

German Financial Cooperation with Georgia

**Energy efficiency measures and approach to EU-Energy
efficiency standards in buildings**

**Pre-qualification Document for Implementation
Consultant Services**

Municipality of Batumi

January 2019

BMZ no. 2017 68 696

GENERAL PROVISIONS (GP)

1. GENERAL PROVISIONS

1.1 DEFINITIONS

1.1.1 The following definitions apply:

- (a) "Applicable Guidelines" means the KfW Guidelines for the Procurement of Consulting Services, Works, Plant, Goods and Non-Consulting Services in Financial Cooperation with Partner Countries (January 2019).
- (b) "Applicable Law" means the laws and any other instruments having the force of law in the Employer's country.
- (c) "Applicant(s)" means an entity or an association of entities (JV) that submits a set of documents as specified hereunder for being prequalified to submit a proposal.
- (d) "Consultant" means a legally-established professional consulting firm or an entity that may provide or provides the Services to the Employer under a Contract.
- (e) "Contract" means a legally binding written agreement signed between the Employer and the Consultant.
- (f) "Day" means a calendar day.
- (g) "Employer" means the contracting party that legally concludes the Contract for the Services with the selected Consultant notwithstanding the representation by KfW in case of an agency contract¹.
- (h) "Government" means the government of the Employer's country.
- (i) "Joint Venture (JV)" means an association with or without a legal personality distinct from that of its members, of more than one Consultant where one member has the authority to conduct all business for and on behalf of any and all the members of the JV, and where the members of the JV are jointly and severally liable to the Employer for the performance of the Contract. The terms Joint Venture and Consortium can be used interchangeably.
- (j) "Services" means the work to be performed by the Consultant pursuant to the Contract.
- (k) "Sub-Consultant" means an entity to whom the Consultant intends to subcontract any part of the Services while remaining responsible to the Employer as contracting party during the performance of the Contract.
- (l) "Special Provisions (SP)" means an integral part of this

¹ The term *Employer* in this document shall have the same meaning as the terms *Client* and *Project Executing Agency* in the KfW Guidelines.

Prequalification Document that is used to reflect specific country and project conditions to supplement, but not to over-write, the General Provisions.

1.2 SELECTION OF THE CONSULTANT

1.2.1 To execute the project, the Employer intends to select one or several Consultants in accordance with the procedure named in the **SP**. In special cases the Employer might engage a specialised consultant, called Tender Agent to conduct the selection procedure on its behalf or KfW acts under an agency contract for the Employer. The selection shall be carried out in line with the provisions of the Guidelines for the Procurement of Consulting Services, Works, Plant, Goods and Non-Consulting Services in Financial Cooperation with Partner Countries (Guidelines) available at www.kfw-entwicklungsbank.de.

1.3 PREQUALIFICATION PROCEDURE

1.3.1 This Prequalification Document sets out the prequalification procedure, including but not limited to the minimum requirements towards the experience and capabilities of the Applicants and the evaluation method. The Applicants who demonstrate to the Employer's satisfaction that they have the experience and the capabilities to execute the project shall be shortlisted in accordance with GP 4.2.6 to participate in the subsequent tendering procedure.

1.4 APPLICANTS

1.4.1 The Applicant may be a single entity or an association of entities (Joint Venture or Consortium). The qualifications of all members in an association shall be considered in the evaluation process in accordance with GP 4.2.

1.4.2 Consultants and their affiliated companies may not be members of more than one association. If a Consultant is a member of an association, it may not submit an Application separately from that association. There is no limit to the number of members in an association.

1.4.3 The Applicant may appoint one or several Sub-consultants subject to the limitations specified in the **SP**. If the Applicant wishes the experience and personnel capabilities of the Sub-Consultants to be considered in the evaluation process in accordance with GP 4.2, the Applicant shall name such Sub-Consultants in the Declaration of Submitting a Proposal (Annex I). In case of being shortlisted the Applicant undertakes to include such Sub-Consultants in the proposal.

1.4.4 The Employer shall not consider any other qualifications of the Sub-Consultants, but their project references and personnel capabilities as per Annex VII.

1.4.5 The Applicant shall designate an authorized representative who shall have the authority to conduct all business for and on behalf of the Applicant and any and all of its members, if the Applicant is an association in accordance with GP 1.4.1.

1.5 REQUESTED SERVICES

1.5.1 A brief description of the requested consulting services is presented in the **SP**.

**1.6
CONFLICT OF INTEREST**

1.6.1 Applicants shall not have a conflict of interest in accordance with the Guidelines § 1.3.3.

2. CONTENTS AND PREPARATION OF THE PREQUALIFICATION DOCUMENT

**2.1
LANGUAGE AND
COMMUNICATION**

2.1.1 The Application, as well as all correspondence and documents relating to the Application exchanged between the Applicant and the Employer shall be in the language of this document. Any official documents presented in a different language shall be accompanied by a certified translation into the language of this document. The Employer reserves the right to verify the translation. In case of discrepancies the original document shall prevail.

2.1.2 All communication between the Employer and Applicants shall take place in writing. For the purposes of the prequalification document in writing shall mean communicated in written form (for example by post, e-mail or facsimile) and delivered with proof of receipt.

**2.2
DOCUMENTS COMPRISING
THE APPLICATION**

2.2.1 The Application submitted by the Applicant shall comprise the following:

(a) Application Letter, indicating the Applicant's name, address, telephone, fax and email. If the Applicant is an association, the Application Letter shall also describe the form of association and list the association members;

(b) A Power of Attorney authorizing the representative of the Applicant, designated in accordance with GP 1.4.5 to submit the Application on behalf of the Applicant. If the Applicant is an association, the Power of Attorney shall be provided by the Lead Consultant nominated in the association agreement or in the Declarations of Association, submitted in accordance with GP 2.2.1(d)(II). If the representative of the Applicant is the owner, member or director of the Applicant or the Applicant's Lead Consultant, if so nominated in accordance with GP 2.2.1(d)(II), a Power of Attorney shall not be necessary.

(c) Presentation of the Applicant (maximum 10 pages, no brochures). If the Applicant is a single entity, the Presentation shall describe the Applicant's type of entity, ownership structure and organisation chart, as well as its main business areas as they apply to the project. If the Applicant is an association, the Presentation shall provide this information about each association member as well as a description of the intended form of collaboration of the members within the association.

(d) Statements and Declarations: False information provided in the following Statements and Declarations shall lead to the exclusion of the Applicant from the tender process:

(I) Declaration of Submitting a Proposal in Case of Being Shortlisted in the format provided in Annex I.

(II) If the Applicant is an existing association, the Applicant shall submit a proof of the existing Association Agreement, indicating the Lead Consultant. If the Applicant is an association, which the members intend to form for the purpose of executing the contract, each member of the association shall submit a Declaration of Association, indicating the Lead Consultant, in the format provided in Annex II.

(III) Statement on Affiliated Firms in the format provided in Annex III. If the Applicant is an association, separate statements shall be provided by each member of the association.

(IV) Declaration of Undertaking in the format provided in Annex IV. If the Applicant is an association, separate declarations shall be provided by each member of the association.

(V) Financial Capacity Statement in the format provided in Annex V and supported by the Applicant's Balance Sheets and Profit and Loss Statements. If the Applicant is an association, separate statements, including the supporting Balance Sheets and Profit and Loss Statements, shall be provided by each member of the association. All Balance Sheets and Profit and Loss Statements shall be certified by a reputable auditor.

(VI) List of project references in the format provided in Annex VI. Unless otherwise stated in the **SP** the references shall be limited to a maximum of 10 projects carried out during the 5 years preceding the publication of this prequalification document. The Employer reserves the right to contact the clients indicated in the references to ascertain the information provided by the Applicant.

(VII) List of Available Expertise and Human Resource Capacity in the format provided in Annex VII.

(e) Any other documentation required in the **SP**.

2.2.2 Applicants shall submit concise and clear, but substantial documents and adhere to the above structure. Any interlineations, erasures or overwriting shall be valid only if initialled by the Applicant's representative designated in accordance with GP 1.4.5.

2.3 COST OF BIDDING

2.3.1 All cost relating to the preparation of the Application, including but not limited to site visits, obtaining information, preparation and submission of the Application, shall be borne by the Applicant.

2.4 SIGNING OF THE APPLICATION AND THE NUMBER OF COPIES

2.4.1 The Applicant shall prepare one original Application as described in GP 2.2 and clearly mark it "ORIGINAL". All documents comprising the original Application shall be typed or written in indelible ink and shall be signed by the Applicant's

representative designated in accordance with GP 1.4.5. If the Applicant is an association, the statements and declarations submitted by the members of the association in accordance with GP 2.2.1(d)(II) - (VII) shall be signed by duly authorized officials, such as owners or directors of the respective members.

2.4.2 The Applicant shall prepare copies of the signed original Application and clearly mark each of them "COPY". The number and type of copies of the Application shall be in accordance with the **SP**. In the event of any discrepancy between the original and the copies, the original shall prevail.

2.4.3. If electronic copies of the proposal are required in accordance with GP 2.4.2, they shall be presented as unalterable and printable PDF files on CD or DVD disks, marked accordingly.

2.5 CLARIFICATION OF PREQUALIFICATION DOCUMENT

2.5.1 Applicants may request a clarification of the Prequalification Document no later than fourteen (14) days prior to the deadline for the submission of Applications in accordance with GP 3.2.1. Any request for clarification shall be sent in writing to the address indicated in the **SP**. Responses shall be in writing and shall be sent to all prospective Applicants who have obtained the Prequalification Document directly from the Employer, including a description of the inquiry but without identifying its source, not later than seven (7) days prior to the deadline for the submission of Applications in accordance with GP 3.2.1.

2.5.2 If necessary, the Employer may send clarifications of the Prequalification Document to all prospective Applicants who have obtained the Prequalification Document directly from the Employer, not later than seven (7) days prior to the deadline for the submission of Application in accordance with GP 3.2.1.

2.6 AMENDMENT OF PREQUALIFICATION DOCUMENT

2.6.1 At any time prior to the deadline for the submission of Applications but not later than seven (7) days before the submission date the Employer may amend the Prequalification Document by issuing an Addendum.

2.6.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated immediately in writing to all prospective Applicants who have obtained the Prequalification Document from the Employer.

2.6.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for the submission of Applications in accordance with GP 3.2.2.

3 SUBMISSION OF APPLICATIONS

3.1 SEALING AND IDENTIFICATION OF APPLICATIONS

3.1.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:

- (a) bear the name and address of the Applicant;
- (b) be addressed to the Employer, in accordance with 3.2 below;
- (c) bear the project title and/or tender number;
- (d) bear the following words clearly visible „Not to be opened by the Postal Service - Prequalification for “ and the name of the assignment.

3.1.2 The Employer shall not be responsible for misplacement, losing or premature opening of the Application if the envelope is not sealed or marked in accordance with GP 3.1.1.

3.2 DEADLINE FOR SUBMISSION OF APPLICATIONS, OPENING

3.2.1 Applicants may submit their Applications by mail, by courier or by hand, against confirmation of receipt. Applications shall be submitted by the Applicants at the address and no later than the deadline indicated in the **SP**. Any Application received by the Employer after the deadline shall be declared late and rejected, and promptly disposed of.

3.2.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with 2.5, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

3.2.3 The preparation and the submission of the Applications is the responsibility of the Applicant and no relief or consideration can be given for errors and omissions.

3.2.4 If copies of the Application shall be sent to multiple addresses in accordance with 3.2.1, the timely receipt of the original Application in compliance with GP 3.2.1 shall be decisive for the timely submission of the Application.

3.2.5 The opening of the Applications received in accordance with GP 3.2.1 shall take place shortly after the submission date by the Employer's tender commission or the Employer's representative as indicated in **SP** 1.2.1. In any case the opening shall be undertaken in the presence of at least one witness, and a written opening protocol signed by all individuals present shall be established containing names and addresses of all Applications received, whether they have been received on time and sealed as per GP 3.1.1.

4 EVALUATION-PROCESS OF THE PREQUALIFICATION DOCUMENTS

4.1 CONFIDENTIALITY

4.1.1 After the opening of the Applications and until the announcement of the prequalification results to the Applicants no communication of any type between the Applicants and the Employer, its staff or any other person involved in the evaluation is permitted except as specified under 4.3.

4.1.2 Information relating to the Applications, their evaluation and result shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification procedure until the Employer notifies the Applicants of the prequalification results.

4.2 EVALUATION

4.2.1 The Employer shall assess the Applications on the basis of their responsiveness to the requirements of this prequalification document by applying the following responsiveness criteria:

| Responsiveness criteria | Evaluation |
|---|------------|
| 1. Declaration of Undertaking is submitted in accordance with GP 2.2.1(d)(IV) | Pass/Fail |
| 2. The Financial Capability Statement and supporting documentation are submitted in accordance with GP 2.2.1(d)(V) and demonstrate that the Applicant fulfils the financial capability requirements stipulated in the SP . | Pass/Fail |
| 3. Application Letter is submitted in accordance with GP 2.2.1(a) | Pass/Fail |
| 4. Power(s) of Attorney authorizing the representative of the Applicant, designated in accordance with GP 1.4.5 to submit the Application on behalf of the Applicant, is submitted in accordance with GP 2.2.1(b) | Pass/Fail |
| 5. Declaration of Submitting a Proposal in Case of Being Shortlisted is submitted in accordance with GP 2.2.1(d)(I) | Pass/Fail |
| 6. If the Applicant is an association, either proof of the existing Association Agreement or Declarations of Association are submitted in accordance with GP 2.2.1(d)(II) | Pass/Fail |
| 7. Statement on Affiliated Firms is submitted in accordance with GP 2.2.1(d)(III) | Pass/Fail |

| | |
|--|-----------|
| 8. Any additional documents are submitted in accordance with GP 2.2.1(e) | Pass/Fail |
|--|-----------|

4.2.2 The Employer shall determine that an Application is non-responsive if,

(a) the Application has scored “Fail” in respect to qualification criteria 1 and 2, or

(b) The Application has scored “Fail” in respect to more than two of the qualification criteria 3 – 8. In case the number of qualification criteria scored “Fail” is two or less the Applicant shall be allowed to correct or modify these criteria to meet the relevant requirement.

4.2.3 The Employer shall evaluate the responsive Applications in terms of the prequalification criteria indicated in the **SP** and award each responsive Application a prequalification score of up to 100 points.

4.2.4 For the purposes of scoring individual prequalification sub-criteria in accordance with 4.2.3 the Employer shall apply the following qualitative approach to each criteria:

(a) 100% of the max. score: Outstanding, if the Application substantially exceeds the requirement in accordance with the respective sub-criterion (exhaustive, conclusive, comprehensive, precise and further leading suggestion / idea / offering). No errors or omissions are noted.

(b) 75% of the max. score: Above average, if the Application meets or marginally exceeds the requirement in accordance with the respective sub-criterion (exhaustive, conclusive, comprehensive, precise). Minor errors or omissions noted;

(c) 50% of the max. score: Average, if the Application basically meets the requirement in accordance with the respective sub-criterion. Major errors or omissions noted;

(d) 25% of the max. score: Below average, if the Application substantially deviates from or indicates misunderstanding of the requirement in accordance with the respective sub-criterion. Major errors or omissions are noted comprising the fulfilment of the sub-criterion;

(e) 0 % of the max. score: Insufficient / Fail, if the Application does not meet the requirement at all in accordance with the respective sub-criterion or does not provide any information regarding the requirement.

4.2.5. The Employer shall reject an Application if,

(a) it has determined that the Application is nonresponsive in accordance with GPP 4.2.2

(b) it has awarded the Application a prequalification score, which is lower than the minimum prequalification score of 70 points out of 100.

4.2.6 The Employer shall establish a shortlist consisting of not more than five Applicants whose Applications were determined to be responsive and were awarded a prequalification score higher than the minimum prequalification score. If more than five Applicants were awarded a prequalification score higher than the minimum prequalification score, the Employer shall shortlist only the five highest-scored Applicants.

4.2.7 The Employer shall inform all Applicants about the outcome of the prequalification process and invite the shortlisted Applicants to submit technical and financial proposals on the basis of a Request for Proposals.

**4.3
EMPLOYER'S RIGHT TO
ACCEPT OR REJECT
APPLICATIONS**

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

4.3.2 The Employer is not bound to select any Applicant.

SPECIAL PROVISIONS (SP)

(the references refer to the respective figures in the General Provisions)

1.1.1 EMPLOYER

The Employer is the Municipality of Batumi (Georgia).

The project name and reference number are “Energy efficiency measures and approach to EU-Energy efficiency standards in buildings”, BMZ no. 2017 68 696.

1.2.1 SELECTION OF THE CONSULTANT

The Consultants shall be selected in accordance with the two-stage international competitive bidding procedure.

The selection procedure is conducted on behalf of the Employer by a Tender Agent, namely exficon GmbH acting under an agency contract between the Employer and KfW. The Tender Agent seeks approval for final decisions.

1.4.3 APPLICANTS

Not applicable

1.5.1 REQUESTED SERVICES

The objective of the Project is to improve Energy Efficiency (EE) in selected public buildings in Batumi and to contribute to an increased user satisfaction for user groups of the buildings. Through the EE rehabilitation of public buildings, the learning and working environment for the user groups will be improved and the future energy savings will contribute to reduced greenhouse gas emissions.

Within the Project the rehabilitation of up to 25 selected public buildings should be financed. A special focus for the Project represents the social infrastructure of the Municipality. Therefore, the vast majority of pre-selected public buildings are kindergartens. The rehabilitation should encompass EE measures as well as necessary structural and selected comfort measures. During the rehabilitation, state-of-the-art technical EE-standards oriented to European standards are to be implemented exemplary in existing buildings.

The implementation consultant shall support the Municipality during the planning, supervision and implementation of the rehabilitation measures over the implementation period of 48 months (starting presumably in June 2019). Besides the implementation assistance, the consultant should also support the mutual exchange of practical experiences gained during the EE building rehabilitation on the national level. The relevant national stakeholders are organized in a National Working Group (NWG) which should serve as a platform to discuss recent developments in the EE building sector (e.g. best practices gained from Batumi, relevant regulatory changes etc.). The NWG is under the leadership of the division “Energy Efficiency and Alternative Energy” within the Ministry of Economy and Sustainable Development (MoESD).

Moreover, the implementation consultant shall conduct trainings for the building users and the facility management in order to increase knowledge about EE behaviour, technologies and equipment.

The key activities comprise; but are not limited to:

- Verification of existing energy audits for the selected public buildings;
- Verification of the proposed EE and rehabilitation measures;
- Preparation of final design and design review for up to 25 buildings;
- Preparation of tender documents and assistance to the PEA during tendering of works, contract negotiations and contract award;
- Ensure that provisions regarding occupational health and safety (Occupational Health and Safety, OHS) and labour conditions are put forward into the contracts;
- Examination and supervision of invoices, guarantees and disbursements;
- Management of simplified direct disbursement procedure;
- Supervision of construction works and services;
- Assistance to the PEA during the defects liability period;
- Supervision of the occupational health and safety and environmental performance of contractors as well as the labour conditions;
- Development of maintenance concepts and training courses for technical staff as well as building users;
- Elaboration of an awareness campaign to raise awareness on the topic of EE in (public) buildings and its benefits in Batumi;
- Monitoring of the project measures as well as their impacts in Batumi through a regular reporting; (including one Chapter on OHS and environmental Issues);
- Support to the stakeholders of the NWG with regards to the topic of EE on the national level;
- Procurement of an independent Energy Efficiency expert to carry out the final evaluation, providing actual achieved energy savings/ CO₂ reduction values (baseline already exists).

The Municipality is looking for a joint consultant team, preferably consisting of international and regional/local consultants providing the mentioned skills in a provable manner (including experience in management of OHS and environmental issues).

Therefore, the Consultant is requested to provide a project team with the following candidate profiles:

(a) Team Leader with the following minimum qualifications:

- Master's or Dipl.-Ing. degree or equivalent (architecture, civil engineering or similar),
- 10 years of professional experience in relevant fields (designing, planning and construction, as well as supervision of the energy efficient rehabilitation of preferably public buildings),

- 5 years of experience in management and implementation of similar projects,
- Relevant experience preferably in the Caucasus Region or other transition countries,
- Excellent communication and management skills and capacity to negotiate and develop good relations at work,
- Fluency in English (written and spoken).

Support team consisting of (b) Building Expert (architect or civil engineer), (c) Energy Efficiency Expert (architect or engineer), (d) Expert for Heating Systems, (e) Financial Expert (economist) who shall each have the minimum qualifications:

- Master's or Dipl.-Ing. degree or equivalent in the respective area of specialisation,
- 5 years of professional experience,
- 3 years of experience in the field of assignment,
- Very good command of the English Language (written and spoken).

Additional general requirements towards the project team are as follows:

- (f) At least one member of the project team must be familiar with the relevant legislation and administrative procedures of Georgia regarding the permitting of rehabilitation and construction works, relevant licences would be favourable;
- (g) At least one member of the team must be a procurement specialist experienced with international, competitive bidding procedures for construction contracts of this kind (e.g. FIDIC).
- (h) At least one member of the team must be a licensed Energy Auditor (EN16247/ISO50002 or similar).

2.2.1 DOCUMENTS COMPRISING THE APPLICATION

Project references, illustrating the Applicant's experience in implementing similar projects. All references shall include the contact details of the respective clients. The references shall demonstrate experience with the following services:

1. Energy auditing of buildings,
2. Designing energy efficiency improvements in buildings,
3. Preparation of works tendering documents in terms of the FIDIC Red / Pink Book contract form,
4. Works tendering in terms of the FIDIC Red / Pink Book contract form,
5. Works supervision (energy efficient construction and/or rehabilitation of buildings),
6. Client training related to energy efficiency,
7. Designing impact verification and monitoring instruments for energy efficiency measures.

In addition, the references shall demonstrate experience with working conditions in transitional countries and experience in the Caucasus region, comprising of the following countries: Russia, Georgia, Azerbaijan, and Armenia.

2.4.2 SIGNING OF THE APPLICATION AND THE NUMBER OF COPIES

One original Application document and one paper copy thereof shall be submitted.

The Tender Agent may request an electronic copy (PDF file) via email, subsequent to opening the proposals. Please do not send proposals by e-mail. Non-observance shall lead to exclusion from the bidding process.

2.5.1 CLARIFICATION OF PREQUALIFICATION DOCUMENT

The address for any clarifications regarding this application is as follows:
tender@exficon.de

If any clarification of the call for consultants proves necessary, the answers will be communicated simultaneously in writing to all consultants.

3.2.1 DEADLINE FOR SUBMISSION OF APPLICATIONS

The original Application (clearly marked as “ORIGINAL”) shall be submitted at the following address:

exficon GmbH
tender agency desk
Mrs. Chiara-Felicitas Otto
Lyoner Str. 14
D-60528 Frankfurt am Main
Germany
Email: tender@exficon.de

The copy of the Application (clearly marked as “COPY”) shall be submitted at the following address:

Batumi City Hall
Municipal Policy Department
25, Luka Asatiani Str., Batumi 6010,
Autonomous Republic of Adjara, Georgia.

Final submission date is Friday, March 1, 2019. The proposal shall be submitted in one clearly marked original not later than 12.00 hrs. (German local time) on the submission date to the Tender Agent.

In case of late delivery of the COPY, the timely delivery of the ORIGINAL shall prevail.

Applications may not be submitted by regular mail. For the avoidance of doubt, regular mail includes registered mail and any other services provided by national postal service. Applications shall be delivered by courier or by hand, against confirmation of receipt.

4.2 EVALUATION

4.2.1 The Applicant shall demonstrate the following financial capabilities:

| Requirement | Amount | Single Entity | Joint Venture | | | Submission Requirements |
|--|---------------------------|----------------|----------------------|---|---|---------------------------|
| | | | All Parties Combined | Each Party | Lead Consultant | |
| <i>State minimum turn over for the last three years (per year)</i> | EUR 1m | Must meet req. | Must meet req. | Must meet at least 25% of the requirement | Must meet at least 50% of the requirement | GP 2.2.1. d) V / Annexe V |
| <i>Profitability in the past 3 years (per year)</i> | Entity must be profitable | Must meet req. | Must meet req. | Must meet req. | Must meet req. | GP 2.2.1. d) V / Annexe V |

4.2.3 The Employer shall evaluate the Applications determined to be responsive in accordance with GP 4.2.2 in accordance with the following criteria, sub-criteria and point system:

| Qualification criteria | Maximum Score |
|--|---------------|
| 1. Applicant's Experience | 60 |
| 1.1 Experience in implementing similar projects (4 points per project) To demonstrate experience in implementing similar projects, Applicants will submit project references in accordance with GP 2.2.1(d)(VI) /Annex VI. Project references will be considered "similar" and will be evaluated only if they satisfy the following minimum requirements: (a) All references combined must demonstrate that the Applicant has experience with all of the required types of services listed in SP 2.2.1; (b) At least two references (key references) must demonstrate that the Applicant has experience with at least five of the required types of services listed in SP 2.2.1; (c) The extent of the work carried out by the Applicant in at least two key reference projects shall have a value of not less than 400,000 € each; (d) All reference projects must be completed by the submission date of this pre-qualification document; (e) All projects must be carried out in terms of EU28 national standards for energy efficiency or similar. | 40 |

| | | |
|----------------------------|--|------------|
| 1.2 | Experience with working-conditions in transitional countries (1 point per project) This sub-criterion is evaluated on the basis of the project references submitted in accordance with GP 2.2.1(d)(VI) / Annex VI. | 5 |
| 1.3 | Experience with working-conditions in the Caucasus region (3 points per project). This sub-criterion is evaluated on the basis of the project references submitted in accordance with GP 2.2.1(d)(VI) / Annex VI. | 15 |
| 2. | Applicant's Capabilities | 35 |
| 2.1 | Qualitative assessment of the Applicant's available expertise (up to 3.5 points for every first candidate for each candidate profile plus 0.5 points for each additional candidate for each candidate profile, limited to 3 additional candidates per candidate profile, as specified in SP 1.5.1) To demonstrate that they have access to the expertise required to implement the assignment, Applicants will submit the List of Available Expertise in accordance with GP 2.2.1(d)(VII) / Annex VII(1). Each of the candidates listed shall satisfy the minimum qualifications towards the respective candidate profile (a-e) and the entire available expertise shall satisfy the general requirements (f-h), set out in SP1.5.1. Combining several candidate profiles into one candidate is not allowed. Providing multiple candidates for each candidate profile is allowed. | 25 |
| 2.2 | Quantitative assessment of the Applicant's Human Resource Capacity (1 point for each 2 staff) To demonstrate the extent to which they have access to the expertise required to implement the assignment, Applicants will submit the List of Human Resource Capacity in accordance with GP 2.2.1(d)(VII) / Annex VII(2). The list shall demonstrate that the Applicant has a redundancy of at least 4:1 for each of the candidate profiles set out in SP1.5.1. | 10 |
| 3. | Is the Application concise and related to the project? | 5 |
| Overall Total Score | | 100 |

Annex I – Sample Declaration of Submitting a Proposal in Case of Being Shortlisted

Declaration of Submitting a Proposal in Case of Being Shortlisted

Project (name and country):

Tender Ref./ Project ID:

We hereby declare that in the event that *[insert the name of the Applicant]* is shortlisted by the Employer to participate in the tendering phase for the assignment named above, *[insert the name of the Applicant]* shall submit a proposal, subject to the details of the tender documentation, and technical and financial practicability.

[Insert the following text if the Application includes one or several Sub-Consultants, whose qualifications should be considered by the Employer in the pre-qualification process:

“We request that the qualifications of the following Sub-Consultant(s) shall be considered by the Employer in the pre-qualification process,

[List Sub-Consultants here]

If short-listed, we undertake to submit a proposal that includes all of the above Sub-Consultants.”

[Signature of the authorised representative of the Applicant, designated in accordance with GP 1.4.5]

Annex II - Sample Declaration of Association

Declaration of Association

Project (name and country):

Tender Ref./ Project ID:

We hereby declare our intent to associate with the following firms for the purpose of forming a *[insert here "joint venture" or "consortium"]*:

[Insert the names of the other association members here]

[Insert the name of the Lead Consultant] shall be the Lead Consultant.

We hereby confirm that we have not associated with any other firms for the purposes of this assignment and that we will not submit an application separately from the firms listed above. Further, we understand that if a Consultant appears as an associate in more than one Application, all Applications in which the Consultant appears shall be disqualified.

In the event that this association is awarded a Contract, we shall perform the services in the composition and in the form of cooperation described above.

[Signature of the authorised representative of the Applicant, designated in accordance with GP 1.4.5]

Annex III – Sample Declaration on Affiliated Firms

Declaration on Affiliated Firms

Project (name and country):

Tender Ref./ Project ID:

We hereby declare that *[insert the name of the entity submitting the declaration]* is an independent consulting firm. We do not have any links, other than existing or future cooperation agreements in the field of *[insert the main field of the entity's work]*, with other firms which may be interested in the execution of the project.

Should we, or the association in which we are members, be awarded the contract, the entities with which we are affiliated, other than the associates or the sub-consultants for this assignment, shall not take part in the project in any other form or reveal information gained during the assignment concerned.

[Signature of the authorised representative of the Applicant, designated in accordance with GP 1.4.5]

Annex IV – Declaration of Undertaking

Declaration of Undertaking

Reference name of the Application/Offer/Contract: (" ")¹

To: ("Project Executing Agency")

1. We recognise and accept that KfW only finances projects of the Project Executing Agency ("PEA")² subject to its own conditions which are set out in the Funding Agreement it has entered into with the PEA. As a matter of consequence, no legal relationship exists between KfW and our company, our Joint Venture or our Subcontractors under the Contract. The PEA retains exclusive responsibility for the preparation and implementation of the Tender Process and the performance of the Contract.
2. We hereby certify that neither we nor any of our board members or legal representatives nor any other member of our Joint Venture including Subcontractors under the Contract are in any of the following situations:
 - 2.1) being bankrupt, wound up or ceasing our activities, having our activities administered by courts, having entered into receivership, reorganisation or being in any analogous situation;
 - 2.2) convicted by a final judgement or a final administrative decision or subject to financial sanctions by the United Nations, the European Union or Germany for involvement in a criminal organisation, money laundering, terrorist-related offences, child labour or trafficking in human beings; this criterion of exclusion is also applicable to legal Persons, whose majority of shares are held or factually controlled by natural or legal Persons which themselves are subject to such convictions or sanctions;
 - 2.3) having been convicted by a final court decision or a final administrative decision by a court, the European Union, national authorities in the Partner Country or in Germany for Sanctionable Practice in connection with a Tender Process or the performance of a Contract or for an irregularity affecting the EU's financial interests (*in the event of such a conviction, the Applicant or Bidder shall attach to this Declaration of Undertaking supporting information showing that this conviction is not relevant in the context of this Contract and that adequate compliance measures have been taken in reaction*);
 - 2.4) having been subject, within the past five years to a contract termination fully settled against us for significant or persistent failure to comply with our contractual obligations during such Contract performance, unless this termination was challenged and dispute resolution is still pending or has not confirmed a full settlement against us;
 - 2.5) not having fulfilled applicable fiscal obligations regarding payments of taxes either in the country where we are constituted or the PEA's country;
 - 2.6) being subject to an exclusion decision of the World Bank or any other multilateral development bank and being listed on the website <http://www.worldbank.org/debarr> or respectively on the relevant list of any other

¹ Capitalised terms used, but not otherwise defined in this Declaration of Undertaking have the meaning given to such term in KfW's "Guidelines for the Procurement of Consulting Services, Works, Plant, Goods and Non-Consulting Services in Financial Cooperation with Partner Countries".

² The PEA means the purchaser, the employer, the client, as the case may be, for the procurement of Consulting Services, Works, Plant, Goods or Non-Consulting Services.

multilateral development bank (*in the event of such exclusion, the Applicant or Bidder shall attach to this Declaration of Undertaking supporting information showing that this exclusion is not relevant in the context of this Contract and that adequate compliance measures have been taken in reaction*); or

2.7) being guilty of misrepresentation in supplying the information required as condition to participation in this Tender Procedure.

3. We hereby certify that neither we, nor any of the members of our Joint Venture or any of our Subcontractors under the Contract are in any of the following situations of conflict of interest:

3.1) being an affiliate controlled by the PEA or a shareholder controlling the PEA, unless the stemming conflict of interest has been brought to the attention of KfW and resolved to its satisfaction;

3.2) having a business or family relationship with a PEA's staff involved in the Tender Process or the supervision of the resulting Contract, unless the stemming conflict of interest has been brought to the attention of KfW and resolved to its satisfaction;

3.3) being controlled by or controlling another Applicant or Bidder, or being under common control with another Applicant or Bidder, or receiving from or granting subsidies directly or indirectly to another Applicant or Bidder, having the same legal representative as another Applicant or Bidder, maintaining direct or indirect contacts with another Applicant or Bidder which allows us to have or give access to information contained in the respective Applications or Offers, influencing them or influencing decisions of the PEA;

3.4) being engaged in a Consulting Services activity, which, by its nature, may be in conflict with the assignments that we would carry out for the PEA;

3.5) in the case of procurement of Works, Plant or Goods:

i. having prepared or having been associated with a Person who prepared specifications, drawings, calculations and other documentation to be used in the Tender Process of this Contract;

ii. having been recruited (or being proposed to be recruited) ourselves or any of our affiliates, to carry out works supervision or inspection for this Contract;

4. If we are a state-owned entity, and compete in a Tender Process, we certify that we have legal and financial autonomy and that we operate under commercial laws and regulations.

5. We undertake to bring to the attention of the PEA, which will inform KfW, any change in situation with regard to points 2 to 4 here above.

6. In the context of the Tender Process and performance of the corresponding Contract:

6.1) neither we nor any of the members of our Joint Venture nor any of our Subcontractors under the Contract have engaged or will engage in any Sanctionable Practice during the Tender Process and in the case of being awarded a Contract will engage in any Sanctionable Practice during the performance of the Contract;

6.2) neither we nor any of the members of our Joint Venture or any of our Subcontractors under the Contract shall acquire or supply any equipment nor operate in any sectors under an embargo of the United Nations, the European Union or Germany; and

6.3) we commit ourselves to complying with and ensuring that our Subcontractors and major suppliers under the Contract comply with international environmental and labour standards, consistent with laws and regulations applicable in the country of implementation of the Contract and the fundamental conventions of the International Labour Organisation¹ (ILO) and international environmental treaties. Moreover, we shall implement environmental and social risks mitigation measures when specified in the relevant environmental and social management plans or other similar documents provided by the PEA and, in any case, implement measures to prevent sexual exploitation and abuse and gender based violence.

7. In the case of being awarded a Contract, we, as well as all members of our Joint Venture partners and Subcontractors under the Contract will, (i) upon request, provide information relating to the Tender Process and the performance of the Contract and (ii) permit the PEA and KfW or an auditor appointed by either of them, and in the case of financing by the European Union also to European institutions having competence under European Union law, to inspect the respective accounts, records and documents, to permit on the spot checks and to ensure access to sites and the respective project.
8. In the case of being awarded a Contract, we, as well as all our Joint Venture partners and Subcontractors under the Contract undertake to preserve above mentioned records and documents in accordance with applicable law, but in any case for at least six years from the date of fulfillment or termination of the Contract. Our financial transactions and financial statements shall be subject to auditing procedures in accordance with applicable law. Furthermore, we accept that our data (including personal data) generated in connection with the preparation and implementation of the Tender Process and the performance of the Contract are stored and processed according to the applicable law by the PEA and KfW.

Name: _____ In the capacity of: _____

Duly empowered to sign in the name and on behalf of²: _____

Signature:

Dated:

¹ In case ILO conventions have not been fully ratified or implemented in the Employer's country the Applicant/Bidder/Contractor shall, to the satisfaction of the Employer and KfW, propose and implement appropriate measures in the spirit of the said ILO conventions with respect to a) workers grievances on working conditions and terms of employment, b) child labour, c) forced labour, d) worker's organisations and e) non-discrimination.

² In the case of a JV, insert the name of the JV. The person who will sign the application, bid or proposal on behalf of the Applicant/Bidder shall attach a power of attorney from the Applicant/Bidder.

Annex V – Financial Capacity Statement

| Annual turnover ⁱ , excluding this contract | 2015 EUR | 2016 EUR | 2017 EUR | Average ⁱⁱ EUR |
|---|-------------|-------------|-------------|------------------------------|
| Lead Consultant | | | | |
| Joint Venture Partner(s) or Associated Partner(s) ⁱⁱⁱ | | | | |
| Consortium Member(s) ^{iv} | | | | |
| Annual profit ^v | 2015 EUR | 2016 EUR | 2017 EUR | Average ^{vi} EUR |
| Lead Consultant | | | | |
| Joint Venture Partner(s) or Associated Partner(s) ^{vii} | | | | |
| Consortium Member(s) ^{viii} | | | | |

ⁱ The gross inflow of economic benefits (cash, receivables, other assets) generated from the ordinary operating activities of the enterprise (such as sales of goods, sales of services, interest, royalties, and dividends) during the year.

ⁱⁱ Amounts entered in the 'Average' column shall be the mathematical average of the amounts entered in the three preceding columns of the same row.

ⁱⁱⁱ Please list individually, other than Sub-Consultants

^{iv} Please list individually, other than Sub-Consultants

^v The surplus remaining after total costs are deducted from total revenue, and the basis on which tax is computed and dividend is paid.

^{vi} Amounts entered in the 'Average' column shall be the mathematical average of the amounts entered in the three preceding columns of the same row.

^{vii} Please list individually, other than Sub-Consultants

^{viii} Please list individually, other than Sub-Consultants

Annex VI – Project Experience

| Ref no: | Project title | | | | | | | |
|--|-----------------|---------------------------------|---|--------------------------------------|----------------|---|-------------------|-------------------------------------|
| Name of legal entity (declaring consultant) | Project Country | Overall project value (EUR)* | Proportion carried out by the legal entity (%) [*] | Provided staff input (person months) | Name of client | Origin of funding | Dates (start/end) | Name of association members, if any |
| ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Detailed description of project (background, objectives and main activities) | | | | | | Services provided by the legal entity for the project | | |
| ... | | | | | | ... | | |

* If the overall project value refers to overall project cost inclusive of Consulting services please indicate the consulting fee separately. The portion carried out by the legal entity refers to that figure.

Annex VII – List of Available Expertise and Human Resource Capacity

1. Access to Expertise Required for the Assignment

Complete the list below to demonstrate the extent to which you have access (internally / externally) to expertise required for this assignment / for the project team profiles described in GP 1.5.1. Include home-office project management / administration and backs-stopping personnel. Include freelance personnel and sub-consultant staff, if applicable (see Declaration in Annexe I). Do not attach CVs as no detailed evaluation of candidates for the project team shall be carried out at the prequalification stage. The Applicant shall not present a potential project team. The focus is on access and availability to project relevant expertise. It is understood that prequalified Applicants are not required to include staff named below into the proposal.

| Name | Project team profile / areas of required expertise as per GP / SP 1.5.1 ⁶ | Education/ Degree | Years of Professional Experience | Relationship with / Years within the Applicant ⁷ | Country/ Regional Experience | Relevant Project References (Description of project-related experience) | Languages |
|------|--|----------------------|----------------------------------|---|---------------------------------|---|-----------|
| | Team leader (first candidate) | | | | | | |
| | Team leader (additional candidate(s), if any) | | | | | | |
| | Building expert (first candidate) | | | | | | |
| | Building expert (additional candidate(s), if any) | | | | | | |
| | Energy efficiency expert (first candidate) | | | | | | |
| | Energy efficiency expert (additional candidate(s), if any) | | | | | | |

⁶ The project team profiles should be identical to the project team profiles listed in GP / SP 1.5.1. The information provided in the “Education/Degree” and “Relevant Project References) should demonstrate that the expert’s core specialization is appropriate for the respective project profile.

⁷ For freelance experts (e.g. with retainer contracts or formal agreements) indicate “FE” and how long the expert has been associated with the Applicant. For sub-consultant staff indicate “Sub”. Staff from affiliated firms of the Applicant shall be considered as sub-consultant staff.

| | | | | | | | |
|--|---|--|--|--|--|--|--|
| | Expert for Heating Systems (first candidate) | | | | | | |
| | Expert for Heating Systems (additional candidate(s), if any) | | | | | | |
| | Financial expert (first candidate) | | | | | | |
| | Financial expert (additional candidate(s), if any) | | | | | | |

Annex VII – List of Available Expertise and Human Resource Capacity

2. Human Resource Capacity

Complete the list below to demonstrate the permanent staff available in the areas of expertise required in this assignment as described in GP / SP 1.5.1. The focus here is on the Applicants human resource capacity and breadth in relation to the required expert services.

| Departments / Divisions in the firm relevant to the project team profile / Areas of required expertise as per GP / SP 1.5.1 | Staff | | Total staff appropriate for the specialisation |
|---|--|-----------------|--|
| | Permanent staff in the Applicants firm | Freelance staff | |
| Team leader | | | |
| Building expert | | | |
| Energy efficiency expert | | | |
| Expert for Heating Systems | | | |
| Financial expert | | | |
| Total staff number of the Applicant | | | |

Please substantiate above statements with an organizational chart(s) of the firm or the relevant parts of the firm.