Information** 1.6 General information on the climate, hydrology, topography, geology, access to site, transportation and communications facilities, medical facilities, project layout, expected construction period, facilities, services provided by the Employer, and other relevant data is attached as an Annex to the PITA.

### 2. Fraud and Corruption

- 2.1 It is the policy of the Government of Ghana to require that Procurement Entities as well as tenderers/Suppliers/Contractors under contracts financed from the public funds of the Republic of Ghana observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, the Public Procurement Board:
- (a) defines, for the purposes of this provision, the terms set forth below as follows:

- (i) “corrupt practice” means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution; and
  - (ii) “fraudulent practice” means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the Borrower, and includes collusive practices among tenderers (prior to or after tender submission) designed to establish tender prices at artificial, noncompetitive levels and to deprive the Borrower of the benefits of free and open competition
- (b) or the appropriate Tender Review Board will not accept a Procurement Entity’s proposal for award if it determines that the tenderer recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question; and
  - (c) will declare a firm ineligible, either indefinitely or for a stated period of time, to be awarded a contract financed from the Public funds of Ghana if it at any time determines that the firm has engaged in corrupt or fraudulent practices in competing for, or in executing, such a contract.

### **3. Eligibility of Countries and Tenderers**

#### **Eligible Countries**

- 3.1 Except as provided in Sub-Clauses 3.2 and 3.3, this Invitation for Prequalification is open to all eligible firms from eligible source countries. The Public Procurement Board maintains a list of countries from which tenderers, goods, and services are not eligible to participate in procurement financed the public funds of the Republic of Ghana. The list is regularly updated and can be obtained from the offices of the Public Procurement Board in Accra, Ghana The list can also be obtained from the Web site of the Public Procurement Board: \_\_\_\_\_.  
Joint Ventures that include members from ineligible source countries, or otherwise ineligible firms, shall not be permitted to tender.
- 3.2 Firms of a particular country may be excluded if, (i) as a matter of law or official regulation, the Republic of Ghana prohibits commercial relations with that country, or (ii) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Republic of Ghana is obliged to prohibit any import of goods from

that country or any payments to persons or entities in that country.

- Eligible Tenderers**
- 3.3 A firm that has been engaged by the Borrower to provide consulting services for the preparation or implementation of a project, and any of its affiliates, shall be disqualified from subsequently providing goods or works (other than a continuation of the firm's earlier consulting services) for the same project.
- 3.4 Government-owned enterprises may participate only if they can establish that they (i) are legally and financially autonomous, and (ii) operate under commercial law.
- 3.5 A firm declared ineligible by the Public Procurement Board in accordance with Sub-Clause 2.1 (c) above shall be ineligible to tender for a contract financed from the public funds of the Republic of Ghana during the period of time determined by the Public Procurement Board.

#### 4. Qualification Criteria

- General**
- 4.1 Prequalification will be based on Applicants meeting **all** the following minimum pass-fail criteria regarding their general and particular construction experience, financial position, personnel and equipment capabilities, and other relevant information as demonstrated by the Applicant's responses in the Information Forms attached to the Letter of Application. Additional requirements for joint ventures are given in Section 5. The qualifications, capacity, and resources of proposed subcontractors will not be taken into account in assessing those of individual or joint venture Applicants, unless they are named specialist subcontractors pursuant to Sub-Clause 4.4.
- Nominated Subcontracting**
- 4.2 If so listed in the PITA, the Employer intends to execute certain specialized elements of the Works by **Nominated Subcontractors** in accordance with the GCOC of the tender documents, and for which **Provisional Sums** will be included in the BOQ for the subject Works.
- Subcontracting**
- 4.3 If an Applicant intends to subcontract parts of the Works such that the total of subcontracting is more than the percentage stated in the PITA of the Applicant's approximated Tender Price, that intention shall be stated in the Letter of Application, together with a tentative listing of the elements of the Works to be subcontracted.
- Specialist Subcontracting**
- 4.4 If an Applicant intends to subcontract any highly specialized elements of the Contract to specialist subcontractors, such elements and the proposed subcontractors shall be clearly identified, and the experience and capacity of the subcontractors shall be described in the relevant Information Forms.

- Acceptable Substitutes**
- 4.5 With reference to Sub-Clauses 4.3 and 4.4, the Employer may require Applicants to provide more information about their proposals. If any proposed subcontractor is found ineligible or unsuitable to carry out an assigned task, the Employer may request the Applicant to propose an acceptable substitute, and may conditionally prequalify the Applicant accordingly, before issuing an invitation to tender.
- Contractor's Responsibility**
- 4.6 After award of contract, the subcontracting of any part of the Works, other than for the provision of labor and materials, or to subcontractors named in the Contract, shall require the prior consent of the Employer. Notwithstanding such consent, the Contractor shall remain responsible for the acts, defaults, and neglects of all subcontractors during contract implementation.
- General Construction Experience**
- 4.7A The Applicant shall provide evidence that
- (i) it has been actively engaged in the civil works construction business for at least the period stated in the PITA immediately prior to the date of submission of applications, in the role of prime contractor, management contractor, partner in a joint venture, or subcontractor, and
  - (ii) that the Applicant has generated an average annual construction turnover during the above period greater than the amount stated in the PITA.
- The average annual turnover is defined as the total of certified payment certificates for works in progress or completed by the firm or firms comprising the Applicant, divided by the number of years stated in the PITA.
- General Supply, Installations, Operations and Maintenance Experience**
- 4.7B The Applicant shall provide evidence that
- (i) it has been actively engaged in the supply, installations, operations and maintenance of plant and equipment for at least the period stated in the PITA immediately prior to the date of submission of applications, in the role of prime contractor, management contractor, partner in a joint venture, or subcontractor, and
  - (ii) that the Applicant has generated an average annual business turnover during the above period greater than the amount stated in the PITA.
- The average annual turnover is defined as the total of certified payment certificates for works in progress or completed by the firm or firms comprising the Applicant, divided by the number of years

stated in the PITA.

**Particular  
Construction  
Experience**

- 4.8A (i) The Applicant shall provide evidence that it has successfully completed or substantially completed at least the number of contracts stated in the PITA, of a nature, complexity, and requiring construction technology similar to the proposed contract, within the period stated in the PITA. The works may have been executed by the Applicant as a prime contractor, management contractor, or proportionately as member of a joint venture or subcontractor, with references being submitted to confirm satisfactory performance.
- (ii) The Applicant shall also provide evidence that it has achieved the minimum monthly and/or annual production rates of the key construction activities described in the PITA under similar contract conditions.

**Particular  
Supply,  
Installations,  
Operations and  
Maintenance  
Experience**

- 4.8B (i) The Applicant shall provide evidence that it has successfully completed or substantially completed at least the number of contracts stated in the PITA, of a nature, complexity, and requiring supply, installations, operations and maintenance know-how similar to the proposed contract, within the period stated in the PITA. The contract may have been executed by the Applicant as a prime contractor, management contractor, or proportionately as member of a joint venture or subcontractor, with references being submitted to confirm satisfactory performance.
- (ii) The Applicant shall also provide evidence that it has achieved the minimum monthly and/or annual operational rates of the key activities described in the PITA under similar contract conditions.

**Financial  
Capabilities**

- 4.9 The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements for the subject contract(s) in the event of stoppage, start-up, or other delays in payment, of the minimum estimated amount stated in the PITA, net of the Applicant's commitments for other contracts.
- 4.10 In the relevant Information Form, the Applicant shall also demonstrate, to the satisfaction of the Employer, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.

4.11 The audited balance sheets or, if not required by the laws of the Applicant's country, other financial statements acceptable to the Employer, for the last five years (unless otherwise stated in the PITA) shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability. If deemed necessary, the Employer shall have the authority to make inquiries with the Applicant's bankers.

**Personnel  
Capabilities**

4.12 The Applicant shall supply general information on the management structure of the firm, and shall make provision for suitably qualified personnel to fill the key positions listed in the PITA, as required during contract implementation. The Applicant shall supply information on a prime candidate and on an alternate for each key position, both of whom shall meet the experience requirements specified.

**Equipment  
Capabilities**

4.13A The Applicant shall own, or have assured access (through hire, lease, purchase agreement, other commercial means, or approved subcontracting) to key items of equipment, in full working order, as listed in the PITA, and must demonstrate that, based on known commitments, they will be available for timely use in the proposed contract. The Applicant may also list alternative types of equipment that it would propose for use on the contract, together with an explanation of the proposal.

**Workshop  
Facilities**

4.13B The Applicant shall own, or have assured access (through hire, lease, purchase agreement, other commercial means, or approved subcontracting) to workshop facilities including tools, jigs, plants etc and to show capabilities in operation, monitoring, maintenance of installations, as specified in the PITA, and must demonstrate that, based on known commitments, they will be available for timely use in the proposed contract. The Applicant may also list alternative facilities and equipment that it would propose for use on the contract, together with an explanation of the proposal.

**Litigation  
History**

4.14 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 years. A consistent history of awards against the Applicant or any partner of a joint venture may result in failure of the application.

**Slice and  
Package**

4.15 When applying for prequalification on more than one contract under the slice and package arrangements, the Applicant must provide evidence that it meets or exceeds the sum of all the individual

requirements for the slices or lots being applied for in regard to:

- (a) average annual turnover (Sub-Clause 4.7 [b]);
- (b) particular experience including key production rates (Sub-Clause 4.8);
- (c) financial means, etc. (Sub-Clauses 4.9, 4.10, and 4.11);
- (d) personnel capabilities (Sub-Clause 4.12); and
- (e) equipment capabilities (Sub-Clause 4.13)

In case the Applicant fails to fully meet any of these criteria, it may be qualified only for those slices for which the Applicant meets the above requirement.

- Right to Waive** 4.16 The Employer reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of an Applicant to perform the contract.

## 5. Joint Ventures

- Eligibility** 5.1 If the Applicant comprises a number of firms combining their resources in a joint venture, the legal entity constituting the joint venture and the individual partners in the joint venture shall be registered in eligible source countries and shall otherwise meet the requirements of Clause 3 above.

- Qualification Criteria** 5.2 The joint venture must satisfy collectively the criteria of Clause 4. For this purpose the following data of each member of the joint venture may be added together to meet the collective qualifying criteria:

- (a) average annual turnover (Sub-Clause 4.7 [b]);
- (b) particular experience (Sub-Clause 4.8 [a]) and key production rates (Sub-Clause 4.8 [b]);
- (c) construction cash flow (Sub-Clause 4.9);
- (d) personnel capabilities (Sub-Clause 4.12); and
- (e) equipment capabilities (Sub-Clause 4.13).

Each partner must satisfy the following criteria individually:

- (a) general construction experience for the period of years stated in Sub-Clause 4.7 (a),
- (b) adequate sources to meet financial commitments on other contracts (Sub-Clause 4.10),
- (c) financial soundness (Sub-Clause 4.11), and
- (d) litigation history (Sub-Clause 4.14).

In accordance with the above, the Application shall include all related information required under Clause 4 for individual partners in the joint venture.

- Partner in Charge** 5.3 One of the partners, who is responsible for performing a key function in contract management or is executing a major component of the proposed contract, shall be nominated as being in charge during the prequalification and tender periods and, in the event of a successful tender, during contract execution. The partner in charge shall be authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture; this authorization shall be evidenced by submitting a power of attorney signed by legally authorized signatories of all the partners.
- Partner Limitation** 5.4 Unless otherwise stated in the PITA, there shall be no limit on the number of partners in a JV; however, the attention of Applicants is drawn to the provisions of Sub-Clause 5.5.
- Joint and Several Liability** 5.5 All partners of the joint venture shall be legally liable, jointly and severally, during the tender process and for the execution of the contract in accordance with the contract terms, and a statement to this effect shall be included in the authorization mentioned under Sub-Clause 5.3 above.
- Joint Venture Agreement** 5.6 A copy of the Joint Venture Agreement (JVA) entered into by the partners shall be submitted with the Application. Alternatively, a Letter of Intent to execute a JVA in the event of a successful tender shall be signed by all partners and submitted with the Application together with a copy of the proposed Agreement. Pursuant to Sub-Clauses 5.3 to 5.5 above, the JVA shall include among other things: the JV's objectives; the proposed management structure; the contribution of each partner to the joint venture operations; the commitment of the partners to joint and several liability for due performance; recourse/sanctions within the JV in the event of default or withdrawal of any partner; and arrangements for providing the required indemnities.
- Dissolution of Joint Venture** 5.7 The prequalification of a joint venture does not necessarily prequalify any of its partners to tender individually or as a partner in any other joint venture or association. In case of dissolution of a joint venture prior to the submission of tenders, any of the constituent firms may prequalify if they meet all of the prequalification requirements, subject to the written approval of the Employer. Individual members of a dissolved joint venture may participate as subcontractor to qualified Applicants, subject to the provisions of Sub-Clause 9.3.

## 6. Domestic Tenderer Price Preference

- Eligibility**
- 6.1 If so indicated in the PITA, a 10 percent margin of price preference for qualifying domestic tenderers shall apply in tender evaluation. On the basis of information submitted by Applicants and available at the time of notification, the Employer will inform prequalified Applicants of their apparent eligibility to qualify for the domestic tenderer price preference (subject to subsequent confirmation at tender evaluation), in accordance with Sub-Clause 6.2.
- Domestic Tenderers**
- 6.2 A domestic tenderer is one that meets the following criteria:
- (a) for an individual firm:
    - (i) is registered in the Ghana;
    - (ii) has more than 50 percent ownership by Ghanaians;
    - (iii) does not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign contractors.
  - (b) for a joint venture (JV) of domestic firms:
    - (i) individual member firms shall satisfy (a)(i) and (a)(ii) above;
    - (ii) the JV shall be registered in the Ghana;
    - (iii) the JV shall not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign firms.

## 7. Requests for Clarification

- Notification and Response** 7.1 Applicants are responsible for requesting any clarification of the prequalification documents. A request for clarification shall be made in writing to the Employer's address indicated in the PITA. The Employer will respond to any request for clarification that it receives earlier than 14 days prior to the deadline for submission of applications. Copies of the Employer's response, including a description of the inquiry but without identifying its source, will be forwarded to all purchasers of the prequalification documents,.

## 8. Submission of Applications

- Delivery** 8.1 Submission of applications for prequalification must be received in sealed envelopes either delivered by hand or by registered mail to the address, and not later than the date stated in the PITA. The name and mailing address of the Applicant shall be indicated on the envelope, which shall be clearly marked as indicated in the PITA. A receipt will be given for all applications submitted.
- Late Applications** 8.2 The Employer reserves the right to accept or reject late applications.
- Language** 8.3 All information requested for prequalification shall be provided by Applicants in the language indicated in the PITA. Information may be provided in another language, but it shall be accompanied by an accurate translation of its relevant passages into the language indicated in the PITA. This translation will govern and will be used for interpreting the information.
- Lack of Information** 8.4 Failure of an Applicant to provide comprehensive and accurate information that is essential for the Employer's evaluation of the Applicant's qualifications, or to provide timely clarification or substantiation of the information supplied, may result in disqualification of the Applicant.
- Material Changes** 8.5 Applicants, and those subsequently prequalified or conditionally prequalified, shall inform the Employer of any material change in information that might affect their qualification status. Tenderers shall be required to update key prequalification information at the time of tender. Prior to award of contract, the lowest evaluated tenderer will be required to confirm its continued qualified status in a postqualification review process.

## 9. Employer's Notification and Tender Process

- Invitation for Tender** 9.1 Within the period stated in the PITA from the date for submission of applications, the Employer will notify all Applicants in writing of the results of their application, including eligibility for domestic tenderer price preference, in accordance with Clause 6, and of the names of all prequalified and conditionally prequalified applicants (see Sub-Clause 9.2 below). At the same time, successful applicants will be invited to submit a tender, in the format of the Invitation for Tenders annexed to the PITA.
- Conditional Prequalification** 9.2 An Applicant may be “conditionally prequalified,” that is, qualified subject to certain specified nonmaterial deficiencies in the prequalification requirements being met by the Applicant to the satisfaction of the Employer, before submitting a tender. Upon full compliance with the prequalification requirements, other prequalified applicants will be notified accordingly.
- One Tender per Tenderer** 9.3 Only firms and joint ventures that have been prequalified under this procedure may submit a tender. A firm shall submit only one tender in the same tender process, either individually as a Tenderer or as a partner of a **joint venture**. No firm can be a subcontractor while submitting a tender individually or as a partner of a joint venture in the same tender process. A firm, if acting in the capacity of **Subcontractor** in any tender, may participate in more than one tender, but only in that capacity. A Tenderer who submits, or participates in, more than one tender will cause all the proposals in which the Tenderer has participated to be disqualified.
- Tender Security** 9.4 Tenderers will be required to provide tender security in the form and amount indicated in the tender documents. The successful tenderer will be required to provide performance security in the form and amount indicated in the tender documents.
- Changes after Prequalification** 9.5 Any change in the structure or formation of an Applicant after being prequalified and invited shall be subject to written approval of the Employer prior to the deadline for submission of tenders. Such approval will be denied if as a consequence of any change:
- (a) an individual firm, or a joint venture as a whole, or any individual member of the JV fails to meet any of the collective or individual qualifying requirements;
  - (b) the new partners to a joint venture were not prequalified in the first instance, either as individual firms or as another joint venture; or
  - (c) in the opinion of the Employer, a substantial reduction in competition may result.

**Employer's  
Rights**

- 9.6 The Employer reserves the right to take the following actions, and shall not be liable for any such actions:
- (a) amend the scope and cost of any contract to be tender under this project, in which event tenders will be invited only from those applicants who meet the resulting amended prequalification requirements;
  - (b) reject or accept any prequalification application, and/or any late application; and
  - (c) cancel the prequalification process and reject all applications.

## PARTICULAR INSTRUCTIONS TO APPLICANTS (PITA)

### Part A: General

The PITA below is formatted for prequalification related to either a single (individual) contract or multiple contracts (“slice and package”). Part A relates to general matters that are common to both processes. Part B relates to specific requirements for an individual contract or to each contract (slice) within a package.

GITA Sub-Clause Reference	These particular instructions and related Information Forms (IF) are intended to complement, amend, or supplement the provisions in the GITA. In the event of conflict or ambiguity, the provisions in the PITA shall prevail over those in the GITA.
1.1	<p><b><u>Source of Funds:</u></b></p> <p><b><u>Name of Project:</u></b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p><i>[Give the name and describe briefly the principal components of the overall project of which the subject contract or contracts form(s) part.]</i></p>
1.2	<p><b>Employer:</b> _____</p> <p>Mailing Address: _____</p> <p>Street Address: _____</p> <p>_____</p> <p>Floor/Room Number: _____</p> <p>City/Town: _____ Region: _____, Ghana.</p> <p>Telephone: (233- -) _____</p> <p>Facsimile Number: (233 - -) _____</p> <p>Electronic Mail Address: _____</p> <p>Contact Person: _____</p>

1.3	<p><b><u>Slice and Package</u></b>  <b><u>Concurrent tender on more than one contract:</u></b>  _____ [Enter “yes” or “no.”]</p> <p><i>If yes, list all contracts by reference number and title. Each contract should then be detailed in Part B of the PITA.*]:</i></p> _____ _____
1.4	<p><b><u>Tender Invitation</u></b>  <b><u>Expected date of Invitation for Tenders:</u></b>  _____ [Insert the date; or alternatively, just the month and year if a precise date has not yet been decided.]</p>
4.11	<p><b><u>Audited Balance Sheets</u></b>  <b><u>Time period if less than five years:</u></b> _____  <i>[The time period may be reduced to three years minimum under special circumstances, such as to provide opportunities for a newly privatized construction industry with a limited period of existence, but with suitable experience, etc. Firms owned by individuals and partnerships may not be required to maintain audited balance sheets by the laws of their countries of origin; in such cases, the Employer may relax the audit requirement, but should request other acceptable financial statements.*]</i></p>
5.4	<p><b><u>Joint Ventures</u></b>  <b><u>Partner Limitation:</u></b>  <i>[Insert "None" if there is to be no limit in the number of partners or, alternatively, a number that the Employer considers appropriate according to the varied nature and size of the contract. Normally, the Applicant, if a JV, should not be limited in the composition and number of partners. However, the risk to an Employer of possible default is greater if a JV were to comprise a large number of firms, jointly and severally bound to complete the contract, and a key firm or firms were to defect. Experience shows that the number of partners in JVs for civil works usually ranges from two to five in contracts with a value up to about US\$ 100 million.]</i></p>
6.1	<p><b><u>Domestic Tenderer Price Preference</u></b>  <b><u>Preference shall apply for Eligible Domestic Tenderers:</u></b> _____  [Answer “Yes” or “No.”]</p> <p>Applicants considering themselves eligible for the Works preference in tender evaluation shall provide information and statements in accordance with GITA Sub-Clauses 6.1 and 6.2 for review by the Employer.</p>

7.1	<p><b><u>Requests for Clarification:</u></b></p> <p>Mailing Address: _____</p> <p>Street Address: _____ _____</p> <p>Floor/Room Number: _____</p> <p>City/Town: _____ Region: _____, Ghana.</p> <p>Telephone: (233- -) _____</p> <p>Facsimile Number: (233 - -) _____</p> <p>Electronic Mail Address: _____</p> <p>Contact Person: _____</p>
8.1	<p><b><u>Submission of Applications</u></b></p> <p>Mailing Address: _____</p> <p>Street Address: _____ _____</p> <p>Floor/Room Number: _____</p> <p>City/Town: _____ Region: _____, Ghana.</p> <p>Telephone: (233- -) _____</p> <p>Facsimile Number: (233 - -) _____</p> <p>Electronic Mail Address: _____</p> <p>Contact Person: _____</p> <p>Date for Submission: _____</p> <p><i>[The time allowed for preparation and submission of the prequalification document should be sufficient for applicants to gather all the information required—preferably eight weeks, but in any case not less than six weeks after the dates when the documents are available for distribution or the date of the advertisement. This period may be longer for very large projects, where time should be allowed for the formation of joint ventures and assembly of the necessary resources.]</i></p> <p>Envelope Marking: “Prequalification Application for: _____/_____”</p>

	<i>[Give name of project and contract reference numbers as stated in the Invitation for Prequalification.]</i>
8.3	<b><u>Language:</u></b> English
9.1	<b><u>Employer’s Notification</u></b> Time period from submission of applications: _____ days <i>[Depending on the complexity of the contract, and of the evaluation criteria (e.g. slice and package), etc., a period between fifty-six to eighty-four (56 to 84) days is considered appropriate]</i>

## Part B: Specific Contract Requirements

*A separate Part B should be completed by the Employer for each contract in a multiple contract (“slice and package”) prequalification.*

GITA Sub-Clause Reference	These particular instructions and related Information Forms (IF) are intended to complement, amend, or supplement the provisions in the GITA. In the event of conflict or ambiguity, the provisions herein shall prevail over those in the GITA.
1.2	<p><b><u>Scope of Work</u></b>  <u>Contract Reference:</u> _____ <u>Title:</u> _____</p> <p><u>The Works:</u>          _____          _____          _____</p> <p><i>[Give a contract reference number and title, and describe the Works in sufficient detail to identify location, nature, and complexity. Approximate quantities of major items of work should be indicated, but the estimated cost should not be disclosed in these Instructions or in the Invitation for Prequalification.]</i></p>
1.5	<p><b><u>Type of Contract</u></b>  <u>Tender Documents:</u>  <i>[State whether: the Public Procurement Board’s STD for Works, Smaller Contracts, or other.]</i></p> <p><u>Method of payment:</u> _____ <u>Prices:</u> _____  <i>[State whether: unit rate with BOQ, lump sum against completed activities, or other, and whether prices are fixed or adjustable.]</i></p> <p><u>Time for completion:</u>  <i>[State time in weeks; if variable times are to be invited, give the range of acceptable times. With multiple slice and package contracting, additional time may be permitted for combinations of slices, and evaluated accordingly on the basis of benefits foregone for the longer times of completion.]</i></p>
1.6	<p><b><u>Site Information:</u></b>          See Annex to the PITA Part B for the referenced contract  <i>[Provide details as described in GITA Sub-Clause 1.6; additional Annexes should be provided for each contract in “slice and package” tender (ref. 1.3 above).]</i></p>

4.2	<p><b><u>Nominated Subcontracting</u></b>  The Employer intends to execute the following specialized elements of the Works by Nominated Subcontractors:  1)  2)  etc.</p> <p><i>[Describe briefly the specialized items to be subcontracted; if none, enter “Not Applicable.”]</i></p>
4.3, 4.4	<p><b><u>Subcontracting by Applicant:</u></b>  Provide information if more than about ____ percent of the Applicant’s approximated Tender Price.  <i>[Insert a figure when the Employer wishes to have advance information about all subcontracting by the Applicant. Noting that all specialist subcontracting has to be fully detailed, a figure of up to, say, 20 percent may be appropriate.*]</i></p>
4.7A	<p><b><u>General Construction Experience</u></b></p> <p>(i) <u>Time period in the Construction Business:</u>  <i>[The time period is normally five years or more, but may be reduced to not less than three years under special circumstances]</i></p> <p>(ii) <u>Required Average annual turnover:</u> US\$ ____ equivalent  <i>[The amount stated should normally not be less than twice the estimated annual turnover or cash flow in the proposed Works contract (based on a straight-line projection of the Employer's estimated cost, including contingencies, over the contract duration). The multiplier of two may be reduced for very large contracts (say, greater than US\$200 million equivalent) but should not be less than 1.5]</i></p>
4.7B	<p><b><u>General Supply, Installation, Operation and Maintenance Experience</u></b></p> <p>(i) <u>Time period in the Supply, Installation, Operation and Maintenance Business:</u>  <i>[The time period is normally five years or more, but may be reduced to not less than three years under special circumstances]</i></p> <p>(ii) <u>Required Average annual turnover:</u> US\$ ____ equivalent  <i>[The amount stated should normally not be less than twice the estimated annual turnover or cash flow in the proposed contract (based on a straight-line projection of the Employer's estimated cost, including contingencies, over the contract duration). The multiplier of two may be reduced for very large contracts (say, greater than US\$200 million equivalent) but should not be less</i></p>

	<i>than 1.5]</i>
4.8A	<p><b><u>Particular Construction Experience</u></b></p> <p>(i) <u>Required number of similar contracts completed:</u>  <i>[The range should be one to three (and is normally two), depending on the size and complexity of the subject contract, the exposure of the Employer to risk of contractor default, etc.]</i></p> <p><u>Within time period of:</u>  <i>[The range is normally five to ten years, and should be related to the number of similar contracts stated above and to the duration of the subject contract, e.g., ten years for two contracts of about five years' duration, or six years for two contracts of about three years' duration.]</i></p> <p>(ii) <u>Minimum key production rates:</u>  1) _____  2) _____  etc.</p> <p><i>[List the monthly or annual production rate for the key construction activity (or activities) in the proposed contract or works, e.g., "one million m<sup>3</sup> of rock placed in rockfill dams in one year; X tonnes of asphaltic concrete per month placed in road paving; Ym<sup>3</sup> of concrete placed in . . . etc." The rates should be a percentage (say about 80 percent) of the estimated production rate of the key activity (or activities) in the contract or Works as needed to meet the expected construction schedule with due allowance for adverse climatic conditions.]</i></p>
4.8B	<p><b><u>Particular Supply, Installation, Operation and Maintenance Experience</u></b></p> <p>(i) <u>Required number of similar contracts completed:</u>  <i>[The range should be one to three (and is normally two), depending on the size and complexity of the subject contract, the exposure of the Employer to risk of contractor default, etc.]</i></p> <p><u>Within time period of:</u>  <i>[The range is normally five to ten years, and should be related to the number of similar contracts stated above and to the duration of the subject contract, e.g., ten years for two contracts of about five years' duration, or six years for two contracts of about three years' duration.]</i></p> <p>(ii) <u>Minimum key operational rates:</u>  1) _____  2) _____  etc.</p>

4.9	<p><b><u>Financial Capabilities</u></b>  <u>Minimum Required Cash Flow amount:</u> US\$ _____ equivalent  <i>[Calculate the construction cash flow requirement for a number of months (to the nearest half-month), determined as the total time needed by the Employer to pay a contractor's invoice, allowing for (a) the time of construction, from the beginning of the month invoiced, (b) the time needed by the Engineer to issue the monthly payment certificate, (c) the time needed by the Employer to pay the amount certified, and (d) a contingency period of one month to allow for unforeseen delays. The total period should not exceed six months. The assessment of the monthly amount should be based on a straight-line projection of the estimated cash flow requirement over the particular contract period, neglecting the effect of any advance payment and retention monies, but including contingency allowances in the estimated contract cost.]</i></p>																		
4.12	<p><b><u>Personnel Capabilities</u></b></p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;"><u>Position</u></th> <th style="text-align: center; width: 35%;"><u>Total Work/Business Experience (years)</u></th> <th style="text-align: center; width: 35%;"><u>In Similar Work (years)</u></th> </tr> </thead> <tbody> <tr> <td>1) _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>2) _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>3) _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>4) _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>etc.</td> <td></td> <td></td> </tr> </tbody> </table> <p><i>[List only key site management and specialist positions required for the subject contract(s) (e.g., contract manager and deputy manager, equipment manager, tunnelling specialist, dredging expert, etc.)]</i></p> <p>The Applicant shall provide further details of the proposed personnel and their experience records in the relevant Information Forms 6 and 6A.</p>	<u>Position</u>	<u>Total Work/Business Experience (years)</u>	<u>In Similar Work (years)</u>	1) _____	_____	_____	2) _____	_____	_____	3) _____	_____	_____	4) _____	_____	_____	etc.		
<u>Position</u>	<u>Total Work/Business Experience (years)</u>	<u>In Similar Work (years)</u>																	
1) _____	_____	_____																	
2) _____	_____	_____																	
3) _____	_____	_____																	
4) _____	_____	_____																	
etc.																			
4.13A	<p><b><u>Equipment Capabilities</u></b></p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 60%;"><u>Equipment Type and Characteristics</u></th> <th style="text-align: center; width: 40%;"><u>Minimum Number Required</u></th> </tr> </thead> <tbody> <tr> <td>1) _____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>2) _____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>3) _____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>etc.</td> <td></td> </tr> </tbody> </table> <p><i>[Insert a list of anticipated key equipment needs only, described as specific items or by performance criteria, as appropriate. The items listed should be limited to major items of equipment that are crucial to the proper and timely execution of the contract, and items that Applicants may not readily be able to purchase, hire, or lease in the required time frame. E.g., bucket or suction dredgers of a certain capacity, tunneling equipment, heavy lift floating cranes, asphalt or concrete batching plants, heavy rock-ripping bulldozers, etc.]</i></p>	<u>Equipment Type and Characteristics</u>	<u>Minimum Number Required</u>	1) _____	_____	2) _____	_____	3) _____	_____	etc.									
<u>Equipment Type and Characteristics</u>	<u>Minimum Number Required</u>																		
1) _____	_____																		
2) _____	_____																		
3) _____	_____																		
etc.																			



**Site Information Annex**

Pursuant to GITA 1.6, attached hereto is general information and site data relating to the subject contract.

*[The Employer should prepare and attach a report providing information (as available at the time) on the topics listed in GITA 1.6.]*

## INVITATION FOR TENDERS

*[letterhead paper of the Employer]*

To: *[name of Contractor]* \_\_\_\_\_ *[date]*  
*[address]*

Reference: *[Insert IBRD Loan No. or IDA Credit No.]*

Contract Name, and Identification No. \_\_\_\_\_ / \_\_\_\_\_

Dear Sirs:

We hereby inform you that you are prequalified to tender for the above cited contract. A list of prequalified and conditionally prequalified Applicants is attached to this invitation.

On the basis of information submitted in your application, you would *[not]* (*insert if appropriate*) appear eligible for application of the domestic tenderer price preference in tender evaluation. Eligibility is subject to confirmation at tender evaluation.

We now invite you and other prequalified Applicants to submit sealed tenders for the execution and completion of the cited contract.

You may obtain further information from, and inspect and acquire the tender documents at, our offices at:

Mailing Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

\_\_\_\_\_

Floor/Room Number: \_\_\_\_\_

City/Town: \_\_\_\_\_ Region: \_\_\_\_\_, Ghana.

Telephone: (233- -) \_\_\_\_\_

Facsimile Number: (233 - -) \_\_\_\_\_

Electronic Mail Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ .

A complete set of tender documents may be purchased by you at the above office, on or after \_\_\_\_ \_\_\_\_ *[time and date]* and upon payment of a nonrefundable fee of GHC \_\_\_\_\_ or its equivalent in a freely convertible currency.

All tenders must be accompanied by a security in the form and amount specified in the tender documents, and must be received at or before \_\_\_\_ *[insert time]* on \_\_\_\_ *[insert date]*. Tenders will be opened immediately thereafter in the presence of tenderers' representatives who choose to attend.

Please confirm receipt of this letter immediately in writing by cable, fax, or email. If you do not intend to tender, we would appreciate being so notified also in writing at your earliest opportunity.

Yours truly,

Authorized signature \_\_\_\_\_  
Name and title \_\_\_\_\_  
Employer \_\_\_\_\_

## LETTER OF APPLICATION

*Note: Spaces marked \* on this and on subsequent forms are to be completed by the Employer.*

*[letterhead paper of the Applicant or partner responsible for a joint venture, including full postal address, and telephone, facsimile and telex numbers, and cable address]*

Date: \_\_\_\_\_

To: \_\_\_\_\_  
*[name and address of the Employer]\**

Name of Project: \* \_\_\_\_\_

1. Being duly authorized to represent and act on behalf of \_\_\_\_\_ (hereinafter referred to as “the Applicant”), and having reviewed and fully understood all of the prequalification requirements and information provided, the undersigned hereby applies for prequalification to tender on the contract or contracts indicated below:

*\*\*Note: If prequalification refers to only one contract, delete the following paragraph and table, and insert the single contract reference and title.*

\*\* We have indicated (by signature) in column (3) below our preference for individual contract consideration, or for any combination thereof within our prequalified capacity as assessed by you.

Contract reference* (1)	Contract title* (2)	Preferred individual contract (3)
1.		
2.		
3.		
4. etc.		

2. Attached to this letter are copies of original documents defining<sup>1</sup>:
- (a) the Applicant's legal status;
  - (b) the principal place of business; and
  - (c) the place of incorporation (for Applicants that are corporations), or the place of registration and the nationality of the owners (for Applicants that are partnerships or individually owned firms).
3. With reference to GITA Sub-Clause 4.3, it is our intention to subcontract approximately \_\_\_\_\_ percentage of the Tender/Contract Price, details of which are provided herein.
4. Your Agency and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information to provide such information deemed necessary and as requested by yourselves to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.
5. Your Agency and its authorized representatives may contact the following persons for further information<sup>2</sup>:

General and managerial inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

<sup>1</sup> For applications by joint ventures, all the information requested in the prequalification documents is to be provided for the joint venture, if it already exists, and for each party to the joint venture separately. The lead partner should be clearly identified. Each partner in the joint venture shall sign the letter.

<sup>2</sup> Applications by joint ventures should provide on a separate sheet equivalent information for each party to the application.

Personnel inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Technical inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Financial inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

6. This application is made with the full understanding that:
- (a) tenders by prequalified Applicants will be subject to verification of all information submitted for prequalification at the time of tender;
  - (b) your Agency reserves the right to:
    - amend the scope and value of any contracts to be tendered under this project; in which event, tenders will be invited only from those Applicants who meet the resulting amended prequalification requirements; and
    - reject or accept any application, cancel the prequalification process, and reject all applications.
  - (c) your Agency shall not be liable for any such actions under 6 (b) above.

Applicants who are not joint ventures should delete paras. 7 and 8 and initial the deletions. The attention of Applicants who are JVs is drawn to GITA Sub-Clause 5.6 regarding Letters of Intent.

7. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture or association. We also specify the financial commitment in terms of the percentage of the value of the <each> contract, and the responsibilities for execution of the <each> contract.

8. We confirm that if we tender, that tender, as well as any resulting contract, will be:

- (a) signed so as to legally bind all partners, jointly and severally; and
- (b) submitted with a joint venture agreement providing the joint and several liability of all partners in the event the contract is awarded to us.

9. The undersigned declare that the statements made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead partner of a joint venture)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf of (name of partner)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf of (name of partner)	For and on behalf of (name of partner)

## INFORMATION FORMS

**Supplementary information may be provided by Applicants as deemed necessary.**

*These basic Information Forms should be finalized by the Employer with appropriate minor changes to suit the particular prequalification requirements of the specific contract or contracts.*

INFORMATION FORM (1)

PAGE \_\_ OF \_\_ PAGES

## General Information

All individual firms and each partner of a joint venture applying for prequalification are requested to complete the information in this form. Nationality information should be provided for all owners or Applicants that are partnerships or individually owned firms.

Where the Applicant proposes to use named subcontractors for highly specialized components of the Works (reference Sub-Clause 4.4 of the GITA), the following information should also be supplied for the subcontractor(s), together with the information in Forms 2, 3, 3A, 4, and 5.

1.	Name of firm	
2.	Head office address	
3.	Telephone	Contact
4.	Fax	Telex
5.	Place of incorporation / registration	Year of incorporation / registration

Nationality of owners <sup>1</sup>		
	Name	Nationality
1.		
2.		
3.		
4.		
5.		

1. To be completed by all owners of partnerships or individually owned firms.

INFORMATION FORM (2A) PAGE \_\_ OF \_\_ PAGES

**General Construction Experience Record**

(ref. GITA Sub-Clause 4.7A)

Name of Applicant or partner of a joint venture
---

All individual firms and all partners of a joint venture are requested to complete the information in this form with regard to the management of Works contracts generally. The information supplied should be the annual turnover of the Applicant (or each member of a joint venture), in terms of the amounts billed to clients for each year for work in progress or completed, converted to U.S. dollars at the rate of exchange at the end of the period reported. The annual periods should be calendar years, with partial accounting for the year up to the date of submission of applications.

A brief note on each contract should be appended, describing the nature of the work, duration and amount of contract, managerial arrangements, Employer, and other relevant details.

Use a separate sheet for each partner of a joint venture.

Applicants should not enclose testimonials, certificates, and publicity material with their applications; they will not be taken into account in the evaluation of qualifications.

Annual turnover data (construction only)		
Year*	Turnover	US\$ equivalent
1.		
2.		
3.		
4.		
5.		

\* *The same period as in 4.7A of the PITA, commencing with the partial year up to the date of submission of applications*

INFORMATION FORM (2B) PAGE \_\_ OF \_\_ PAGES

## General Supply, Installations, Operations and Maintenance Experience Record

(ref. GITA Sub-Clause 4.7B)

Name of Applicant or partner of a joint venture
---

All individual firms and all partners of a joint venture are requested to complete the information in this form with regard to the management of contracts generally. The information supplied should be the annual turnover of the Applicant (or each member of a joint venture), in terms of the amounts billed to clients for each year for work in progress or completed, converted to U.S. dollars at the rate of exchange at the end of the period reported. The annual periods should be calendar years, with partial accounting for the year up to the date of submission of applications.

A brief note on each contract should be appended, describing the nature of the work, duration and amount of contract, managerial arrangements, Employer, and other relevant details.

Use a separate sheet for each partner of a joint venture.

Applicants should not enclose testimonials, certificates, and publicity material with their applications; they will not be taken into account in the evaluation of qualifications.

Annual turnover data (construction only)		
Year*	Turnover	US\$ equivalent
1.		
2.		
3.		
4.		
5.		

* <i>The same period as in 4.7B of the PITA, commencing with the partial year up to the date of submission of applications</i>
--

## Joint Venture Summary

Names of all partners of a joint venture
1. Partner in charge
2. Partner
3. Partner
4. Partner
5. Partner
6. etc.

Total value of annual turnover, in terms of work billed to clients, in US\$ equivalent, converted at the rate of exchange at the end of the period reported:

Annual turnover data (construction only; US\$ equivalent)						
Partner	Form 2 page no.	Year 1	Year 2	Year 3	Year 4	Year 5
1. Partner in charge						
2. Partner						
3. Partner						
4. Partner						
5. Partner						
6. Etc.						
Totals						

INFORMATION FORM (3A)

PAGE \_\_ OF \_\_ PAGES

**Particular Construction Experience Record**

(ref. GITA Sub-Clauses 4.4 and 4.8A)

Name of Applicant or partner of a joint venture or named Subcontractor
--

To prequalify, the Applicant shall be required to pass the specified requirements applicable to this form, as set out in the PITA.

On separate pages, using the format of Form (3C), the Applicant is requested to list contracts of a similar nature, complexity, and requiring similar construction technology to the contract or contracts for which the Applicant wishes to qualify, and which the Applicant has undertaken during the period, and of the number, stated in 4.8 of the PITA. Each partner of a joint venture should provide details of similar contracts on which they have had proportionate experience. The contract value should be based on the payment currencies of the contracts converted into U.S. dollars, at the date of substantial completion, or for ongoing contracts at the time of award. The information is to be summarized, using Form (3AC), for each contract completed or under execution, by the Applicant or by each partner of a joint venture.

Where the Applicant proposes to use named subcontractors for highly specialized elements of the Contract (reference Sub-Clause 4.4 of the GITA), the information in the following forms should also be supplied for each subcontractor (or alternate, if any).

INFORMATION FORM (3B)

PAGE \_\_ OF \_\_ PAGES

## **Particular Supply, Installations, Operations and Maintenance Experience Record**

(ref. GITA Sub-Clauses 4.4 and 4.8B)

Name of Applicant or partner of a joint venture or named Subcontractor
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To prequalify, the Applicant shall be required to pass the specified requirements applicable to this form, as set out in the PITA.

On separate pages, using the format of Form (3C), the Applicant is requested to list contracts of a similar nature, complexity, and requiring similar operational methodologies and technologies to the contract or contracts for which the Applicant wishes to qualify, and which the Applicant has undertaken during the period, and of the number, stated in 4.8B of the PITA. Each partner of a joint venture should provide details of similar contracts on which they have had proportionate experience. The contract value should be based on the payment currencies of the contracts converted into U.S. dollars, at the date of substantial completion, or for ongoing contracts at the time of award. The information is to be summarized, using Form (3C), for each contract completed or under execution, by the Applicant or by each partner of a joint venture.

Where the Applicant proposes to use named subcontractors for highly specialized elements of the Contract (reference Sub-Clause 4.4 of the GITA), the information in the following forms should also be supplied for each subcontractor (or alternate, if any).



INFORMATION FORM (4)

PAGE \_\_ OF \_\_ PAGES

## Summary Sheet: Current Contract Commitments / Works in Progress

Name of Applicant or partner of a joint venture
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Applicants and each partner to an application 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 completion certificate has yet to be issued.

Name of contract	Employer, contact address/tel/fax	Value of outstanding work (current US\$ equivalent)	Estimated completion date	Average monthly invoicing over last six months (US\$/mon)
1.				
2.				
3.				
4.				
5.				
etc.				

In accordance with GITA Sub-Clause 4.10, the Applicant shall provide evidence (in a similar manner to the requirements of Sub-Clause 4.9) to substantiate the adequacy of the sources of finance to meet the Applicant's cash flow requirements on the above contracts.

## Financial Capabilities

Name of Applicant or partner of a joint venture
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Applicants, including each partner of a joint venture, shall provide financial information to demonstrate that they meet the requirements stated in the GITA. Each applicant or partner of a joint venture shall complete this form. If necessary, separate sheets shall be used to provide complete banker information. A copy of the audited balance sheets shall be attached.

Autonomous subdivisions of parent conglomerate businesses shall submit financial information related only to the particular activities of the subdivision.

Banker	Name of banker		
	Address of banker		
	Telephone	Contact name and title	
	Fax	Telex	

Summarize actual assets and liabilities in U.S. dollar equivalent (at the rates of exchange current at the end of each year) for the previous five calendar years, or such period as stated in PITA 4.11. Based upon known commitments, summarize projected assets and liabilities in U.S. dollar equivalent for the next two calendar years, unless the withholding of such information by stock market listed public companies can be substantiated by the Applicant.

Financial information in US\$ equivalent	Actual: Previous five years					Projected: Next two years		
	5.	4.	3.	2.	1.	0	1	2
1. Total assets								
2. Current assets								
3. Total liabilities								
4. Current liabilities								
5. Profits before taxes								
6. Profits after taxes								

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 project cash flow demands of the subject contract or contracts as indicated in PITA 4.9.

Source of financing	Amount (US\$ equivalent)
1.	
2.	
3.	
4.	

Attach audited financial statements—including, as a minimum, profit and loss account, balance sheet, and explanatory notes—for the period stated in PITA 4.11 (for the individual Applicant or each partner of a joint venture).

If audits are not required by the laws of Applicants' countries of origin, partnerships and firms owned by individuals may submit their balance sheets certified by a registered accountant, and supported by copies of tax returns,

## Personnel Capabilities

Name of Applicant
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For specific positions **essential** to contract management and implementation, Applicants should provide the names of at least two candidates qualified to meet the specified requirements stated for each position. The data on their experience should be supplied on separate sheets using one Form (6A) for each candidate.

Applicants may propose alternative management and implementation arrangements requiring different key personnel, whose experience records should be provided.

1.	Title of position*
	Name of prime candidate
	Name of alternate candidate
2.	Title of position*
	Name of prime candidate
	Name of alternate candidate
3.	Title of position*
	Name of prime candidate
	Name of alternate candidate
4.	Title of position*
	Name of prime candidate
	Name of alternate candidate

\*As listed in PITA 4.12.



## Equipment Capabilities

(ref. GITA Sub-Clause 4.13)

Name of Applicant
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The Applicant shall provide adequate information to demonstrate clearly that it has the capability to meet the requirements for each and all items of equipment/workshop facilities listed in the PITA 4.13. A separate Form (7) shall be prepared for each item of equipment listed in the PITA, or for alternative equipment proposed by the Applicant.

Item of equipment		
Equipment information	Name of manufacturer	Model and power rating
	Capacity	Year of manufacture
Current status	Current location	
	Details of current commitments	
Source	Indicate source of the equipment <input type="checkbox"/> Owned <input type="checkbox"/> Rented <input type="checkbox"/> Leased <input type="checkbox"/> Specially manufactured	

Omit the following information for equipment owned by the Applicant or partner.

Owner	Name of owner	
	Address of owner	
	Telephone	Contact name and title
	Fax	Telex
Agreements	Details of rental / lease / manufacture agreements specific to the project	



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## **Annex A. Prequalification Evaluation Summary**

### **Introduction**

1. This Annex is intended specifically to assist in reporting the results of the evaluation of the applications for prequalification. The Procurement Entity should evaluate the applications received and prepare a detailed analysis of them. A summary report of this analysis should be submitted to the appropriate Tender Review Board for review; the summary should address each of the pass–fail criteria set in the prequalification documents. Disqualification of the Applicants who fail to meet the criteria should be explained.
2. Tables 1–5 should invariably accompany the summary, but they may be adapted to suit specific requirements of the prequalification documents. The summary should include a number of attachments and additional tables to explain details of the individual evaluation of Applicants who were not prequalified or conditionally prequalified. References to pertinent clauses in the prequalification documents should be used as necessary.
3. The summary should make special mention of Joint Venture Applicants in regard to the completeness of their documentation, eligibility requirements including domestic tenderer price preference, sharing provisions, and liability of the JV partners.
4. In case the prequalification evaluation includes “slice and package” requirements, the summary should mention the procedure used in the evaluation and show the aggregate total of contract value for which Applicants are considered prequalified by the Employer.
5. A checklist for the evaluation summary is presented in Table 6.

**Table 1. Identification**

Name of Procurement Entity	
Name of project	
Purchaser (or Employer) a) name b) address	
Contract number (identification)	
Description of the Works	
Cost estimate <sup>1</sup>	
Method of procurement (check one)	ICT _____ NCT _____ Other _____
Domestic preference allowed	Yes _____ No _____
Proposed contract type	Remeasurement with BOQ _____ Lump-sum price _____ Other (please specify) _____

**Table 2. Prequalification Process**

General Procurement Notice	
a) first issue date	_____
b) latest update	_____
Specific Procurement Notice (invitation for prequalification)	
a) Public Procurement Bulletin issue date	_____
b) name of national newspaper issue date	_____
c) name of international publication issue date	_____
Number of firms notified	_____
Prequalification Document	
a) title, publication date	_____
b) date of issue to applicants	_____
Number of firms issued documents	_____
Amendments to documents, if any	
a) list of all issue dates	1. _____ 2. _____ 3. _____
Dates of response to requests for clarification	1. _____ 2. _____ 3. _____
Applications' submission deadline	
a) original date	_____
b) extensions, if any	_____
c) late submissions	_____
Number of applications submitted	_____

**Table 3. Preliminary Pass–Fail Examination of Applications**

<b>Name of Applicant</b>	<b>Country<sup>1</sup></b>	<b>Date of Submission of Application</b>	<b>Completeness,<sup>2</sup> Verification<sup>3</sup> of Documentation</b>	<b>Eligibility<sup>4</sup></b>	<b>JV Requirements<sup>5</sup></b>	<b>Eligibility for Domestic Preference<sup>6</sup></b>	<b>Explanation<sup>7</sup></b>

1. Place of incorporation (for corporations) or place of registration (for partnerships or individually owned firms).
2. Completeness of documentation: Are the applications offering all of the items and essential information requested? Major deviations to the requirements such as no presentation of financial statements or balance sheets, or failure to present sufficient information on financial means to meet the specified cash requirements may be a basis for a “fail” mark.
3. Verification: Attention should be directed toward deficiencies related to the validity of the application itself. For example: Is the letter properly signed? Are the applications of Joint Ventures signed by each partner in the joint venture? Has a copy of the JVA or Letter of Intent been signed by all JV partners and submitted with the application?
4. Eligibility: In addition to the eligibility of nationals from eligible source countries, applicants shall be eligible to participate in the tender of the works in reference to the “Fraud and Corruption” policy of the Government of Ghana. (See GITA sections 2 and 3 for details.)
5. JV requirements: Is the lead partner of the JV clearly identified and properly authorized? Are the JV’s sharing provisions in compliance with the minimum participation specified in PITA 5.4? Are all partners in the JV legally liable, jointly and severally, during tender and execution of the contract?
6. Eligibility for domestic preference: Eligibility of applicants to qualify for application of the preference should be assessed on the basis of criteria stated in GITA Sub-Clauses 6.1 and 6.2.
7. If the application fails preliminary acceptance in one of the column topics or if conditional acceptance has been given, the reasons shall be clearly explained in this Explanation column or in an attachment, as necessary.

**Table 4. Qualification Evaluation Summary  
(Pass–Fail Criteria)**

Qualification Topic	Specified Criteria (as stated in GITA and PITA)		Application			Explanations <sup>1</sup>
			1	2	etc.	
<b><u>Subcontracting</u></b>						
<ul style="list-style-type: none"> <li>(4.3, 4.4) Adequacy of subcontractors and specialists, if any.</li> </ul>	4.3 Applicant to provide tentative list and brief record of proposed subcontractors, if subcontracting is above ____ % of approximated price, and  4.4 a detailed record of all specialist subcontractors.	4.3 Pass–Fail  4.4 Pass–Fail				
<b><u>General Construction Experience</u></b>						
<ul style="list-style-type: none"> <li>(4.7) Average annual turnover over the last five years (or as stated in the PITA).</li> </ul>	Minimum average turnover US\$ ____ equivalent.	Amount US\$				
<b><u>Particular Experience</u></b>						
<ul style="list-style-type: none"> <li>(4.8) Experience in the successful execution of similar works.</li> </ul>	- Required number of similar contracts ____ - Time period ____	Number  Years				
<ul style="list-style-type: none"> <li>(4.8) Production rates of key construction activities needed to meet the expected construction schedule.</li> </ul>	Minimum key production rates as specified in PITA 4.8 - - -	Rates				
<b><u>Financial Capabilities</u></b>						
<ul style="list-style-type: none"> <li>(4.9) Adequacy of financial strength of the Applicant.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum required amount US\$ ____ equivalent</li> <li>Adequate financing of works in progress and future commitments (4.10)</li> </ul>	Amount US\$  Pass–Fail				

1. If the Applicant fails a specific criteria or if “pass” has been given, accepting a minor deviation (GITA 4.16), the reasons shall be clearly explained in the Explanation column or in a separate attachment, as necessary

**Table 4. Qualification Evaluation Summary  
(Pass–Fail Criteria)  
(cont’d)**

Qualification Topic	Specified Criteria (as stated in GITA and PITA)	Application			Explanations <sup>1</sup>
		1	2	etc.	
	<ul style="list-style-type: none"> <li>Adequate financial statements (4.11)</li> </ul>	Pass-Fail			
<b><u>Personnel Capabilities</u></b>	<ul style="list-style-type: none"> <li>(4.12) Ability to provide the required positions essential to contract management.</li> <li>Position 1: _____ — years of work experience — years of similar work experience.</li> <li>Etc.</li> </ul>	Years			
	<ul style="list-style-type: none"> <li>Position 2: _____ — years of work experience — years of similar work experience.</li> </ul>	Years			
<b><u>Equipment Capabilities/Workshop Facilities</u></b>	<ul style="list-style-type: none"> <li>Equipment type and minimum number required</li> <li>1. _____</li> <li>2. _____</li> <li>etc.</li> </ul>	Number			
<b><u>Litigation History/ Business Practices</u></b>	<ul style="list-style-type: none"> <li>(4.14) Acceptability of Applicant’s history on litigation or arbitration.</li> <li>Applicant to demonstrate acceptable record on litigation/arbitration over the last five years (4.14)..</li> </ul>	Pass–Fail			
<ul style="list-style-type: none"> <li>(2.0) Eligibility of Applicant in regard to Government of Ghana’s policy on fraud and corruption practices.</li> </ul>	<ul style="list-style-type: none"> <li>Applicant has not been engaged in corrupt or fraudulent practices in competing for or in executing a contract financed from the public funds of the Republic of Ghana.</li> </ul>	Pass/Fail			

1. If the Applicant fails a specific criteria or if “pass” has been given, accepting a minor deviation (GITA 4.16), the reasons shall be clearly explained in the Explanation column or in a separate attachment, as necessary

**Table 5. Proposed Prequalification Decision**

<b>1. Fully prequalified Applicants</b> i) _____ ii) _____ iii) _____ etc.	
<b>2. Conditionally prequalified Applicants</b>  Applicant's name i) _____  ii) _____  iii) _____  etc.	Deficiencies to be rectified to the Employer's satisfaction  a) b) etc.  a) b) etc.  a) etc.
<b>3. Rejected Applicants</b> Applicant's name i) _____ ii) _____ iii) _____ etc.	Reasons for rejection _____ _____ _____

## **Table 6. Prequalification Evaluation Summary Checklist**

1. Attach Identification and Prequalification Process data (Tables 1 and 2)
2. Provide a list of applicants and their countries of origin and place of registration/inspection as well as the date of submission of their applications (first three columns of Table 3).
3. Provide details on eliminating any applications during preliminary examination (Table 3). Particular attention should be given to issues related to eligibility and JV requirements.
4. Eligibility to qualify for application of the domestic tenderer price preference should be assessed in accordance with GITA Sub-Clauses 6.1 and 6.2. Provide details of exclusions.
5. Attach copies of any letters to Applicants requesting clarifications or substantiation of information. Provide copy of responses.
6. Explain the reasons for giving a “fail” mark to an Applicant in any of the specified criteria (Table 4). If necessary, include a separate attachment with explanations.
7. Provide detailed reasons for refusing the prequalification of an Applicant.
8. Provide details of the conditional prequalification of applicants with nonmaterial deficiencies to the prequalification requirements.
9. Attach copies of any correspondence from Applicants that raise objections to the evaluation process, together with detailed responses.