



TENDER SPECIFICATIONS

Public work contract for “**Construction of waste infrastructure in Nampula (2 lots)**”

Reference №: **MOZ22002-10015**

Country: **Mozambique**

Competitive Negotiated Procedure

<i>Deadline for requesting clarifications:</i>	Until the tenth day before the deadline for submission of tenders
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<i>Deadline for submission of tenders:</i>	24 November 2026 at 10:00 am (Mozambican Time)
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1 GENERAL REMARKS

1. THE CONTRACTING AUTHORITY

- 1.1. The contracting authority of this public contract is Enabel, public-law company with social purposes, with its registered office at Rue Haute 147, 1000 Brussels in Belgium (enterprise number 0264.814.354, RPM/RPR Brussels), called ' Enabel ' pursuant to the entry into force of Law of 23 November 2017 changing the name of the Belgian Technical Cooperation and defining the missions and functioning of Enabel, the Belgian agency for development cooperation.
- 1.2. Enabel has the exclusive competence for the execution, in Belgium and abroad, of public service tasks of direct bilateral cooperation with partner countries. Moreover, it may also perform other development cooperation tasks at the request of public interest organisations, and it can develop its own activities to contribute towards realisation of its objectives.
- 1.1. For this public contract Enabel, in Mozambique, is represented by:

Name	Position
Adriaan TAS	Country Representative

2. RULES GOVERNING THE PUBLIC CONTRACT

- 2.1. The following, among others, apply to this public contract:
 - (a) The Law of 17 June 2016 on public procurement;
 - (b) The Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors;
 - (c) The Royal Decree of 14 January 2013 establishing the general rules for the execution of public contracts;
 - (d) The Law of 17 June 2013 on motivation, information, and remedies in public procurement, certain works, supply, and service contracts, and concessions;
 - (e) Circulars of the Prime Minister with regards to public procurement;
 - (f) Enabel's policy regarding sexual exploitation and abuse – June 2019;
 - (g) Enabel's policy regarding fraud and corruption risk management – June 2019.
- 1.2. All Belgian regulations on public contracts can be consulted on <https://bosa.belgium.be/en/themes/public-procurement>;
Enabel's Code of Conduct and the policies mentioned above can be consulted on Enabel's website via <https://www.enabel.be/who-we-are/integrity/>.

3. APPLICABLE LAW AND COMPETENT COURTS

- 1.3. Belgian legislation applies for this public contract and no other. In the event of a conflict regarding the interpretation, application or performance of these tender specifications, the parties will first try all conciliation possibilities. Except for an emergency, the parties avoid litigation in court without preliminary notification.

3.1. In case of court action, correspondence must (also) be sent to the following address:

Enabel S.A.
Global Procurement Services
To the attention of Ms Laura Jacobs
Rue Haute 147
1000 Brussels
Belgium

3.2. Any litigation regarding this public contract is the exclusive competence of the Brussels legal district courts and tribunals. French or Dutch are the languages of proceedings.

2 SUBJECT-MATTER AND SCOPE OF THE PUBLIC CONTRACT

1. TYPE OF CONTRACT

- 1.4. This public contract is a works contract, with the subject of the performance of works.
- 1.5. Description of the works: Construction of waste infrastructure in Nampula (2 lots).

2. LOTS

- 1.6. This public contract comprises **2 (two)** lots, each of which is indivisible.
- 1.7. The tenderer may submit a tender for either one lot or both lots.
- 1.8. A tender for part of a lot is inadmissible.
- 2.1. The lots are:

Lot N°	Lot title	Lot description
1	Lot 1	Construction works for a Material Recovery Facility and all shared ancillary infrastructure and facilities.
2	Lot 2	Construction works for a Sanitary Landfill and Composting Facility

3. ITEMS

- 3.1. Each lot of this public contract consists of the items listed under Selection criteria
- 3.2. These items are grouped together to form one single lot. It is not possible to tender for one or several items and the tenderer must submit price quotations for all items of a same lot.

Duration of lot 1 This lot starts **upon award notification** and ends upon final acceptance of the Lot, **within a period of 12 (twelve) months**.

The works for the Lot 1 must be completed in twelve (12) months, which includes contractor mobilization times, preparatory work - one (1) month for contractor mobilization times, construction period - ten (10) months for carrying out the work as of the date set in the written service order to commence the works, and commissioning - one (1) month for contractor preform checks, tests and validates whether the equipment and systems at the construction site operate exactly as intended in the design.

This lot **MAY NOT** be renewed.

4. DURATION OF LOT 2

- 1.9. This lot starts **upon award notification** and ends **upon final acceptance of the Lot, within a period of 9 (nine) months**.
- 1.10. The works of Lot 2 must be completed in 9 (nine) months, which includes contractor mobilization times, preparatory work- one (1) month for contractor mobilization time, construction period – 8 (eight) months for carrying out the work as of date set in the written service order to commence the works and commissioning - one (1) month for contactor preform checks, tests and validates

whether the equipment and systems at the construction site operate exactly as intended in the design.

1.11. This lot **MAY NOT** be renewed.

5. VARIANTS

5.1. Variants are **NOT** allowed. Each tenderer may submit only one tender, no variants will be accepted.

6. OPTIONS

6.1. The tenderer may **NOT** submit options. Free options are forbidden. Any proposed option will be discarded.

3 AWARD PROCEDURE

SECTION (A) - GENERAL PROCEDURE INSTRUCTIONS

1. AWARD PROCEDURE

This public contract will be awarded through a Competitive Negotiated Procedure pursuant to Article 38, § 1, °1, c) of the Law of 17 June 2016 on public procurement.

2. FURTHER INFORMATION

2.1 Public procurement administrator

The awarding of this public contract is coordinated by:

moz_csc_contracts@enabel.be

All communication between the contracting authority and (prospective) tenderers regarding this public contract must go through this contact. Any other form of contact with the contracting authority about this public contract is prohibited unless otherwise stated in these tender specifications.

2.2 Requesting clarifications

Prospective tenderers have until the **tenth day**, inclusive, before the deadline for submission of tenders to submit any questions regarding these tender specifications and the contract. All inquiries must be sent in writing to the procedure coordinator mentioned under clause 2.1 (moz_csc_contracts@enabel.be), and will be answered in the order received.

Until the notification of the award decision no information will be given about the evolution of the procedure.

SECTION (B) - INSTRUCTIONS FOR PREPARATION OF TENDERS

3. VALIDITY PERIOD OF TENDERS

The tenderers remain bound by their tender for a period of **120 (one hundred and twenty) calendar days** from the tender reception deadline date.

4. DATA TO BE INCLUDED IN THE TENDER

4.1 Tenderers are advised to consult the general principles set out under Heading 1 of the Law of 17 June 2016 on public procurement, which are applicable to this award procedure.

4.2 The tender and all annexes to the tender form must be drawn up in:

English

4.3 By submitting a tender, the tenderer automatically waives any of their own general or specific sales conditions, even if these are mentioned in any annexes to their tender.

- 1.12. The tenderer must clearly indicate within their tender any information that is confidential and/or relates to technical or business secrets, which may not be divulged by the contracting authority.
- 1.13. The tenderer must use the tender forms provided in the annex:
- 1 Identification form (clause **Error! Reference source not found.** of chapter 8Forms);
 - 2 List of subcontractors (clause **Error! Reference source not found.** of chapter 8Forms)
 - 3 Declaration on honour - Exclusion grounds (clause **4Error! Reference source not found.**of chapter 8 Forms).
 - 4 Financial identification (clause 5 of chapter 8 Forms);
 - 5 Integrity Statement (clause 6 of chapter 8 Forms);
 - 6 Certificate of registration; Power of attorney;
 - 7 Criminal record of the legal representative/company;
 - 8 The European Single Procurement Document (ESPD) (for each participant for tenders submitted by a group as well as for other entities, in particular subcontractors or independent subsidiaries, whose capacity is invoked with regard to the criteria of economic and financial capacity or technical and professional aptitude) (see clause 5 of chapter 3 Award Procedure);
 - 9 Certificate of payment of taxes;
 - 10 Certificate of payment of social contributions.

Should the tenderer fail to use these forms, they shall bear full responsibility for ensuring that the documents submitted are in perfect concordance with the forms.

The European Single Procurement Document (ESPD) is a self-declaration by economic operators providing preliminary evidence replacing the certificates issued by public authorities or third parties. As provided in Article 73 of the Law of 17 June 2016 on public procurement, it is a formal statement by the economic operator that it is not in one of the situations in which economic operators shall or may be excluded; that it meets the relevant selection criteria. In accordance with Article 76, § 1, °2 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors, **failure to comply with the obligation to submit a European Single Procurement Document (ESPD) constitutes a substantial irregularity causing the tender to be null and void.**

The tenderer also attaches the following to his tender:

- (a) All documents demanded for the application of selection criteria (see clause 7);
 - (b) The statutes and any other document required to establish the power of attorney of the signer(s).
- 1.14. Where the tender is submitted by a group of economic operators, it must include a copy of the following documents for each of the participants in the group:
- (a) Identification form (clause **Error! Reference source not found.** of chapter 7 Forms);
 - (b) Declaration on honour - Exclusion grounds (clause **Error! Reference source not found.** of chapter 7 Forms);
 - (c) Integrity statement (clause 6 of chapter 8 Forms);
 - (d) European Single Procurement Document (ESPD) (clause 5);
 - (e) The statutes and any other document required to establish the power of attorney of the signer(s);

- (f) The association agreement signed by each participant, clearly showing who represents the association.

Participants in a group of economic operators must designate one member of the group who will represent the group vis-à-vis the contracting authority. This is indicated in part II.B of the European Single Procurement Document (ESPD).

In accordance with Article 73 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors, where an economic operator wants to rely on the capacities of other entities (particularly subcontractors or independent subsidiaries) for replying to criteria of economic and financial capacity or technical and professional aptitude (see clause 7 and **Error! Reference source not found.**), it shall prove to the contracting authority that it will have at its disposal the resources necessary, for example, by producing a commitment by those entities to that effect.

Where a tenderer relies on the capacity of other entities in the meaning of this clause 0, the tenderer, as appropriate, answers the question given in part II, C, of the European Single Procurement Document (ESPD) referred to in Article 38 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors. He also mentions for which part of the public contract he will rely on such capacity and which other entities he proposes. **The tender also comprises a separate European Single Procurement Document (ESPD) for the entities in the meaning of this clause 0.**

PARTICIPANTS IN A GROUP OF ECONOMIC OPERATORS MUST DESIGNATE ONE MEMBER OF THE GROUP WHO WILL REPRESENT THE GROUP VIS-À-VIS THE CONTRACTING AUTHORITY.

SUBMISSION OF REQUESTS TO PARTICIPATE

1. The participant submits his participation file as follows:
2. One original copy signed of the completed tender will be submitted on paper. Moreover, the participant shall attach the copies requested by the guide. These copies may be submitted in one or more PDF files on a USB stick.
3. It is submitted in a properly sealed envelope bearing the following information:
4. Tender: MOZ22002-10015 “Public works contract for **Construction of waste infrastructure in Nampula**” (2 lots)
5. **It must be submitted before the 24/11/2026 at noon (10:00am) UTC + 2**
 - By mail (standard or registered mail)

In this case, the sealed envelope is put in a second closed envelope addressed to:

- Delivered by hand with acknowledgement of receipt
Enabel Mozambique

Av. Do Zimbabwe no.385, Maputo, Mozambique

Delivered by hand with acknowledgment of receipt. The service can be reached on working days during office hours: from 8 am to 12 pm and from 1 pm to 5 pm at the address above except on the date of deadline where

only bids before 10:00am will be accepted. Any participation file must arrive before the final submission date and time. Tenders that arrive late will not be accepted. (Article 83 of the Royal Decree on Awarding)

The tenderer is required to sign the tender, its annexes and the European Single Procurement Document (ESPD) individually.

These documents shall be signed by affixing a handwritten signature or electronic signature.

Signatures are placed by the person(s) empowered or mandated to commit the tenderer. This obligation applies to each participant when the tender is submitted by a group of economic operators (consortium). These participants are jointly liable.

When the submission is signed by a mandatary, he or she must clearly indicate whom he or she represents. The mandatary attaches the original electronic deed or private document that transfers these powers to him or her or a scanned copy of that proxy.

Attention: the participation file sent by email will be rejected!

4.4 Opening of participation files

4.5 The tenders will be opened behind closed doors

SECTION (D) - SELECTION OF APPLICANTS

5. EUROPEAN SINGLE PROCUREMENT DOCUMENT (ESPD)

- 5.1 By submitting their tender together with the European Single Procurement Document (ESPD), the tenderer officially declares on his honour that:
 1. They are not in any of the mandatory or facultative exclusion cases, which must or may lead to their exclusion;
 2. They meet the selection criteria established by the contracting authority for this contract.
- 5.2 The European Single Procurement Document (ESPD) is a self-declaration by economic operators providing preliminary evidence replacing the certificates issued by public authorities or third parties. As provided in Article 73 of the Law of 17 June 2016 on public procurement, it is a formal statement by the economic operator that it is not in one of the situations in which economic operators shall or may be excluded; that it meets the relevant selection criteria.
- 5.3 The tenderer generates the European Single Procurement Document (ESPD) via <https://uea.publicprocurement.be/> and then attaches it to his tender.
- 5.4 More information, and a service manual (in French), including guidelines for enterprises, is available through: https://bosa.belgium.be/sites/default/files/documents/DUME_man_espd_entreprise_fr_200.pdf
- 5.5 The European Single Procurement Document (ESPD) can also be completed directly via your submission in e-Procurement (integrated in the submission space): https://bosa.service-now.com/csp?id=kb_article_view&sys_kb_id=84048bff87093ad0db5e43f80cbb35cf
- 5.6 Where the tender is submitted by a group of economic operators, it must **include a European Single Procurement Document (ESPD) for each of the participants in the group.** Participants in a group of economic operators must designate one member of the group who will represent the group vis-à-vis the contracting authority. This is indicated in part II.B of the European Single Procurement Document (ESPD).

- 5.7 Where a candidate or tenderer relies on the capacity of other entities (in particular subcontractors or independent subsidiaries) whose capacity is invoked with regard to the criteria of economic and financial capacity or technical and professional aptitude (see clause 7 and **Error! Reference source not found.**), in accordance with Article 73 § 1 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors, the candidate or tenderer, as appropriate, answers the question in part II, C, of the European Single Procurement Document (ESPD) referred to in Article 38 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors. He also mentions for which part of the public contract he will rely on such capacity and which other entities he proposes. The tender also **comprises a separate European Single Procurement Document (ESPD) for the entities in the meaning of this clause 5.7.**
- 5.8 To submit an integrated European Single Procurement Document (ESPD) for multiple companies, see: https://bosa.service-now.com/csp?id=kb_article_view&sys_kb_id=bb29434c8791fed0db5e43f80cbb3514
- 5.9 In accordance with § 2 of Article 38 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors, regarding **part IV of the European Single Procurement Document (ESPD) on the selection criteria**, the contracting authority has decided to limit the information to be filled out to one single question, namely whether the economic operator fulfils the required selection criteria, in accordance with the section **“Global indication for all selection criteria”**. So, only this section must be completed.

6. EXCLUSION GROUNDS

- 6.1 The mandatory and facultative grounds for exclusion are provided in the European Single Procurement Document (ESPD).
- 6.2 The grounds for exclusion apply to all participants submitting a joint bid as a consortium of economic operators and third parties (in particular subcontractors or independent subsidiaries) whose capacity is invoked with regard to the criteria of economic and financial capacity or technical and professional aptitude (see clause 7 and **Error! Reference source not found.**), in accordance with Article 73 § 1 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors.
- 6.3 The contracting authority may, at any time during the procedure, request the tenderer to provide all or part of the supporting documents, if necessary, to ensure the smooth progress of the procedure. To this end, the contracting authority will request the tenderer concerned to provide the necessary information or documents to verify their personal situation. The tenderer must submit this information by the fastest means and within the deadline set by the contracting authority. However, the tenderer is not required to submit any supporting documents or evidence if the contracting authority can directly access the necessary certificates or information through a free national database in a Member State.
- 6.4 The tenderer may attach these documents directly to his tender. If the tenderer fails to deliver the requested document(s) on time, the contracting authority reserves the right to exclude the tenderer.
- 6.5 Tenderers are strongly advised not to wait for the request of the contracting authority and to request the documents they have not attached to their tender as soon as possible from the competent authorities of the country where they are based. After all, in some cases, it may take a long time to obtain particular documents.
- 6.6 The contracting authority will directly obtain any information or documents that can be accessed free of charge by digital means from the instances that manage the information or documents. This is the case for Belgian tenderers (via the Telemarc platform), with the exception of the extract from the criminal record, which must be requested by the tenderer himself.
- 6.7 With the exception of the exclusion grounds relating to tax and social security, a tenderer in one of the mandatory or optional exclusion situations may demonstrate, on their own initiative, that they have paid or undertaken to pay compensation for any damage caused by the criminal offence or fault. They must also demonstrate that they have fully clarified the facts and circumstances by cooperating with the authorities responsible for the investigation, and have

taken specific technical, organisational, and personnel measures to prevent any further criminal offence or fault.

- 6.8 **Conflicts of Interest – Revolving Doors (Article 51 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors)**
Without prejudice to Articles 6 and 69, paragraph 1, 5° of the Law of 17 June 2016 on public procurement, a conflict of interest also includes any “revolving doors” situation. This occurs when a natural person who previously worked for a contracting authority — whether as internal staff, in a hierarchical position, as a civil servant, public officer, or in any other capacity linked to the contracting authority — subsequently intervenes under a public contract awarded by that same contracting authority. A conflict of interest arises when there is a connection between the activities previously performed by the individual for the contracting authority and the activities carried out under the awarded contract.

7. QUALITATIVE SELECTION

- 7.1 By means of the documents requested in the 'Selection file' (**Error! Reference source not found.**), the tenderer must demonstrate sufficient capacity to successfully perform this public contract.
- 7.2 Only tenders from tenderers who meet the selection criteria will be taken into consideration to participate in the comparison of tenders based on the award criteria outlined in clause **Error! Reference source not found.** subject to the regularity of these tenders.
- 7.3 To meet the criteria of economic and financial capacity and the criteria on technical and professional aptitude, the tenderer may rely on the capacity of:
- (a) all participants submitting a joint bid as a consortium of economic operators;
 - (b) other entities (in particular subcontractors or independent subsidiaries) regardless of the legal nature of the relationship with these entities, in accordance with Article 73 § 1 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors.
- 7.4 For all such participants or entities, the contracting authority must verify that there are no grounds for exclusion. The tender must also **include a separate European Single Procurement Document (ESPD) for each of these participants or entities.**
- 7.5 In accordance with Article 73 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors, where an economic operator wants to rely on the capacities of other entities (particularly subcontractors or independent subsidiaries) for replying to criteria of economic and financial capacity or technical and professional aptitude, it shall prove to the contracting authority that it will have at its disposal the resources necessary, for example, by producing a commitment by those entities to that effect.

8. OVERVIEW OF THE PROCEDURE

Selection of candidates (this procedure)

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- 8.1 In a first phase, the requests to participate submitted by the candidates will be examined as to their formal and material regularity and the candidates will be assessed against the selection criteria set out in these tender specifications
- 8.2 Only candidates meeting the applicable exclusion and selection requirements will be invited to submit a tender.

8.3 Submission and evaluation of tenders (after this procedure)

- 8.4 In a second phase, the selected candidates will be invited to submit a tender in accordance with the tender specifications.

8.5 The tenders will be evaluated by the evaluation commission on the basis of the award criteria. The contracting authority may limit the number of candidates invited to participate in the procedure, provided that this was indicated in the contract notice and tender documents and that the applicable minimum number is respected.

7 SELECTION CRITERIA

5.14 The contracting authority will select the regular tender according to PASS/FAIL criteria, based on the requirements on the below table;

Selection Criteria	Evidence/Documents to be provided
Registration with the Contractor Registration Board in Mozambique	The tenderer must enclose a valid certificate of registration in accordance with the Ministerial Diploma No. 77/2015 of May 22 which effectively approves the Licensing Regulation for Civil Engineering Contracting Activities. In the case of a joint venture, the tender must specify the role of each member, and a lead partner must be designated. Each member of the consortium must present the registration detailed above. The class of the contractor for Lot 1 should be Class 7th in civil works. • License Class: 7th (Classe do Alvará: 7^a). 2. Categories: ○ I, subcategories: 1st, 3rd, 4th, 7th, 8th, 12th, 13th and 14th. ○ II, subcategories: 2nd, 3rd, 4th and 5th. ○ III, subcategories: 1st. ○ IV, subcategory: 1st, 2nd, 3rd, 4th and 7th. ○ V, subcategory: 8th. ○ VI, subcategory: 1st and 6th. The class of the contractor for Lot 2 should be class 6th in civil works or higher. • License Class: 6th (Classe do Alvará: 6^a). • Category: ○ I, subcategories: 4th. ○ II, subcategories: 5th. ○ III, subcategories: 1st. ○ VI, subcategory: 1st and 5th.

Selection Criteria	Evidence/Documents to be provided
Financial Capacity	The tenderer must enclose with his request to participate certified statements for last 3 years stating his average annual turnover over the last three years (2023-2024-2025). To be selected, the tenderer must have achieved an average annual turnover • LOT 1: of at least 4.1 million euros over the last three years. • LOT 2: of at least 3.6 million euros over the last three years. In case bidding for 2 lots an average annual turnover of 5 million Euros will be required over the last 3 years
References	The tenderer must provide in their request to participate file the certificate of good completion, signed by the client, of 2 similar infrastructural works for each LOT, related to: • LOT 1: Industrial building/warehouses. The amount of the project must equivalent to or greater than 2.7 million Euro each (Excl. VAT) delivered in the last 5 years. • LOT 2: Sanitary Landfill, Retention Basin, Shelter for the decomposition of organic compost. The amount of the project must equivalent to or greater than 2.4 million Euro each (Excl- VAT), delivered in the last 5 years. In case bidding for both lots: The tenderer must provide two references meeting the requirements for Lot 1 and two references meeting the requirements for Lot 2. The same reference may be used for both lots, if it independently meets the specific requirements applicable to each lot, including the nature and minimum value of the works. A single reference may count towards the requirements of both lots only if it fulfils all the relevant criteria for each lot.
Compliance Requirements	ISO 9001, ISO 14001, ISO 45001 or equivalente

Supervisory staff to be employed on the contract.	The tenderer shall enclose with its tender request to participate a list of the personnel who will be employed during the performance of the contract. The tenderer must mention the academic qualifications held by these personnel and their professional qualifications and experience. <u>This description should include signed CVs for all the minimum team members listed below per lot. The same team member may be proposed for both lots, provided that their availability and capacity to fulfil the responsibilities of both lots are ensured, including where the works are carried out concurrently.</u> 1. <u>Site Manager (Resident Engineer / Director) :</u> • Minimum Required Qualifications and Experience: ○ Civil Engineer or Architect; ○ Minimum of 15 years of professional experience and 5 years of experience in this role. 2. <u>Production Manager (Deputy Resident Engineer / Technical Director):</u> • Minimum Required Qualifications and Experience: ○ Civil Engineer; (a) Minimum of 10 years of professional experience in earthworks (excavations and embankments), buildings, drainage and roads. 3. <u>General Foreman :</u> • Minimum Required Qualifications and Experience: ○ Intermediate civil construction technician; ○ Minimum 15 years of experience in earthworks (excavations and embankments), buildings, drainage and roads. 4. <u>Health and Safety Technician :</u> • Minimum Required Qualifications and Experience: ○ Technical training in Occupational Health and Safety;
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Selection Criteria	Evidence/Documents to be provided
	○ Minimum of 3 years of experience in safety inspection on construction sites; ○ Safety certifications, such as OSHA or equivalent; ○ Participation in at least 2 similar projects. 5. <u>Quality and Environmental Technician :</u> • Minimum Required Qualifications and Experience: ○ Technical training in Quality and Environmental; ○ Minimum of 3 years of experience in quality and environment on construction sites; ○ Documented training in Quality and Environmental certifications, such as ISO 9001 and ISO 14001 or equivalent; ○ Participation in at least 2 similar projects. • Demonstrate knowledge of local and international environmental regulations

8 Declaration on honour the minimum required equipment as per the listed items on Tender Form

The tenderer must have the technical equipment required to carry out the contract properly.

To attest to this, it shall attach to its tender a list of the main site equipment available to the tenderer for the execution of the work. This list must indicate the means of acquisition (ownership, leasing, hire, etc.) in due course, together with proof of the means of acquisition of the following essential plant and equipment:

For Lot 1

No.	Equipment Characteristics Type and	Minimum Number Required
1	Bulldozer	1
2	Mechanical shovel	1
3	Backhoe loader	1
4	Compactor cylinder, min. 6 tons	1
5	Motor grader	1
6	Tank truck, min 6,000 ltr	1

7	Dump trucks, min 6 ton	2
8	Concrete mixers	2

For Lot 2

No.	Equipment Type and Characteristics	Minimum Number Required
1	Bulldozer	1
2	Mechanical shovel	2
3	Compactor cylinder, min. 6 tons	1
4	Motor grader	1
5	Tank truck, min 6,000 ltr	1
6	Dump trucks, min 15 ton	2
7	Fixed box truck	1
8	Concrete mixers	2

9. Consortium or subcontracting

If the tenderer does not meet solely all the requirement requested above or don't have the specialists required below in its internal structure, it can ensure their presence in the team by means of a temporary association (consortium) or by subcontracting. In the latter case, the tenderer must indicate the share of the contract that it intends to subcontract and the form 4.3 must be filed and signed by the subcontractor.

Only applicants who meet the selection criteria will be invited to submit a technical and financial bid based on the Tender Document that will be sent to them in a second phase.

4 SPECIAL CONTRACTUAL PROVISIONS

1. Identification form



Identification form Natural person

This form must be completed, signed and accompanied by a legible photocopy of the identity document.

Please complete the form in CAPITAL LETTERS and LATIN LETTERS.

I. PERSONAL DATA	
FAMILY NAME(S) <i>As indicated on the official document.</i>	
FIRST NAME(S) <i>As indicated on the official document.</i>	
DATE OF BIRTH <i>DD MM YYYY</i>	
PLACE OF BIRTH <i>(town, village)</i>	
TYPE OF IDENTITY DOCUMENT <i>(identity card, passport, driving licence etc.)</i>	
ISSUING COUNTRY	
IDENTITY DOCUMENT NUMBER	
ADDRESS (permanent) <i>Street+ P.O. Box</i> <i>Postal code</i> <i>City, Region/Province</i> <i>Country</i>	
TELEPHONE NUMBER	
E-MAIL	
II. BUSINESS DATA	
PLEASE SPECIFY YOUR STATUS:	☐ Duly registered independent ☐ Unregistered self-employed (no official formalisation) ☐ other (please specify):
REGISTRATION NUMBER (if applicable)	
VAT NUMBER (if applicable)	
PLACE OF REGISTRATION (if applicable)	
COUNTRY	

This form must be completed, signed and accompanied by a copy of the official documents (articles of association, trade register(s), extract from the publication in the official gazette or VAT registration) substantiating the information given.

Identification form Legal person

Please complete the form in CAPITAL LETTERS and LATIN LETTERS.

PRIVATE/PUBLIC-LAW ENTITY WITH A LEGAL FORM

OFFICIAL NAME <i>As indicated on the official document.</i>	
COMMERCIAL NAME <i>(if different from official name)</i>	
ABBREVIATION <i>(if applicable)</i>	
LEGAL FORM	
TYPE OF ORGANISATION <i>(Delete as appropriate)</i>	- FOR PROFIT - NOT FOR PROFIT - NGO
PRINCIPAL REGISTRATION NUMBER	
SECONDARY REGISTRATION NUMBER <i>(if applicable)</i>	
PLACE OF REGISTRATION <i>City</i> <i>Country</i>	
DATE OF REGISTRATION <i>DD MM YYYY</i>	
VAT NUMBER	
ADDRESS OF REGISTERED OFFICE <i>Street+ P.O. Box</i> <i>Postal code</i> <i>City, Region/Province</i> <i>Country</i>	
TELEPHONE NUMBER	
E-MAIL	

Identification Form Public Actor - Entity

Please complete the form in CAPITAL LETTERS and LATIN LETTERS.

OFFICIAL NAME <i>As indicated on the official document.</i>	
ABBREVIATION <i>(if applicable)</i>	
LEGAL FORM	
PRINCIPAL REGISTRATION NUMBER	
SECONDARY REGISTRATION NUMBER <i>(if applicable)</i>	
PLACE OF REGISTRATION <i>City</i> <i>Country</i>	
DATE OF REGISTRATION <i>DD MM YYYY</i>	
VAT NUMBER	
ADDRESS OF REGISTERED OFFICE <i>Street+ P.O. Box</i> <i>Postal code</i> <i>City, Region/Province</i> <i>Country</i>	
TELEPHONE NUMBER	
E-MAIL	

2. LIST OF SUBCONTRACTORS

I (we) declare that the share of the public contract to be subcontracted is as indicated below.

List of subcontractors planned to be engaged in the implementation of the contracts			
Name and legal form	Address / Registered office	Object of engagement	LOT in which will be engaged (if applicable)

* In accordance with Article 73 of the Royal Decree of 18 April 2017, where an economic operator wants to rely on the capacities of other entities (particularly subcontractors or independent subsidiaries) for economic and financial capacity criteria and technical and professional aptitude criteria, it shall prove to the contracting authority that it will have at its disposal the resources necessary, for example, by producing a commitment by those entities to that effect.

Where a candidate or tenderer relies on the capacity of other entities in the meaning of paragraph 1, the candidate or tenderer, as appropriate, answers the question given in part II, C, of the European Single Procurement Document (ESPD) referred to in Article 38 of the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors. He also mentions for which part of the public contract he will rely on such capacity and which other entities he proposes. The tender also includes **a separate ESPD** for the entities in the meaning of paragraph 1.

- 1.1. Any change of subcontractor compared to those indicated in the tender submitted will be submitted for approval to the contracting authority before intervention in contract performance, in particular in order to verify that the latter has the required capacity and does not subject to a reason for exclusion (Art. 73 – the Royal Decree of 18 April 2017 on the award of public contracts in the classical sectors; Art. 12-13 – Royal Decree of 14 January 2013 establishing the general rules for the execution of public contracts).

a. Third-party capacity – Forma engagement (optional)

Declaration on honour

(To be filled out and signed by the third party)

Hereby, I undersigned, ...

(Name, first name, function)

Declaration on honour that.....

(Name of the third-party company and enterprise number)

will put at the disposal of tenderer

(Name of the tenderer and enterprise number)

the capacities and resources the latter claims in order to meet the requirements of this public contract, regarding the qualitative selection, for the whole term of the public contract.

The resources concerned are the following (to be completed in a clear way):

Company stamp:

<u>BANKING DETAILS</u>		
- <u>ACCOUNT NAME 2</u>	-	
<u>IBAN/ACCOUNT NUMBER3</u> <u>NIB</u>	-	
<u>CURRENCY</u>	-	
<u>BIC/SWIFT CODE</u>	-	
<u>BANK NAME</u>	-	
<u>ADDRESS OF BANK BRANCH</u>		
<u>STREET & NUMBER</u>	-	-
<u>TOWN/CITY</u> -	<u>POST CODE</u>	
<u>COUNTRY</u> -	-	
<u>ACCOUNT HOLDER'S DATA</u>		
-		
<u>AS DECLARED TO THE BANK</u>		

<u>ACCOUNT HOLDER</u> -	-	-
<u>STREET & NUMBER</u>	-	-
<u>TOWN/CITY</u> -	<u>POST CODE</u>	
<u>COUNTRY</u>	-	
<u>SIGNATURE OF ACCOUNT HOLDER (Obligatory)</u>	<u>DATE (Obligatory)</u>	

2 This does not refer to the type of account. The account name is usually the one of the account holder. However, the account holder may have chosen a different name to its bank account.

3 Fill in the IBAN Code (International Bank Account Number) if it exists in the country where your bank is established

5 Integrity statement for the tenderers

Hereby, I / we, acting as legal representative(s) of above-mentioned tenderer, declare the following:

Neither members of administration or employees, or any person or legal person with whom the tenderer has concluded an agreement in view of performing the public contract, may obtain or accept from a third party, for themselves or for any other person or legal person, an advantage appreciable in cash (for instance, gifts, bonuses, or any other kind of benefits), directly or indirectly related to the activities of the person concerned for the account of Enabel.

The board members, staff members or their partners have no financial or other interests in the businesses, organisations, etc. that have a direct or indirect link with Enabel (which could, for instance, bring about a conflict of interests).

I have / we have read and understood the articles about deontology and anti-corruption included in the Tender Documents (see 1.7.), as well as Enabel's Policy regarding sexual exploitation and abuse of June 2019 and Enabel's Policy regarding fraud and corruption risk management of June 2019 and I / we declare fully endorsing and respecting these articles.

If above-mentioned public contract is awarded to the tenderer, I/we declare, moreover, agreeing with the following provisions:

In order to avoid any impression of risk of partiality or connivance in the follow-up and control of the performance of the public contract, it is strictly forbidden to the public contractor (i.e. members of the administration and workers) to offer, directly or indirectly, gifts, meals or any other material or immaterial advantage, of whatever value, to the employees of Enabel who are concerned, directly or indirectly, by the follow-up and/or control of the performance of the public contract, regardless of their hierarchical rank.

Any (public) contract will be terminated, once it appears that contract awarding, or contract performance would have involved the obtaining or the offering of the above-mentioned advantages appreciable in cash.

Any failure to comply with one or more of the deontological clauses will be considered as a serious professional misconduct which will lead to the exclusion of the contractor from this and other public contracts for Enabel.

The public contractor commits to supply, upon the demand of the contracting authority, any supporting documents related to the performance conditions of the contract. The contracting authority will be allowed to proceed to any control, on paperwork or on site, which it considers necessary to collect evidence to support the presumption of unusual commercial expenditure.

Finally, the tenderer takes cognisance of the fact that Enabel reserves the right to lodge a complaint with the competent legal instances for all facts going against this statement and that all administrative and other costs resulting are borne by the tenderer.

Signature preceded by 'read and approved', in writing, and indication of name and function of the person signing:

Date:

Location:

7. REFERENCES OF SIMILAR SERVICES

The tenderer must provide in his offer the list of **two (2) similar services performed in the last three (3) years**, including the amount involved, the relevant dates, and the public or private bodies on behalf of which they were carried out showing that the tenderer has experience in performing those works.

<u>Description of the main similar works and location</u>	<u>Amount involved</u>	<u>Completion date in the last 3 years</u>	<u>Name of the public or private bodies</u>

8 Criminal record of the signatories of the bidding company or the signatories of the bid

To add to the bid.

c. Certification of clearance with regards to the payments of social security contributions

At the latest before award, the tenderer must provide a recent certification from the competent authority stating that he/she is in order with its obligations with regards to the payments of social security contributions that apply by law in the country of establishment.

9 Certification of clearance with regards to the payments of applicable taxes

-Current authenticated Tax clearance certificate from **

-Tax Identification Number (NUIT)

-Value Added Tax (VAT) registration certificate

d.References

e. Supervisory staff to be employed on the contract.

The tenderer shall enclose with its tender a list of the personnel who will be employed during the performance of the contract. The tenderer must mention the diplomas held by these personnel and their professional qualifications and experience.

This description should include CVs for all the minimum team members listed below (details in 3.5.2):

If the tenderer does not have the specialists required below in its internal structure, it can ensure their presence in the team by means of a temporary association (consortium) or by subcontracting. In the latter case, the tenderer must indicate the share of the contract that it intends to subcontract.

Summary of forms and documents to be attached to the bid

Identification of the tenderer + Power of attorney

- When the tender is submitted by a legal person, the tender must include the statutes or company deeds and any changes to information regarding its administrators or managers.
- When the tender is submitted by a mandatary, the tender must include a copy of the original public deed or private document that transfers these powers to him or her or a copy of the proxy.
- When the tender is submitted by a tenderer who intends to rely on the capacities of other entities, he shall prove to the contracting authority that he will have at his disposal the resources necessary, for example, by producing a commitment by those entities to that effect. The formal engagement consists of a written declaration signed by the mandatary of the third party, indicating the means, capacities and resources made available to the tenderer for performing this public contract (see Third party capacity forms engagement). If this option was chosen, he documents regarding the exclusion grounds are also requested from this third party.

Subcontractors

Third-party capacity – Forma engagement (optional)

Integrity statement for the tenderers

Contractors Registration certificate (Class)

Criminal record of the manager of the bidding company

Certification of clearance with regards to the payments of social security contributions

Certification of clearance with regards to the payments of applicable taxes

- Tax clearance certificate
- Tax Identification Number
- Value Added Tax (VAT) registration certificate

Declaration minimum turnover

References of similar works

Declaration on honour the minimum required equipment's

Supervisory staff to be employ on the contract and Curriculum Vitae of key personnel