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**Prequalification for the  
Supply, Installation, Testing, Commissioning,  
Operation and Maintenance of Six Solar PV mini grids  
in South Western Uganda**

**World Wide Fund for Nature, Uganda Country Office  
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P.O Box 8758, Kampala, Uganda  
Tel: +256200510800  
Website: [www.panda.org/Uganda](http://www.panda.org/Uganda)**

**Procurement Reference No: WWF/EU-ACP /003/2018**

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## INTRODUCTION

- 1.1. Worldwide Fund for Nature-Uganda Country Office (WWF-UCO) received funding from the European Union (EU) towards the implementation of the **“Scaling-up Rural Electrification Using Innovative Solar PV Distribution Models”** Project, and it intends to apply part of the funds to cover payments for the contract to Supply, Install, Test, Commission, Operate and Maintain six Solar PV mini grids in South Western Uganda.
- 1.2. This Invitation for Prequalification (IFP) follows the general procurement notice by WWF-UCO that appeared in the UN Development Business and the WWF-UCO website on 5<sup>th</sup> October 2016 and in the local press (*New Vision*) on 10<sup>th</sup> October 2016.
- 1.3. The Rural Electrification Agency (REA<sup>1</sup>) is a project implementation partner. The distribution grid infrastructure, customer metering and connections shall be financed by public funds through REA. REA will procure another contractor to construct the low voltage distribution infrastructure and to supply the customer service connection cable and accessories excluding the smart energy meter. Note: REA will reimburse the developer’s expenditure incurred in customer connections and the mini grid metering solution. The contractor/operator shall enter into a lease agreement<sup>2</sup> with REA for the use of the distribution network.
- 1.4. The document includes a form for invitation for prequalification, instructions to Applicants and a letter of application with attached forms for candidates to complete.

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<sup>1</sup> The Rural Electrification Agency, [www.rea.or.ug](http://www.rea.or.ug) , was established as a semi-autonomous agency by the Ministry of Energy and Mineral Development, [www.energyandminerals.go.ug](http://www.energyandminerals.go.ug). Its mandate is to facilitate the Government of Uganda’s goal of achieving a rural electrification rate of at least 22% by the year 2022 from 1% at the beginning of this decade, as indicated in its strategic plan of 2012-2022.

<sup>2</sup> Details of this shall be shared in the next stage of the procurement process

## **SECTION I-INVITATION FOR PREQUALIFICATION (IFQ)**

1. The World Wide Fund for Nature, Uganda Country Office (WWF-UCO) hereinafter referred to as the “Procuring entity” intends to prequalify/shortlist companies/firms for the **“Supply, Installation, Testing, Commissioning, Operation and Maintenance of six Solar PV mini grids in South Western Uganda”**.
2. Prequalification is open to eligible firms and voluntarily formed joint ventures. Eligible Companies/firms may obtain the prequalification document from the address below during normal working hours **(8.30 am -4.30pm from Monday to Thursday and Fridays from 8.30 am to 1.00 pm)**.

**Procurement Office,  
WWF Uganda Country Office,  
Plot 2, Sturrock Road, Kololo, Kampala, Uganda  
Tel: +256 200510800**

3. A minimum requirement for qualification is to have successfully carried out works of a similar nature and value, and to have the required financial resources and technical expertise to undertake the works.
4. Applications for prequalification must be submitted before the deadline of 18th May 2018, 10:00hrs. Applications should be enclosed in plain sealed envelopes marked with the tender name and reference number.
5. All Applicants whose applications will have been received before the closing date and time will be informed in due course, of the results of their applications. Only candidates prequalified under this prequalification process will be invited to tender.

## SECTION II - INSTRUCTIONS TO APPLICANTS

### 2.1 Scope of Work

- 2.1.1 WWF-UCO intends to prequalify/shortlist Renewable energy Service Providers/Operators for the “Supply, Installation, Testing, Commissioning, Operation and Maintenance of Solar Photovoltaic mini grids in South Western Uganda”. Prequalification applications will be submitted to the procuring entity not later than **18<sup>th</sup> May 2018 at 10:00 Hrs.**
- 2.1.2 Prequalification is open to eligible firms/companies, or a consortium or joint venture from eligible countries as indicated in **Section V** to these Instructions to Applicants.
- 2.1.3 General sites’ information on the following; climate, topography, access, transportation and communications facilities, project layout, expected construction period, services provided by WWF-UCO shall be provided at the next stage of the procurement process.
- 2.1.4 The contract will be a fixed price contract.
- 2.1.5 The scope of work shall include, but not limited to the following:
- (a) Supply, Installation, Testing, Commissioning, Operation and Maintenance of 6 mini-grids in preselected sites in South Western Uganda. The period of operation shall be 5 years but renewable upon satisfaction.
  - (b) Connect customers to the mini-grids during the operation period
  - (c) Secure all licenses and approvals
  - (d) Meet minimum expected installed capacity at each mini grid site
  - (e) Implement measures that will enable the connected customers to use the supplied electricity productively and efficiently
  - (f) Wherever possible, to work with local technicians and engineers in the installation, operation and maintenance of the mini-grids
  - (g) Implement a monitoring system to record and evaluate electricity usage
  - (h) Provide uninterrupted electricity supply to the communities
  - (i) If required, increase capacity in order to meet growing demand in the villages
  - (j) Provide smart metering systems and mobile money enabled payment platforms
  - (k) Any other activities indicated in this tender document and attached annex documents.

- (l) Submit annual reports to ERA, WWF-UCO and REA about the operation and performance of the mini-grids.
- 2.1.6 The locations of the pre-selected sites and a prefeasibility report shall be shared at the next stage of the procurement process.

## **2.2 Submission, Receipt, Opening Of Applications**

- 2.2.1 Applications for prequalification shall be prepared and submitted in **(1) original** and **(4) copies** in sealed envelopes marked with the Application name and reference number and deposited in the tender Box at the purchaser's address.
- 2.2.2 The closing date and time for submission of the Pre-qualification Document shall be **18<sup>th</sup> May 2018 at 10:00Hrs.** WWF-UCO reserves the right to accept or reject late applications.
- 2.2.3 The original pre-qualification documents shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the Applicant. Any such corrections must be initialed by the person who sign(s) the Pre-qualification Document.
- 2.2.4 A Committee of officials from WWF-UCO shall open the applications immediately after the closing time for submissions of the Pre-qualification Documents in the presence of applicants' representatives who choose to attend.
- 2.2.5 All the information requested for pre-qualification shall be provided in the English language. Where information is provided in any other language, it shall be accompanied by a translation of its pertinent parts into English language. The translation will govern and will be used for interpreting the information.
- 2.2.6 Failure to provide information that is essential for effective evaluation of the applicant's qualifications or to provide timely clarification or substantiation of the information supplied may result in the applicant's disqualification.
- 2.2.7 A consultations and clarifications meeting will be held at **WWF-UCO office on 27<sup>th</sup> April 2018** at which applicants may request clarifications of the prequalification document. Attendance of this meeting will be voluntary.

## **2.3 Eligible Applicants**

- 2.3.1 This invitation for pre-qualification is open to all firms/companies who are eligible as indicated in the **Section V**.
- 2.3.2 WWF-UCO employees, project steering committee members, board members and their relatives (spouse and children) are not eligible to participate in the tender.

2.3.3 All applicants found capable of performing the contract satisfactorily in accordance to the set prequalification criteria shall be prequalified.

## 2.4 Qualification Criteria

2.4.1 Pre-qualification will be based on meeting the minimum requirements in the set criteria, as shown below. The declaration will be either a **Pass or Fail** regarding the applicant's general and particular experience, personnel and equipment capabilities and financial position as demonstrated by the applicant's response in the forms provided in **Section IV** and submitted letter of application. WWF-UCO reserves the right to waive minor deviations if they do not materially affect the capability of an applicant to perform the contract.

2.4.2 When highly specialized inputs (especially for execution of the contract) are required by the applicant from specialist sub-contractors, such subcontractors and their inputs shall be described in the **Standard Form 1 (General Information)**.

2.4.3 **Mandatory Requirements of the Firm:** The applicant shall submit the following mandatory documents and/or information:

- (a) A Certified copy of Registration certificate/ Incorporation
- (b) A Certified copy of valid Trading License for the year 2018 or its equivalent
- (c) Duly completed letter of Application
- (d) Duly completed Prequalification submission Forms
- (e) Valid Transactional Tax Compliance Certificate from Uganda Revenue Authority or its equivalent from the country where the firm is registered.
- (f) A joint venture agreement between firms submitting an application as a consortium. A duly signed power of attorney should also be submitted.
- (g) A duly signed and stamped self-declaration statement that the firm and its Directors and senior Management shall not engage in corrupt and fraudulent practices.

2.4.4 **Specific Experience.** The applicant shall meet the following minimum criteria:

- (a) Average annual turnover as main contractor (defined as billing for works in progress and completed) over the last three (03) years of \$ 860,000 in each financial year.
- (b) Successful experience as prime contractor in execution of at least three projects (03) of similar nature and complexity comparable to the proposed contract within the last five (5) years for example the bidder should have executed at least three solar PV mini grid projects during the last five years at National or International level. These projects should each have a minimum capacity of 20kW.

Valid proof for this required experience such as completion certificates with technical details of the works executed shall be submitted along with the application.

- 2.4.5 **Personnel capabilities.** The applicant must have suitably qualified personnel to fill key positions.

Position	Total experience (years)	In similar works (years)	As manager of similar works (years)
Project Manager			
Other Position			
Other position			

**Note:** List only key management specialist positions. Do not include principals, head office personnel and other non-specialist personnel who are not key to the project/works. The experience requirements should be specified

- 2.4.6 **Equipment capabilities.** The applicant should own, or have assured access (through hire, lease, purchase agreement, availability of manufacturing equipment, or other means) key items of equipment in good working order essential to the execution of the works, and must demonstrate that based on known commitments they will be available for use in the proposed contract. The applicant may also list alternative equipment that it would propose for the contract together with an explanation of the proposal.

No	Equipment type and characteristics	Minimum number required
1)		
2)		
3)		

- 2.4.7 **Financial position:** The applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit and other financial means sufficient to meet the construction cash flow for a period of 6 months.

- 2.4.8 Average audited annual turnover of the bidder from the business for the last three financial years should be at least \$ 860,000 in each financial year. The bidder



shall provide the audited balance sheet for the past three years (i.e. 2015/2016/2017). Where necessary WWF-UCO will make inquiries with the applicant's bankers.

- 2.4.9 **Litigation history:** the applicant should provide accurate information on any litigation or arbitration resulting from contracts completed or 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.

## 2.5 Joint Venture

- 2.5.1 Joint ventures must comply with the following:-

- (a) Minimum qualification requirements:
- i. The lead partner shall meet not less than fifty percent (50 %) of all the qualifying criteria in the Sections 2.4.3 to 2.4.6 above.
  - ii. The other partners shall meet individually not less than fifty percent (50%) of all the qualifying criteria given in the Section 2.4.3 to 2.4.6 above.
  - iii. The joint venture must satisfy collectively the criteria of **Section IV**, for which the proposed figures for each of the partners shall be added together to arrive at the joint venture's total capacity. Individual members must each satisfy the requirements of Sections 2.4.7 and 2.4.8 above.
- (b) The formation of a joint venture after pre-qualification and any change in a prequalified joint venture will be subject to the written approval of the procuring entity prior to the deadline for submission of bids.

Such an approval may be denied if:

- i. Partners withdraw from a joint venture and the remaining partners do not meet the qualifying requirements;
  - ii. The new partners to a joint venture are not qualified, individually or as an another joint venture; or
  - iii. In the opinion of the procuring entity a substantial reduction in competition may result.
- (c) Any future bid shall be signed so as to legally bind all partners, jointly and severally, and any bid shall be submitted with a copy of the joint venture agreement, provided they are jointly and several liable with respect to the contract.

2.5.2 The pre-qualification of a joint venture does not necessarily pre-qualify any of its members individually as a member in any other joint venture or association. In case of dissolution of a joint venture, each one of the constituent firms may prequalify if it meets all the prequalification requirements, subject to a written approval of the procuring entity

## **2.6 Public Sector companies**

2.6.1 Any public owned enterprise may be eligible to qualify if, in addition to meeting all the above requirements, it is also legally and financially autonomous, it operates under commercial law, and it is not a dependent agency of another public entity.

## **2.7. Conflict of Interest**

2.7.1 The applicant (including all members of a joint venture) shall not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other prequalification and bidding documents for the project, or with an entity that was proposed as engineer for the contract. Any such association must be disclosed and may result in the disqualification of the applicant.

## **2.8 Updating Pre-qualification Information**

2.8.1 Pre-qualified firms shall be required to update the financial information used for prequalification at the time of submitting their bids/Proposals and to confirm their continued compliance with the qualification criteria. A bid shall be rejected if the applicant's qualification thresholds are no longer met at the time of bidding.

## **APPENDIX TO INSTRUCTIONS TO APPLICANTS**

The following instructions for the pre-qualification of applicants shall supplement, complement or amend the provisions of the instructions to applicants.

Where there is a conflict between the provisions of the instructions to applicants and the provisions of the appendix, the provisions of the appendix herein shall prevail over those of the instructions to the applicants.

## **SECTION III - LETTER OF APPLICATION**

### **Notes on letter of application**

The letter of application will be prepared by the applicant and will follow the form presented herein.

The letter of application will be prepared on the letterhead paper of the applicant or partner responsible for a joint venture and will include full postal address, telephone numbers, fax number and Email address.

The letter of application will be signed by duly authorized representatives of the applicant.

Any clause which does not apply to the applicant in the letter of application herein shall be deleted by the applicant.

**SECTION III - LETTER OF APPLICATION**

Date .....

To .....  
 .....  
 (Name and address of the procuring entity)

Ladies/Gentlemen

1. Being duly authorized to represent and act on behalf of \_\_\_\_\_ (*name of firm*) (hereinafter referred to as “the Applicant” ), and having reviewed and fully understood all of the pre-qualification information provided, the undersigned hereby apply to be prequalified by yourselves as a bidder for the following contract(s) under (Application No. and Application name)

Application number	Application name
1.	

2. Attached to this letter are copies of original documents defining:
  - (a) The Applicant’s legal status
  - (b) The principal place of business and
  - (c) The place of incorporation (*for applicants who are corporations*), or the place of registration and the nationality of the owners (*for applicants who are partnerships or individually-owned firms*).

3. Your organization 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 you to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.

4. Your organization and its authorized representatives may contact the following persons for further information.

General and managerial inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

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Personnel inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

Technical inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

Financial inquiries	
Contract 1	Telephone 1
Contract 2	Telephone 2

5. This application is made with the full understanding that:
  - (a) Bids by prequalified applicants will be subject to verification of all information submitted for prequalification at the time of bidding.
  - (b) The Procuring Entity reserves the right to:
    - i. amend the scope and value of any contracts bid under this project; in such event, bids will only be called from prequalified bidders who meet the revised requirements; and
    - ii. reject or accept any application, cancel the prequalification process, and reject all applications
  - (c) The Procuring Entity shall not be liable for any such actions and shall be under no obligation to inform the Applicant of the grounds for them
  
6. 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.
  
7. We confirm that if we bid, that bid, as well as any resulting contract, will be:
  - i. signed so as to legally bind all partners, jointly and severally; and

ii. Submitted with a joint venture agreement providing the joint and several liabilities of all partners in the event the contract is awarded to us.

8. The undersigned declare that the statement 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 (name of Partner)	For and on behalf of (name of partner)

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

## SECTION IV - STANDARD FORMS

### Notes on completion of Standard Forms

Application Form 1 - **General information**

This form is to be completed by all applicants. Where the applicant proposes to use sub-contractors the information should be supplied in this format. Where there is a joint venture, each partner shall complete the form

Application Form 2 - **General Experience Record**

This form is to be completed by all applicants. Separate sheets should be used for each partner of a joint venture. Applicants are not required to enclose testimonials, certificates or publicity materials with their applications.

Application Form 2A - **Joint Venture Summary**

This form is to be completed by joint venture applicants only.

Application Form 3 - **Particular Experience Record**

This form is to be completed by all applicants meeting the requirement set out in the instructions to applicants. Separate sheets shall be used for each member of a joint venture. Complimentary information will be given on **Application Form 3A**.

Application Form 3A **Details of Contracts of similar nature and complexity**

This form shall be completed by all applicants and will contain similar works completed by the applicant or a member of a joint venture

Application Form 4 - **Summary sheet of Contract commitments/work in progress**

This form is to be completed by all applicants including each member of a joint venture. It shall contain the 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.



Application Form 5 - **Personnel Capabilities**

This form is to be completed by all applicants. It shall include specific positions essential to contract implementation. The applicants shall provide the names of at least two candidates qualified to meet the specified requirements stated for each position. The data on their experience shall be supplied on Form 5A

Application Form 5A - **Applicants Summary**

This form is to be completed by all applicants. The information provided will complement information on Form 5. A separate form shall be used for each personnel

Application Form 6 - **Equipment Capability**

This form is to be completed by all applicants. It should provide adequate information to demonstrate clearly that the applicant has the capability to meet the requirements for each and all items of equipment listed in the instructions to candidates. A separate form shall be prepared for each item of equipment or for alternative equipment proposed by the applicant.

Application Form 7 - **Financial Capability**

This form shall be completed by every applicant and each member of a joint venture. It should contain financial information to demonstrate that they meet the requirements stated in the instructions to candidates. If necessary, separate sheets should be used to provide complete information on applicant's banker. A copy of the audited balance sheet if available should be attached. The information should include the summary of actual assets and liabilities for the last three years.

Application Form 8 - **Litigation History**

This form is to be completed by all applicants including each member of a joint venture. It should provide information on any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution. A separate sheet should be used for each member of a joint venture

## APPLICATION FORM (1) - GENERAL INFORMATION

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

Nationality of owners		
	Name	Nationality
1.		
2.		
3.		
4.		
5.		

## APPLICATION FORM (2) - GENERAL EXPERIENCE RECORD

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

Annual turnover data (Construction only)		
No.	Year	Turnover, US\$
1.		
2.		
3.		
4.		
5.		

## APPLICATION FORM (2A) - JOINT VENTURE SUMMARY

Names of all partners of a joint venture	
1. Lead partner	
2. Partner	
3. Partner	
4. Partner	
5. Partner	
6. Partner	

Total value of annual construction or sales turnover, in terms of work billed to clients, in US\$:

Annual turnover data (construction and sales only): US\$	
--	--

Partner	Form 2 Page no.	Year 1	Year 2	Year 3
1. Lead Partner				
2. Partner				
3. Partner				
4. Partner				
	Totals			



10	Specified requirements
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**APPLICATION FORM (4) - SUMMARY SHEET: CURRENT CONTRACT COMMITMENTS/WORK IN PROGRESS**

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

Name of contract	Value of outstanding work US\$	Estimated completion date
1.		
2.		
3.		
4.		
5.		
6.		

## APPLICATION FORM (5)-PERSONNEL CAPABILITIES

Name of Applicant
-------------------

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

## APPLICATION FORM (5A) - CANDIDATE SUMMARY

Name of Applicant
-------------------

Position	Candidate * Prime                      * Alternate	
Candidate information	1. Name of candidate	2. Date of birth
	3. Professional qualifications	
Present employment	4. Name of employer  5. Address of employer	
	Telephone	Contact (manager/personnel officer)
	Fax	E mail
	Job title of candidate	Years with present employer

Summarize professional experience over the last 05 years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the Project.

From	To	Company/Project/Position/Relevant technical and management experience



## APPLICATION FORM (6) - EQUIPMENT CAPABILITIES

Name of Applicant
-------------------

Item of equipment		
Equipment information	1. Name of manufacturer  3. Capacity	2. Model and power rating  4. Year of manufacturer
Current status	5. Current location 6. Details of current commitments .....	
Source	7. Indicate source of the equipment * Owned * Rented * Leased * Specially manufactured	

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

Owner	8. Name	
	9. Address of owner	
	Telephone:	Contact Name and title:
	Fax:	e—mail:
Agreements	Details or rental/lease/manufacture agreements specific to the project <hr style="border: 1px solid black;"/>	

## APPLICATION FORM (7) - FINANCIAL CAPABILITY

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

Banker	Name of banker <hr/> Address of banker ..... Telephone <span style="float: right;">Contact name and title</span> <hr/> Fax <span style="float: right;">E mail</span>
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Financial information in US\$.	Actual : previous four years		Projected:	
	1.	2.	3.	4.
1. Total assets				
2. Current assets				
3. Total liabilities				
4. Current liabilities				
5. Profits before taxes				
6. Profits after taxes				

No.	Source of finance	Amount US\$
1.		
2.		



		Firm/Entity(profiles):
Name of Client:		Clients contact person for the assignment.
Address:		No of Staff-Months; Duration of Assignment:
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Services (US\$)
Name of Associated Contractors. If any:		No of Months of Professional Staff provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) <u>Involved</u> and Functions  Performed:		
Narrative Description of project:		
Description of Actual Services Provided by Your Staff:		

Firm's Name: \_\_\_\_\_

Name and title of signatory; \_\_\_\_\_  
(May be amended as necessary).

## SECTION V- ELIGIBLE COUNTRIES

### 5.1 ELIGIBLE COUNTRIES

#### Eligibility for the Provision of Goods, Works and Services for Procurement by Grant Beneficiaries of European Union External Actions

#### Rules on nationality and origin for public procurement, grants and other award procedures financed under the ACP-EC Partnership Agreement, as revised by DECISION No 1/2014 OF THE ACP-EU COUNCIL OF MINISTERS of 20 June 2014 (2014/428/EU)

1. **Nationality rule:** Participation in procedures for the award of procurement contracts or grants financed from the multi-annual financial framework of cooperation under the ACP-EC Partnership Agreement is open to international organisations and all natural persons who are nationals of, or legal persons who are effectively established in:

(a) *An ACP State*

**Africa:**

South Africa\*\*, Angola, Benin, Botswana, Burkina Faso, Burundi, Central African Republic, Cameroon, Cabo Verde, Chad, Comoros Islands, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Equatorial Guinea, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Mauritania, Mozambique, Namibia, Niger, Nigeria, Uganda, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Togo, Zambia and Zimbabwe

**Caribbean:**

Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Surinam, Trinidad and Tobago.

**Pacific:**

Cook Islands, East Timor, Fiji, Kiribati, Marshall Islands, Micronesia, Nauru, Niue, Palau, Papua New Guinea, the Solomon Islands, Western Samoa, Tonga, Tuvalu, Vanuatu.

\*\* While natural and legal persons established in South African are eligible to participate in procedures financed by the 10th/ 11th EDF, South Africa cannot be a beneficiary of contracts financed by the 10th/11th EDF.

\* Cotonou Partnership Agreement of 23 June 2000 (as amended by the provisional application of Decision No 1/2000 of the ACP-EC Council of Ministers of 27 July 2000, Decision No 1/2000 of the ACP-EC customs cooperation committee of 18 October 2000, Decision No 1/2001 of the ACP-EC customs cooperation committee of 20 April 2001, Decision No 2/2001 of the ACP-EC customs cooperation committee of 20 April 2001, Decision No 3/2001 of the ACP-EC customs cooperation committee of 10 May 2001, Decision No 4/2001 of the ACP-EC customs cooperation committee of 27 June 2001, Decision No 5/2001 of the ACP-EC customs cooperation committee of 7 December 2001, Decision No 2/2002 of the ACP-EC customs cooperation committee of 28 October 2002, Decision No 1/2003 of the ACP-EC Council of Ministers of 16 May 2003, Council Decision (EC) of 19 December 2002, Decision No 1/2004 of the ACP-EC Council of Ministers of 6 May 2004, Decision No 2/2004 of the ACP-EC customs cooperation committee of 30 June 2004 and Decision No 4/2005 of the ACP-EC customs cooperation committee of 13 April 2005).

- (b) ***A Member State of the European Union:*** Austria, Belgium, Bulgaria, Czech Republic, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.
- (c) ***Beneficiaries of the Instrument for pre-accession assistance:*** Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, Serbia, Turkey, the Former Yugoslav Republic of Macedonia.

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

- (d) ***A Member State of the European Economic Area:*** Iceland, Lichtenstein, Norway.
- (e) ***Overseas Countries and Territories:*** Anguilla (UK), Aruba (NL), Bermuda (UK), British Indian Ocean Territory (UK), British Virgin Islands (UK), Cayman Islands (UK), Curaçao (NL), Falkland Islands (UK), French Polynesia (FR), French Southern and Antarctic Territories (FR), Greenland (DK), Montserrat (UK), New Caledonia and Dependencies (FR), Pitcairn (UK), Saba (NL), Saint Barthelemy (FR), Saint Helena Ascension Island Tristan da Cunha (UK), Sint Eustatius (NL), Sint Maarten (NL), South Georgia and South Sandwich Islands (UK), St. Pierre and Miquelon (FR), Turks and Caicos (UK), Wallis and Futuna Islands (FR).

- (f) Developing countries and territories, as included in the OECD-DAC list of ODA Recipients, which are not members of the G20 group, without prejudice to the status of the *Republic of South Africa*, as governed by Protocol 3 of the partnership Agreement:

#### **Least Developed Countries (LDCs)**

Afghanistan, Angola, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati,

Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Myanmar, Nepal, Niger, Rwanda, Sao Tome & Principe, Senegal, Sierra Leone, Solomon Islands, Somalia, Sudan, South Sudan, Tanzania, Timor-Leste, Togo, Tuvalu, Uganda, Vanuatu, Yemen, Zambia.

**Other Low Income Countries:** Kenya, Democratic People's Republic of Korea, Tajikistan, Zimbabwe.

**Lower Middle Income Countries and Territories:**

Armenia, Bolivia, Cabo Verde, Cameroon, Congo, Côte d'Ivoire, Egypt, El Salvador, Georgia, Ghana, Guatemala, Guyana, Honduras, India, Indonesia, Kosovo, Kyrgyzstan, Micronesia, Moldova, Mongolia, Morocco, Nicaragua, Nigeria, Pakistan, Papua New Guinea, Paraguay, Philippines, Samoa, Sri Lanka, Swaziland, Syrian Arab Republic, Tokelau, Ukraine, Uzbekistan, Vietnam, West Bank and Gaza Strip.

**Upper Middle Income Countries and Territories:**

Albania, Algeria, Antigua and Barbuda, Argentina, Azerbaijan, Belarus, Belize, Bosnia and Herzegovina, Botswana, Brazil, Chile, China (People's Republic of), Colombia, Cook Islands, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, Fiji, Former Yugoslav Republic of Macedonia, Gabon, Grenada, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Lebanon, Libya, Malaysia, Maldives, Marshall Islands, Mauritius, Mexico, Montenegro, Montserrat, Namibia, Nauru, Niue, Palau, Panama, Peru, Saint Helena, Saint Lucia, Saint Vincent & the Grenadines, Serbia, Seychelles, South-Africa, Suriname, Thailand, Tonga, Tunisia, Turkey, Turkmenistan, Uruguay, Venezuela, Wallis and Futuna.

- (g) Countries for which Commission has adopted a decision approving the request for *reciprocal access* to external assistance in agreement with ACP countries;

Currently there are no such countries.

- (h) A Member State of the OECD in the case of contracts implemented in a Least Developed Country (LDC)<sup>3</sup> or a Highly Indebted Poor Country (HIPC)<sup>4</sup>, or in the case of contract implemented in regional or global programmes which include at least one LDC or HIPC country.

Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, United Kingdom, Australia, Canada, Chile, Iceland, Israel, Japan, Korea, Mexico, New Zealand, Norway, Switzerland, Turkey, United States of America.

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<sup>3</sup>See list of LDCs.

<sup>4</sup> HIPCs are: Bolivia, Cameroon, Republic of the Congo, Côte d'Ivoire, Ghana, Guyana, Honduras, Nicaragua.

2. **The rule of origin:** bidders shall prove the origin of their supplies. For the purpose of this bidding document, the term "origin" is defined in chapter 2 of Regulation (European Commission) No 450/2008 of the European Parliament and of the Council of 23 April 2008 laying down the EU Customs Code (Modernised Customs Code). For equipment and vehicles of a unit cost on purchase of more than € 5 000, bidders shall present proof of origin to the Purchaser, at the latest when the first invoice is presented. The certificate of origin shall be made out by competent authorities of the country of origin of the supplies and shall comply with the rules laid down by the relevant Union legislations
  
3. **Exceptions to the rules of nationality and origin:**Where an agreement on widening the market for procurement of goods, works or services applies, access must also be open to nationals and goods originating from other countries under the conditions laid down in that agreement. In addition, in duly substantiated exceptional cases foreseen by the applicable regulations, the European Commission may give access to nationals or goods originating from countries other than those referred to in section 1 above.