



RURAL ELECTRIFICATION AGENCY
ENERGY = EMPOWERMENT = EFFICIENCY
NIGERIA ELECTRIFICATION PROJECT (NEP)



THE WORLD BANK

Initial Selection Document

For

Minimum Subsidy Tender (MST) for Utility Enabled Projects – Interconnected Mini-grids/ Embedded Generation/ Franchising

Employer: Rural Electrification Agency of Nigeria

Project: Distributed Access to Renewable Energy Scale-Up (DARES) Project

Project title: Minimum Subsidy Tender for Utility Enabled projects – Interconnected Mini-grids/ Embedded Generation/Franchising

Country: Nigeria

Loan No. /Credit No. / Grant No: P179687

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PART 1 – Initial Selection Procedures

Section I - Instructions to Applicants

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Section I - Instructions to Applicants (ITA)

A.General

- 1. Scope of Application**
 - 1.1 In connection with the invitation for Initial Selection indicated in Section II, Initial Selection Data Sheet (**ISDS**), the Employer, as defined **in the ISDS**, issues this Initial Selection Document (“Initial Selection Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for Initial Selection to submit Proposals under a minimum subsidy tender process for the development of utility enabled projects – interconnected mini-grids, embedded generation and franchising. The Request for Proposals (RFP) number corresponding to this Initial Selection is also provided **in the ISDS**.

- 2. Source of Funds**
 - 2.1 The Borrower or Recipient (hereinafter called “Borrower”) indicated **in the ISDS** has applied for or received financing (hereinafter called “funds”) from the International Bank for Reconstruction and Development or the International Development Association (hereinafter called “the Bank”) in an amount specified **in the ISDS**, towards the cost of the project named **in the ISDS**. The Borrower intends to apply a portion of the funds to eligible payments under the project(s) resulting from the Request for Proposals (RFP) process for which this Initial Selection is conducted.
 - 2.2 Payment by the Bank will be made only at the request of the Borrower and upon approval by the Bank, and will be subject, in all respects, to the terms and conditions of the Loan (or other financing) Agreement. The Loan (or other financing) Agreement prohibits a withdrawal from the loan (or credit) account for the purpose of any payment to persons or entities, or for any import of goods, equipment, plant or materials, or services if such payment or import, to the knowledge of the Bank, is prohibited by a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations. No party other than the Borrower shall derive any rights from the Loan (or other financing) Agreement or have any claim to the proceeds of the loan (or credit).

- 3. Fraud and Corruption**
 - 3.1 The Bank requires compliance with the Bank’s Anti-Corruption Guidelines and its prevailing sanctions policies and procedures as set forth in the WBG’s Sanctions Framework, as set forth in Section VI, Fraud and Corruption.

3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents (where declared or not), subcontractors, subconsultants, service providers, suppliers, and personnel, to permit the Bank to inspect all accounts, records and other documents relating to any Prequalification process, Initial Selection process, Bid submission (in case prequalified), Proposal submission (in case initially selected) and contract performance (in the case of award), and to have them audited by auditors appointed by the Bank.

4. Eligible Applicants

4.1 Applicants shall meet the eligibility criteria as per this ITA and ITA 5.1.

4.2 An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 4.9 - or any combination of such entities in the form of a joint venture (“JV”) under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate an authorized Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the Initial Selection process, RFP process (in the event the JV submits a Proposal) and during contract execution (in the event the JV is awarded the Contract). Unless specified **in the ISDS**, there is no limit on the number of members in a JV.

4.3 A firm is not permitted to participate for initial selection for the same project both as an individual firm and as a part of a joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Application but only in the capacity of a subcontractor. Applications submitted in violation of this procedure will be rejected

4.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) are not permitted to submit more than one application for initial selection for the same contract, either individually, as joint venture or as a subcontractor among them. Applications submitted in violation of this procedure will be rejected.

4.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated, or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or

association) and its registration documents, as the case may be. This criterion also shall apply to the determination of the nationality of proposed specialized sub-contractors or suppliers for any part of the Contract including related Services.

- 4.6 Applicants and proposed specialized sub-contractors or suppliers for any part of the Contract including related services (for the purpose of this ITA 4.6 referred to as “Applicants”) shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the Employer’s Requirements or have been hired or proposed to be hired by the Employer or Borrower as Employer’s Representative for the implementation of the utility enabled projects that are the subject of this Initial Selection. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Borrower (or of the project implementing agency, or of a recipient of a part of the loan) who: (i) are directly or indirectly involved in the preparation of the Initial Selection Document or Request for Proposals (RFP) Document or Employer’s Requirements of the projects, and/or the Proposal evaluation process of such project; or (ii) would be involved in the implementation or supervision of such project, unless the conflict stemming from such relationship has been resolved in a manner acceptable to the Bank throughout the procurement process and execution of the Contract.
- 4.7 An Applicant that has been sanctioned by the Bank, pursuant to the Bank’s Anti-Corruption Guidelines, and in accordance with its prevailing sanctions policies and procedures as set forth in the WBG’s Sanctions Framework, as described in Section VI, paragraph 2.2 d. shall be ineligible to be prequalified for, initially selected for, bid for, propose for or be awarded a Bank-financed contract or benefit from a Bank-financed contract, financially or otherwise, during such period of time as the Bank shall have determined.
- 4.8 The list of debarred firms and individuals is available as specified **in the ISDS**.
- 4.9 Applicants that are state-owned enterprise or institutions in the Employer’s Country may be eligible to be initially selected, compete, and be awarded a project(s) only if they can establish, in a manner acceptable to the Bank, that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not under supervision of the Employer.

4.10 An Applicant shall not be under suspension from bidding or submitting proposals by the Employer as the result of the execution of a Bid or Proposal–Securing Declaration.

4.11 An Applicant shall provide such documentary evidence of eligibility satisfactory to the Employer, as the Employer shall reasonably request.

4.12 A firm that is under a sanction of debarment by the Borrower from being awarded a contract is eligible to participate in this procurement, unless the Bank, at the Borrower’s request, is satisfied that the debarment:

- (a) relates to fraud or corruption; and
- (b) followed a judicial or administrative proceeding that afforded the firm adequate due process.

5. Eligibility

5.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated in Section V. The countries, persons or entities are ineligible if (a) as a matter of law or official regulations, the Borrower’s country prohibits commercial relations with that country, provided that the Bank is satisfied that such exclusion does not preclude effective competition for the supply of goods or the contracting of works or services required; or (b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Borrower’s country prohibits any import of goods or contracting of works or services from that country, or any payments to any country, person, or entity in that country. When the project is implemented across jurisdictional boundaries (and more than one country is a Borrower, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA 5.1(a) above by any country may be applied to that procurement across other countries involved, if the Bank and the Borrowers involved in the procurement agree.

B. Contents of the Initial Selection Document

6. Sections of Initial Selection Document

6.1 This Initial Selection Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with ITA 8.

PART 1 Initial Selection Procedures

- Section I - Instructions to Applicants (ITA)
- Section II - Initial Selection Data Sheet (ISDS)
- Section III - Initial Selection Criteria and Requirements
- Section IV - Application Forms
- Section V – Eligible Countries
- Section VI – Fraud and Corruption

PART 2 Employer’s Requirements

- Section VII - Scope of Employer’s Requirements

6.2 Unless obtained directly from the Employer, the Employer accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Initial Selection Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Employer shall prevail.

6.3 The Applicant is expected to examine all instructions, forms, and terms in the Initial Selection Document and to furnish with its Application all information or documentation as is required by the Initial Selection Document.

7. Clarification of Initial Selection Document and Pre-Application Meeting

7.1 An Applicant requiring any clarification of the Initial Selection Document shall contact the Employer in writing at the Employer’s address indicated **in the ISDS**. The Employer will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Employer shall forward a copy of its response to all prospective Applicants who have obtained the Initial Selection Document directly from the Employer, including a description of the inquiry but without identifying its source. If so indicated **in the ISDS**, the Employer shall also promptly publish its response at the web page identified **in the ISDS**. Should the Employer deem it necessary to amend the Initial Selection Document as a result of a clarification, it shall do so following the procedure under ITA 8 and in accordance with the provisions of ITA 17.2.

7.2 If indicated **in the ISDS**, the Applicant’s designated representative is invited at the Applicant’s cost to attend a pre-Application meeting at the place, date and time mentioned **in**

the ISDS. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Initial Selection Document.

7.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Initial Selection Document. Any modification to the Initial Selection Document that may become necessary as a result of the pre-Application meeting shall be made by the Employer exclusively through the use of an Addendum pursuant to ITA 8. Non-attendance at the pre-Application meeting will not be a cause for disqualification of an Applicant.

8. Amendment of Initial Selection Document

8.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Initial Selection Document by issuing an Addendum.

8.2 Any Addendum issued shall be part of the Initial Selection Document and shall be communicated in writing to all Applicants who have obtained the Initial Selection Document from the Employer. The Employer shall promptly publish the Addendum at the Employer's web page identified **in the ISDS.**

8.3 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 ITA 17.2.

C. Preparation of Applications

9. Cost of Applications

9.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Employer will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the Initial Selection process.

10. Language of Application

10.1 The Application as well as all correspondence and documents relating to the Initial Selection exchanged by the Applicant and the Employer, shall be written in the language specified **in the ISDS.** Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified **in the ISDS,** in which case, for

purposes of interpretation of the Application, the translation shall govern.

**11. Documents
Comprising the
Application**

11.1 The Application shall comprise the following:

- (a) **Application Submission Letter**, in accordance with ITA 12.1;
- (b) **Eligibility:** documentary evidence establishing the Applicant's eligibility, in accordance with ITA 13.1;
- (c) **Qualifications:** documentary evidence establishing the Applicant's qualifications, in accordance with ITA 14; and
- (d) any other document required as specified **in the ISDS**.

11.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application

**12. Application
Submission Letter**

12.1 The Applicant shall complete an Application Submission Letter as provided in Section IV, Application Forms. This Letter must be completed without any alteration to its format.

**13. Documents
Establishing the
Eligibility of the
Applicant**

13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV, Application Forms.

**14. Documents
Establishing the
Qualifications of the
Applicant**

14.1 To establish its qualifications to implement the project(s) in accordance with Section III - Initial Selection Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.

14.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the USD equivalent using the rate of exchange determined as follows:

- (a) for turnover or financial data required for each year - exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year are to be converted); and
- (b) value of single contract - exchange rate prevailing on the date of the contract.

Exchange rates shall be taken from the publicly available source identified **in the ISDS**. Any error in determining the

exchange rates in the Application may be corrected by the Employer.

15. Signing of the Application and Number of Copies

15.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it “ORIGINAL”. The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.

15.2 The Applicant shall submit copies of the signed original Application, in the number specified **in the ISDS**, and clearly mark them “COPY”. In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

16. Sealing and Marking of Applications

16.1 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 ITA 17.1; and
- (c) bear the specific identification of this Initial Selection process indicated in the ISDS 1.1.

16.2 The Employer will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above.

17. Deadline for Submission of Applications

17.1 Applicants may either submit their applications by mail or by hand. Applications shall be received by the Employer at the address and no later than the deadline indicated **in the ISDS**. When so specified **in the ISDS**, Applicants have the option of submitting their applications electronically, in accordance with electronic Application submission procedures specified **in the ISDS**.

17.2 The Employer may, at its discretion, extend the deadline for the submission of Applications by amending the Initial Selection Document in accordance with ITA 8, 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.

18. Late Applications

18.1 The Employer reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified **in the ISDS**.

19. Opening of Applications

19.1 The Employer shall open all Applications at the date, time and place specified **in the ISDS**. Late Applications shall be treated in accordance with ITA 18.1.

19.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified **in the ISDS**.

19.3 The Employer shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

20. Confidentiality

20.1 Information relating to the Applications, their evaluation and results of the Initial Selection shall not be disclosed to Applicants or any other persons not officially concerned with the Initial Selection process until the notification of Initial Selection results is made to all Applicants in accordance with ITA 28.

20.2 From the deadline for submission of Applications to the time of notification of the results of the Initial Selection in accordance with ITA 28, any Applicant that wishes to contact the Employer on any matter related to the Initial Selection process may do so only in writing.

21. Clarification of Applications

21.1 To assist in the evaluation of Applications, the Employer may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Employer and all clarifications from the Applicant shall be in writing.

21.2 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Employer's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

22. Responsiveness of Applications

22.1 The Employer may reject any Application which is not responsive to the requirements of the Initial Selection Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

23. Margin of Preference

23.1 Unless otherwise specified **in the ISDS**, a margin of preference for domestic Proposers¹ shall not apply in the RFP process resulting from this Initial Selection.

24. Subcontractors

24.1 Unless otherwise stated **in the ISDS**, the Employer does not intend to execute any specific elements of the project by subcontractors selected in advance by the Employer (so-called “Nominated Subcontractors”).

24.2 The Applicant shall not propose to subcontract the whole of the project. The Applicant may propose subcontractors for certain specialized parts of the works, except the parts of the works for which subcontracting is not permitted as stated **in the ISDS**. Applicants planning to use such specialized subcontractors shall specify, in the Application Submission Letter, the parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

24.3 The Applicant shall not propose to subcontract works with a total accumulated value greater than the percentage stated **in the ISDS**.

F. Evaluation of Applications and Initial Selection of Applicants**25. Evaluation of Applications**

25.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Initial Selection Criteria and Requirements and the ISDS to evaluate the qualifications of the Applicants, and no other factors, methods, criteria, or requirements shall be used. The Employer reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.

25.2 Subcontractors proposed by the Applicant shall be fully qualified for their parts of the works. The subcontractor’s qualifications shall not be used by the Applicant to qualify for the Works under the project unless the applicant designates

them as Specialized Subcontractors, in which case, the qualifications of the Specialized Subcontractor proposed by the Applicant may be added to the qualifications of the Applicant for the purpose of the evaluation, if specified **in the ISDS**.

25.3 In case of multiple projects, Applicants should indicate in their Applications the individual project/lot or combination of projects/lots in which they are interested. The Employer shall initially select each Applicant for the maximum combination of projects/lots for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements specified in Section III - Initial Selection Criteria and Requirements.

25.4 However, with respect to the specific experience under item Section III (Qualification Criteria and Requirements), 4.2, the Employer will select any one or more of the options as identified below:

N is the minimum number of projects

V is the minimum value of a single project.

(a) Initial Selection for one Project:

Option 1: (i) N contracts, each of minimum value V;

Or

Option 2: (i) N contracts, each of minimum value V,

Or

(ii) Less than or equal to N projects, each of minimum value V, but with total value of all projects equal or more than $N \times V$

(b) Initial Selection for Multiple Projects

Option 1: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each project for which the Applicant has applied for as follows, and N1, N2, N3, etc. shall be different projects:

Lot 1: N1 projects, each of minimum value V1;

Lot 2: N2 projects, each of minimum value V2;

Lot 3: N3 projects, each of minimum value V3; ----etc.

Or

Option 2: (i) Minimum requirements for combined project(s) shall be the aggregate requirements for each project for which the Applicant has applied for as follows, and N1, N2, N3, etc. shall be different contracts:

Lot 1: N1 projects, each of minimum value V1;

Lot 2: N2 projects, each of minimum value V2;

Lot 3: N3 projects, each of minimum value V3; ----etc.,

Or

(ii) **Lot 1:** N1 projects, each of minimum value V1; or number of projects less than or equal to N1, each of minimum value V1, but with total value of all projects equal or more than $N1 \times V1$

Lot 2: N2 projects, each of minimum value V2; or number of projects less than or equal to N2, each of minimum value V2, but with total value of all projects equal or more than $N2 \times V2$

Lot 3: N3 projects, each of minimum value V3; or number of projects less than or equal to N3, each of minimum value V3, but with total value of all projects equal or more than $N3 \times V3$ ----etc.

Or

Option 3: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the Applicant has applied for as follows, and N1, N2, N3, etc. shall be different contracts:

Lot 1: N1 projects, each of minimum value V1;

Lot 2: N2 projects, each of minimum value V2;

Lot 3: N3 projects, each of minimum

value V3; ----etc.,

Or

- (ii) **Lot 1:** N1 projects, each of minimum value V1; or number of projects less than or equal to N1, each of minimum value V1, but with total value of all projects equal or more than $N1 \times V1$

Lot 2: N2 projects, each of minimum value V2; or number of projects less than or equal to N2, each of minimum value V2, but with total value of all projects equal or more than $N2 \times V2$

Lot 3: N3 projects, each of minimum value V3; or number of projects less than or equal to N3, each of minimum value V3, but with total value of all projects equal or more than $N3 \times V3$ ----etc.,

Or

- (iii) Subject to compliance as per (ii) above with respect to minimum value of single contract for each lot, total number of contracts is equal or less than $N1 + N2 + N3$ ---but the total value of all such contracts is equal or more than $N1 \times V1 + N2 \times V2 + N3 \times V3$ ----.

25.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors (other than specialized subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Applicant shall not be considered.

26. Employer's Right to Accept or Reject Applications

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

27. Initial Selection of Applicants

27.1 The range of Applicants that the Employer may Initially Select (x = minimum number, y = maximum number) is specified in the ISDS.

27.2 Initial Selection of Applicants involves several steps, as follows:

- (a) **Step 1 - Table 1 Evaluation:** The first step of Initial Selection involves evaluation against the methods, criteria and requirements described in Section III, Table 1: Qualification Criteria and Requirements;
- (b) **Step 2 - Rejection:** Applicants that do not substantially meet the qualification criteria and requirements in Table 1: Qualification Criteria and Requirements will not be evaluated further, and will be eliminated from the Initial Selection process;
- (c) **Step 3 - Long List:** Applicants that substantially meet the qualification criteria and requirements in Table 1: Qualification Criteria and Requirements may be long listed, and evaluated further if deemed necessary;
- (d) **Step 4 -** Depending on the number of Applicants that are long listed, one of the following options will apply:
 - Option 1: All are Initially Selected:** Where the number of long listed Applicants is $\leq x$, all long-listed Applicants are Initially Selected. In this scenario, there is no requirement to evaluate these long-listed Applicants against Table 2: Rated Criteria and Requirements;
- (e) **Step 5 - Optional, at the Employer's Discretion:** Ranked Applicants which are greater than x , are not normally Initially Selected. However, the Employer may, at its sole discretion, if justified, Initially Select one or more additional Applicant (s) from those that are ranked $x+1$. This Initial Selection will follow the order of ranking (i.e. the Employer cannot Initially Select $x+2$, without Initially Selecting $x+1$).

28. Notification of Initial Selection

- 28.1 The Employer shall notify all Initially Selected Applicants in writing that they have been Initially Selected. In providing this notification the Employer shall include the names of all Applicants that have been Initially Selected.
- 28.2 The Employer shall separately notify all other Applicants that they have not been Initially Selected, and that they have been eliminated from the process. Any Applicant that has been eliminated from the process at this stage may request, in writing, the grounds on which they were eliminated.

29. Request for Proposals

- 29.1 Promptly after the notification of the results of the Initial Selection, the Employer shall invite Proposals from all the Applicants that have been initially selected.
- 29.2 Proposers may be required to provide a Proposal Security (optional) or a Proposal-Securing Declaration acceptable to the Employer in the form and an amount to be specified in the RFP document.
- 29.3 The successful Proposer shall be required to provide a Performance Security as specified in the RFP document.
- 29.4 If applicable, the successful Proposer may also be required to provide a separate Environmental and Social (ES) Performance Security.
- 29.5 Proposers shall be required to provide a Code of Conduct which will apply to their and subcontractors' personnel that includes the minimum requirements specified in the RFP document.
- 29.6 The successful Proposer shall provide additional information about its beneficial ownership using the Beneficial Ownership Disclosure Form included in the RFP document.
- 29.7 If specified in the ISDS, the Employer intends to require Proposers to submit a Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH) and Forced Labor Declaration, using the Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH) and Forced Labor declaration form included in the RFP documents and a forced labor performance declaration following the guideline attached.
- 29.8 Prior to project award, the Employer will verify that the successful Proposer (including each member of a JV) is not disqualified by the Bank due to noncompliance with contractual SEA/SH and Forced Labor prevention and response obligations. The Employer will conduct the same verification for each subcontractor proposed by the successful Proposer. If any proposed subcontractor does not meet the requirement, the Employer will require the Proposer to propose a replacement subcontractor.

30. Changes in Qualifications of Applicants

- 30.1 Any change in the structure or formation of an Applicant after being initially selected in accordance with ITA 27 and invited to submit Proposal (including, in the case of a JV, any change in the structure or formation of any member and also including any change in any specialized subcontractor) shall be subject to the written approval of the Employer prior to the deadline for

submission of Proposals. Such approval shall be denied if (i) an initially selected applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III - Initial Selection Criteria and Requirements Table 1 - Qualification Criteria, and Requirements; or (iii) no longer continues to be in the list of Initially Selected Applicants as a result of the Employer's re-evaluation of the Application in accordance with ITA 27; or (iv) in the opinion of the Employer, the change may result in a substantial reduction in competition. Any such change should be submitted to the Employer not later than fourteen (14) days after the date of the Request for Proposals.

- 31. Procurement Related Complaint** 31.1 The procedures for making a Procurement-related Complaint are as specified **in the ISDS**.

Section II - Initial Selection Data Sheet (ISDS)

A. General	
ITA 1.1	<p>The identification of the Invitation for Initial Selection is: <i>REA-NEP/GO/IS/185/2024</i></p> <p>The Employer is: Rural Electrification Agency of Nigeria 22 Freetown Street, Wuse 2 Abuja Nigeria.</p> <p>The list of projects is provided in Section VII</p> <p>ISD name and number are: Minimum Subsidy Tender for Utility-Enabled Generation Projects: Interconnected Mini-grids / Embedded Generation / Franchising</p> <p><i>Reference No.: REA-NEP/GO/IS/185/2024</i></p>
ITA 2.1	<p>The Borrower is: Federal Government of Nigeria via the Federal Ministry of Finance whose project implementing agency is the Employer – Rural Electrification Agency of Nigeria</p> <p>Loan or Financing Agreement amount: US\$ 750 Million equivalent</p> <p>The name of the Project is: <i>Distributed Access through Renewable Energy Scale-Up (DARES) Project</i></p>
ITA 4.2	Maximum number of members in the JV shall be: three
ITA 4.8	A list of debarred firms and individuals is available on the Bank’s external website: http://www.worldbank.org/debarr .
B. Contents of the Initial Selection Document	
ITA 7.1	<p>For clarification purposes, the Employer's address</p> <p>Attention: Engr. <i>Tunde Seriki – Procurement Specialist</i></p> <p>Address: <i>Nigeria Electrification Project- Rural Electrification Agency of Nigeria</i></p> <p><i>26 Babatope Ajakaiye Crescent Jahi District FCT, Abuja – Nigeria</i></p> <p>City: <i>Abuja</i></p> <p>ZIP Code: <i>23401</i></p> <p>Country: <i>Nigeria</i></p> <p>Telephone: <i>+2348033252544</i></p>

	Electronic mail address: <i>nep-procurement@rea.gov.ng</i>
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ITA 7.1 & 8.2	Web page: <i>https://nep.rea.gov.ng</i>
ITA 7.2	Pre-Application Meeting will be held: <i>Yes</i>
C. Preparation of Applications	
ITA 10.1	<p>This Initial Selection document has been issued in <i>English</i>.</p> <p>All correspondence exchange shall be in English language.</p> <p>The Application as well as all correspondence shall be submitted in English.</p> <p>Language for translation of supporting documents and printed literature is English.</p>
ITA 11.1 (d)	The Applicant shall submit with its Application, the following additional documents: <i>[As necessary]</i>
ITA 14.2	<p>The source for determining NGN:USD exchange rates is <i>Nigeria Autonomous Foreign Exchange (NAFEX)</i>. The source for determining exchange rates for any other currency is Oanda.com.</p> <p>Exchange rates should be taken on the last day of the year.</p>
ITA 15.2	Submissions will be made electronically via the Odyssey platform. In addition to the original electronic copy submitted via Odyssey, a hard copy submission could be made only if electronic submission via the Odyssey platform is unsuccessful on account of any unforeseen platform glitch.

D. Submission of Applications	
ITA 17.1	<p>The deadline for Application submission is:</p> <p>Date: 16th December 2024</p> <p>Time: 12 pm WAT</p> <p>Applicants <i>shall</i> submit their Applications electronically.</p> <p>The electronic Application submission procedures shall be:</p> <ol style="list-style-type: none"> 1) <i>Ensure all documents are provided in pdf format</i> 2) <i>Upload all documents on the Odyssey platform</i>
ITA 18.1	The Employer reserves the right to accept or reject late Applications.
ITA 19.1	<p>The opening of the Applications shall be at Nigeria Electrification Project office– Rural Electrification Agency of Nigeria</p> <p>Address: 26 Babatope Ajakaiye Crescent Jahi District Abuja</p> <p>Time: 12 pm WAT</p> <p>Date: 16th December 2024</p>
ITA 19.2	The electronic Application opening procedures shall be the same as hard copy application submission procedures.
E. Procedures for Evaluation of Applications	
ITA 23.1	A margin of domestic preference <i>shall not</i> apply
ITA 24.1	At this time the Employer <i>does not intend</i> to execute certain specific parts of the project by sub-contractors selected in advance.
ITA 24.2	The parts of the projects for which the Employer does not permit Applicants to propose Subcontractors are designated as follows: N/A
ITA 24.3	Maximum percentage of subcontracting proposed to be permitted for the project that are the subject of this Initial Selection: N/A
F. Evaluation of Applications and Initial Selection of Applicants	
ITA 25.2	The relevant qualifications of the proposed Specialized Subcontractors <i>will be</i> added to the qualifications of the Applicant for the purpose of evaluation as indicated in Section III - Initial Selection Criteria and Requirements.
ITA 27.1	<p>Initial Selection – minimum number (x)</p> <p>The Employer intends to Initially Select the following number of long listed</p>

	<p>Applications: 50 firms.</p> <p>Initial Selection – maximum number (y)</p> <p>The Employer, may, at its sole discretion, Initially Select more than the minimum number of long listed Applications. The maximum number that may be Initially Selected is as many firm that meets the qualification criteria and requirement. This number is referred to as <i>y</i>.</p>
ITA 29.7	<p>The Employer intends to require Proposers to submit Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Forced Labor Declaration.</p>
ITA 31.1	<p>The procedures for making a Procurement-related Complaint are detailed in the “Procurement Regulations for IPF Borrowers (Annex III).” If an Applicant wishes to make a Procurement-related Complaint, the Applicant shall submit its complaint following these procedures, in writing (by the quickest means available, that is either by email or fax), to:</p> <p>For the attention: <i>Head of PMU, Nigeria Electrification Project – Rural Electrification Agency of Nigeria</i></p> <p>Title/position: <i>Head of PMU, Nigeria Electrification Project</i></p> <p>Employer: <i>Rural Electrification Agency of Nigeria</i></p> <p>Email address: <i>nep@rea.gov.ng</i></p> <p>In summary, at this stage, a Procurement-related Complaint may challenge any of the following:</p> <ol style="list-style-type: none"> 1. the terms of the Initial Selection Document; and 2. the Employer’s decision not to initially select an Applicant.

Section III - Initial Selection Criteria and Requirements

This section contains all the methods, criteria, and requirements that the Employer shall use to evaluate Applications. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.

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Table 1 – Qualification Criteria and Requirements

Note to Employer: Only applications that are substantially responsive to the qualification criteria and requirements in Table 1 are to be assessed

1. Eligibility

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
1.1	Nationality	Nationality in accordance with ITA 4.5	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in accordance with ITA 4.6	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
1.3	Bank Eligibility	Not having been declared ineligible by the Bank, as described in ITA 4.7 and 5.1	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
1.4	State-owned enterprise or institution of the Borrower country	Meets conditions of ITA 4.9	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.5	United Nations resolution or Borrower's country law	Not having been excluded as a result of prohibition in the Borrower's country laws or official regulations against commercial relations with the Applicant's country, or by an act of compliance with UN Security Council resolution, both in accordance with ITA 5.1 and Section V.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments

2. Historical Contract Non-Performance

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
2.1	History of Non-Performing Contracts	Non-performance of a contract ¹ did not occur as a result of contractor's default since 1 st January 2021.	Must meet requirement ¹	Must meet requirements	Must meet requirement ²	N/A	Form CON-2
2.2	Suspension Based on Execution of Bid or Proposal Securing Declaration by the Employer	Not under suspension based on execution of Bid or Proposal Securing Declaration pursuant to ITA 4.10.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
2.3	Pending Litigation	Applicant's financial position and prospective long-term profitability still sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved against the Applicant	Must meet requirement	N/A	Must meet requirement	N/A	Form CON – 2
2.4	Litigation History	No consistent history of court/arbitral award decisions against the Applicant ³ since 1 st January 2021	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Form CON – 2
2.5	Declaration: Environmental and Social	Declare any civil work contracts that have been suspended or terminated and/or performance security called by	Must make the declaration. Where there is	N/A	Each must make the declaration.	N/A	Form CON-3 ES Performance Declaration

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
	(ES) past performance	an employer for reasons related to the non-compliance of any environmental, or social (including Sexual Exploitation and Abuse and Forced Labor) contractual obligations in the past five years. ⁴	Specialized Sub-contractor/s such Specialized Sub-contractor/s must make the declaration.		Where there is Specialized Sub-contractor/s such Specialized Sub-contractor/s must make the declaration.		
2.6	Bank’s SEA and/or SH Disqualification	(a) At the time of Contract Award, not subject to disqualification by the Bank for non-compliance with SEA/ SH obligations (b) If the Applicant had been subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor declaration obligations, the Applicant shall either (i) provide evidence of an arbitral award on the disqualification made in its favour; or (ii) demonstrate that it has adequate capacity and commitment to comply with SEA/SH and Forced Labor prevention and response obligations; or (iii) provide evidence that it has already demonstrated such capacity and commitment for another Bank	Must meet requirement (including each subcontractor)	N/A	Must meet requirement (including each subcontractor proposed by the Applicant)	N/A	Application Submission Letter, Form CON-4

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
		financed works contract.					

3. Financial Situation and Performance

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
3.1	Financial Capabilities	(i) The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the cash flow requirements estimated as USD \$10 million for Tier 1 pre-qualified organization and USD \$3 million for Tier 2 pre-qualified organization for the subject project(s) net of the Applicants other commitments.	Must meet requirement	Must meet requirement	N/A	N/A	Form FIN – 3.1, with attachments
		(ii) The Applicant shall also demonstrate, to the satisfaction of the Employer, that it has adequate sources of finance to meet the cash flow requirements on projects currently in progress and for future project commitments.	Must meet requirement	Must meet requirement	N/A	N/A	
		(iii) The audited financial statements acceptable to the Employer, for the last three years (2023, 2022 and 2021) shall be submitted and must demonstrate the current soundness of the Applicant's	Must meet requirement	N/A	Must meet requirement	N/A	

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
		<p>financial position and indicate its prospective long-term profitability.</p> <p>(iv) The Applicant shall demonstrate, with verifiable documentary evidence, that it has experience in raising financing (equity, debt, venture capital), shown by having raised financing successfully for at least two (2) projects in energy infrastructure projects in the past 5 years. For these projects, the Applicant should provide:</p> <ul style="list-style-type: none"> • A brief description of the project and the financing equity amount raised • References (names and contact information) • Evidence of contract award/agreement documentation • Completion as well as the operational acceptance certificates where applicable. 		Must meet requirement	N/A	N/A	Attachments
3.2	Average Annual Turnover	The applicant shall demonstrate that it has had a minimum average annual turnover of US\$ 5 million calculated as total turnover within the last three years , divided by three for a Tier 1 pre-qualified organization.	Must meet requirement	Must meet requirement	Must meet 20 % of the requirement	Must meet 20 % of the requirement	Form FIN – 3.2

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
		The applicant shall demonstrate that it has had a minimum average annual turnover of US\$ 3 million calculated as total turnover within the last three years , divided by three for a Tier 2 pre-qualified organization.					

4. Experience

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
4.1	General Experience	<p>The applicant shall demonstrate adequate general experience by providing details of at least three generation and/or distribution electricity projects developed and deployed within the last five (5) years. This should include details of the type of project, generation source(s), generation capacity, project timeline, the company’s role on the project, and the current operational status of the project. The selected projects should either be the projects with the largest generation capacities or projects which include innovative technologies.</p> <p>At least two of the projects should have a Solar PV component.</p>	Must meet requirement	N/A	N/A	Must meet requirement	Form EXP – 4.1
4.2 (a)	Specific Experience	To be qualified as a Tier 1 Pre-Qualified Organization, the applicant must have developed, deployed, and operated at least two electricity generation projects with a minimum	Must meet requirement	Must meet requirement ⁵	N/A	N/A	Form EXP 4.2 (a)

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
		<p>generating capacity of 2MW within the last five (5) years. At least one of these projects must be in Africa. The applicant must have deployed and developed cumulative generation capacity of 20 MW.</p> <p>The applicant shall also provide the full project implementation timeline for these projects including dates for key project milestones.</p> <p>To be qualified as a Tier 2 Pre-Qualified Organization, the applicant must have developed, deployed, and operated at least two electricity generation projects with a minimum generating capacity of 300kW. The applicant must have deployed and developed cumulative generation capacity of 2MW.</p> <p>The applicant shall also provide the full project implementation timeline for these projects including dates for key project milestones.</p> <p>For both Tier 1 and Tier 2, the generating capacity of a project will be measured as the rated generating</p>					

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
		capacity from a single generation technology not the sum of multiple generation sources.					
4.2 (b)	Specific Experience in managing ES aspects	For the projects in 4.2 (a) above and/or any other projects [substantially completed and under implementation] as prime developer, joint venture member, or Subcontractor between in the past 10 years, the applicant must provide experience in managing ES risks and impacts.	Must meet requirement	Must meet requirement	N/A	N/A	Form EXP – 4.2 (b)
4.2 (c)	Technical and Implementation Capacity	The applicant shall provide valid license to operate as an electrical contractor issued by the Nigeria Electricity Management Service Agency (NEMSA). The applicant shall provide evidence that at least one of the key personnel of the company or partner is a COREN registered engineer.	Must meet requirement	Must meet requirement	N/A	N/A	Attachments
<i>[Note: Other specific experience e.g. in operation may be specified as necessary]</i>							

Section IV - Application Forms

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Application Submission Letter

Date: *[insert day, month, and year]*
ISD No. and title: *[insert ISD number and title]*

To: Rural Electrification Agency of Nigeria

We, the undersigned, apply to be initially selected for the referenced Request for Proposal (RFP) and declare that:

- (a) **No reservations:** We have examined and have no reservations to the Initial Selection Document, including Addendum(s) No(s). issued in accordance with ITA 8: *[insert the number and issuing date of each addendum]*.
- (b) **No conflict of interest:** We have no conflict of interest in accordance with ITA 4.6;
- (c) **Eligibility:** We (and our subcontractors) meet the eligibility requirements as stated in ITA 4, we have not been suspended by the Employer based on execution of a Bid-Securing Declaration or Proposal-Securing Declaration in accordance with ITA 4.10;
- (d) **Suspension and Debarment:** We, along with any of our subcontractors, suppliers, consultants, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension or a debarment imposed by the World Bank Group or a debarment imposed by the World Bank Group in accordance with the Agreement for Mutual Enforcement of Debarment Decisions between the World Bank and other development banks. Further, we are not ineligible under the Employer’s country laws or official regulations or pursuant to a decision of the United Nations Security Council;
- (e) **Sexual Exploitation and Abuse (SEA) and/or Sexual Harassment (SH) and Forced Labor:** *[select the appropriate option from (i) to (v) below and delete the others]*.

We *[where JV, insert: “including any of our JV members”]*, and any of our subcontractors:

- (i) *[have not been subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor obligations.]*
- (ii) *[are subject to disqualification by the Bank for non-compliance with SEA/ SH obligations and Forced Labor.]*
- (iii) *[had been subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor obligations. An arbitral award on the disqualification case has been made in our favor.]*
- (iv) *[had been subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor obligations for a period of two years. We have subsequently provided and demonstrated that we have adequate capacity and commitment to comply with SEA, SH and Forced Labor prevention and response obligations.]*

(v) [had been subject to disqualification by the Bank for non-compliance with SEA/SH and Forced Labor obligations for a period of two years. We have attached documents demonstrating that we have adequate capacity and commitment to comply with SEA, SH and Forced Labor prevention and response obligations.]

(f) **State-owned enterprise or institution:** *[select the appropriate option and delete the other] [We are not a state-owned enterprise or institution] / [We are a state-owned enterprise or institution but meet the requirements of ITA 4.9];*

(g) **Subcontractors and Specialized Subcontractors:** We, in accordance with ITA 24.2 and 25.2, plan to subcontract the following parts of the contract:

[Insert any part of the contract which the Applicant intends to subcontract along with complete details of the Specialized Subcontractors, their qualification and experience]

(h) **Commissions, gratuities, fees:** We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the Initial Selection process, the corresponding RFP process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
<i>[insert full name for each occurrence]</i>	<i>[insert street/number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount currency, value, exchange rate and US\$ equivalent]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If no payments are made or promised, add the following statement: “No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application]

(h) **Not bound to accept:** We understand that you may cancel the Initial Selection process at any time and that you are neither bound to accept any Application that you may receive nor to invite the initially selected Applicants to submit Proposal for the contract subject of this Initial selection process, without incurring any liability to the Applicants, in accordance with ITA 26.1.

(i) **True and correct:** All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name *[insert full name of person signing the Application]*

In the capacity of *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of:

Applicant's Name *[insert full name of Applicant or the name of the JV]*

Address *[insert street number/town or city/country address]*

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*

[For a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

Form ELI -1.1

Applicant Information Form

Date: *[insert day, month, year]*

ISD No. and title: *[insert ISD number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant's name <i>[insert full name]</i>
In case of Joint Venture (JV), name of each member: <i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration: <i>[indicate country of Constitution]</i>
Applicant's actual or intended year of incorporation: <i>[indicate year of Constitution]</i>
Applicant's legal address [in country of registration]: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA 4.5. <input type="checkbox"/> In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.2. <input type="checkbox"/> In case of state-owned enterprise or institution, in accordance with ITA 4.9 documents establishing: <ul style="list-style-type: none"> • Legal and financial autonomy • Operation under commercial law • Establishing that the Applicant is not under supervision of the Employer
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI -1.2

Applicant's JV Information Form

[The following form is additional to Form ELI – 1.1., and shall be completed to provide information relating to each JV member (in case the Applicant is a JV) as well as any Specialized Subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this Initial Selection]

Date: *[insert day, month, year]*

ISD No. and title: *[insert ISD number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant name: <i>[insert full name]</i>
Applicant's JV Member's name: <i>[insert full name of Applicant's JV Member]</i>
Applicant's JV Member's country of registration: <i>[indicate country of registration]</i>
Applicant JV Member's year of constitution: <i>[indicate year of constitution]</i>
Applicant JV Member's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant JV Member's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.5. <input type="checkbox"/> In case of a state-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and they are not under the supervision of the Employer, in accordance with ITA 4.9. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form CON – 2

Historical Contract Non-Performance, Pending Litigation and Litigation History

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member's Name: *[insert full name]*
 ISD No. and title: *[insert ISD number and title]*
 Page *[insert page number]* of *[insert total number]* pages

Non-Performed Contracts in accordance with Section III, Table 1 Qualification Criteria, and Requirements			
<input type="checkbox"/> Contract non-performance did not occur since 1 st January <i>[2019]</i> specified in Section III, – Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1 st January <i>[2019]</i> specified in Section III, – Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.1.			
Year	Non-performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and US\$ equivalent)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Reason(s) for nonperformance: <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>
Pending Litigation, in accordance with Section III, Table 1 Qualification Criteria, and Requirements			
<input type="checkbox"/> No pending litigation in accordance with Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.3.			
<input type="checkbox"/> Pending litigation in accordance with Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.3 as indicated below.			

Year of dispute	Amount in dispute (currency)	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert amount]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate “Employer” or “Contractor”]</i> Status of dispute:	<i>[insert amount]</i>
Litigation History in accordance with Section III, Table 1 Qualification Criteria, and Requirements			
<input type="checkbox"/> No Litigation History in accordance with Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.4. <input type="checkbox"/> Litigation History in accordance with Section III, Table 1 Qualification Criteria, and Requirements, Sub-Factor 2.4 as indicated below.			
Year of award	Outcome as percentage of Net Worth	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert percentage]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate “Employer” or “Contractor”]</i> Reason(s) for Litigation and award decision <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>

Form CON – 3

ES Performance Declaration

[The following table shall be filled in for the Applicant, each member of a Joint Venture and each Specialized Subcontractor]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member's or Specialized Subcontractor's Name: *[insert full name]*

ISD No. and title: *[insert ISD number and title]*

Page *[insert page number]* of *[insert total number]* pages

Environmental and Social Performance Declaration in accordance with Section III, Qualification Criteria, and Requirements			
<input type="checkbox"/> No suspension or termination of contract: An employer has not suspended or terminated a contract and/or called the performance security for a contract for reasons related to Environmental and Social (ES) performance since the date specified in Section III, Qualification Criteria, and Requirements, Sub-Factor 2.5.			
<input type="checkbox"/> Declaration of suspension or termination of contract: The following contract(s) has/have been suspended or terminated and/or Performance Security called by an employer(s) for reasons related to Environmental and Social (ES) performance since the date specified in Section III, Qualification Criteria, and Requirements, Sub-Factor 2.5. Details are described below:			
Year	Terminated contract or Suspended portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and US\$ equivalent)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Reason(s) for suspension or termination: <i>[indicate main reason(s) e.g. gender based violence; sexual exploitation or sexual abuse breaches]</i>	<i>[insert amount]</i>
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: <i>[insert street/city/country]</i> Reason(s) for suspension or termination: <i>[indicate</i>	<i>[insert amount]</i>

		<i>main reason(s)</i>	
...	...	<i>[list all applicable contracts]</i>	...
Performance Security called by an employer(s) for reasons related to ES performance			
Year	Contract Identification		Total Contract Amount (current value, currency, exchange rate and US\$ equivalent)
<i>[insert year]</i>	<i>Contract Identification: [indicate complete contract name/ number, and any other identification]</i> <i>Name of Employer: [insert full name]</i> <i>Address of Employer: [insert street/city/country]</i> <i>Reason(s) for calling of performance security: [indicate main reason(s) e.g. gender-based violence; sexual exploitation or sexual abuse breaches]</i>		<i>[insert amount]</i>

Form CON – 4

Sexual Exploitation and Abuse (SEA) and/or Sexual Harassment and Forced Labor Performance Declaration

[The following table shall be filled in by the Applicant, each member of a Joint Venture and each subcontractor proposed by the Applicant]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member's or Subcontractor's Name: *[insert full name]*

ISD No. and title: *[insert ISD number and title]*

Page *[insert page number]* of *[insert total number]* pages

SEA and/or SH and Forced Labor Declaration in accordance with Section III, Qualification Criteria, and Requirements
<p>We:</p> <p><input type="checkbox"/> (a) have not been subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor obligations</p> <p><input type="checkbox"/> (b) are subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor obligations</p> <p><input type="checkbox"/> (c) had been subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor obligations. An arbitral award on the disqualification case has been made in our favor.</p> <p><input type="checkbox"/> (d) had been subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor obligations for a period of two years. We have subsequently demonstrated that we have adequate capacity and commitment to comply with SEA/ SH and Forced Labor obligations.</p> <p><input type="checkbox"/> (e) had been subject to disqualification by the Bank for non-compliance with SEA/ SH and Forced Labor obligations for a period of two years. We have attached evidence demonstrating that we have adequate capacity and commitment to comply with SEA/ SH and Forced Labor obligations.</p>
<p><i>[If (c) above is applicable, attach evidence of an arbitral award reversing the findings on the issues underlying the disqualification.]</i></p>
<p><i>[If (d) or (e) above are applicable, provide the following information:]</i></p>
<p>Period of disqualification: From: _____ To: _____</p>
<p>If previously provided for another Bank financed works contract, details of evidence that demonstrated adequate capacity and commitment to comply with SEA/ SH and Forced Labor obligations (as per (d) above)</p> <p>Name of Employer: _____</p>

<p>Name of Project: _____</p> <p>Contract description: _____</p> <p>Brief summary of evidence provided: _____</p> <p>_____</p> <p>Contact Information: (Tel, email, name of contact person): _____</p> <p>_____</p>
<p>As an alternative to the evidence under (d), other evidence demonstrating adequate capacity and commitment to comply with SEA/ SH and Forced Labor obligations (as per (e) above) [<i>attach details as appropriate</i>].</p>

Form FIN – 3.1

Financial Situation and Performance

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 ISD No. and title: *[insert ISD number and title]*
 Page *[insert page number]* of *[insert total number]* pages

1. Financial data

Type of Financial information in (currency)	Historic information for previous _ <i>[insert number]</i> years, <i>[insert in words]</i> (amount in currency, currency, exchange rate*, USD equivalent)				
	Year 1	Year 2	Year 3	Year4	Year 5
Statement of Financial Position (Information from Balance Sheet)					
Total Assets (TA)					
Total Liabilities (TL)					
Total Equity/Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
Cash Flow Information					
Cash Flow from Operating Activities					

* Refer to ITA 14 for the exchange rate

2. Sources of Finance

[The following table shall be filled in for the Applicant and all parties combined in case of a Joint Venture]

Specify sources of finance to meet the cash flow requirements on contracts currently in progress and for future contract commitments.

No.	Source of finance	Amount (US\$ equivalent)
1		
2		
3		

3. Financial documents

The Applicant and its parties shall provide copies of financial statements for *[number]* years pursuant Section III, Table 1 – Qualification Criteria, and Requirements Sub-factor 3.1. The financial statements shall:

- (a) reflect the financial situation of the Applicant or in case of JV member, and not an affiliated entity (such as parent company or group member).
- (b) be independently audited or certified in accordance with local legislation.
- (c) be complete, including all notes to the financial statements.
- (d) correspond to accounting periods already completed and audited.

Attached are copies of financial statements¹ for the *[number]* years required above; and complying with the requirements

¹ If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this should be justified.

Form FIN - 3.2

Average Annual Turnover

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

ISD No. and title: *[insert ISD number and title]*

Page *[insert page number]* of *[insert total number]* pages

Annual Construction Turnover Data			
Year	Amount Currency	Exchange rate*	USD equivalent
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>		
		Average Annual Turnover **	

* Refer ITA 14 for date and source of exchange rate.

** Total USD equivalent for all years divided by the total number of years. See Section III, Table 1 Qualification Criteria, and Requirements, 3.2.

Form EXP - 4.1 General Experience

[The following table shall be filled in for the Applicant and in the case of a JV Applicant, each Member]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 ISD No. and title: *[insert ISD number and title]*
 Page *[insert page number]* of *[insert total number]* pages

[Identify contracts that demonstrate continuous construction work over the past [number] years pursuant to Section III, Table 1 Qualification Criteria and Requirements, Sub-Factor 4.1. List contracts chronologically, according to their commencement (starting) dates.]

Starting Year	Ending Year	Project Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Project name: <i>[insert full name]</i> Brief Description of the Projects implemented by the Applicant: <i>[describe contracts performed briefly including type of project, generation source(s), generation capacity, project timeline, the company's role on the project, and the current operational status of the project.]</i> Amount of project: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Project name: <i>[insert full name]</i> Brief Description of the Projects implemented by the Applicant: <i>[describe contracts performed briefly including type of project, generation source(s), generation capacity, project timeline, the company's role on the project, and the current operational status of the project.]</i> Amount of project: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Project name: <i>[insert full name]</i> Brief Description of the Projects implemented by the	<i>[insert "Prime Contractor" or</i>

	<p>Applicant: <i>[describe contracts performed briefly including type of project, generation source(s), generation capacity, project timeline, the company's role on the project, and the current operational status of the project.]</i></p> <p>Amount of project: <i>[insert amount in currency, mention currency used, exchange rate and US\$ equivalent*]</i></p> <p>Name of Employer: <i>[indicate full name]</i></p> <p>Address: <i>[indicate street/number/town or city/country]</i></p>	<p><i>"JV Member" or "Sub-contractor" or "Management Contractor"</i></p>
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* Refer ITA 14 for date and source of exchange rate.

Form EXP - 4.2 (a) Specific Experience

(Table 1, 4.2 and Table 2)

[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 ISD No. and title: *[insert ISD number and title]*
 Page *[insert page number]* of *[insert total number]* pages

	Information			
Project Identification	<i>[insert details of project – project name, location (Country, location within country)]</i>			
Project commissioning date	<i>[insert day, month, year, e.g., 03 October, 2017]</i>			
Name of Client or Employer:	<i>[insert full name]</i>			
Address of Customer or Employer:	<i>[indicate street / number / town or city / country]</i>			
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>			
E-mail:	<i>[insert e-mail address, if available]</i>			
Role in Project <i>[check the appropriate box]</i>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub-contractor <input type="checkbox"/>
Total Project CAPEX Amount	<i>[insert total project CAPEX amount in local currency]</i>		US\$ <i>[insert Exchange rate and total contract amount in US\$ equivalent] *</i>	
If member in a JV or sub-contractor, specify share in value in total Project amount and roles and responsibilities	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i>	<i>[insert exchange rate and total contract amount in US\$ equivalent] *</i>	
	<i>[insert roles and responsibilities]</i>			
Generating capacity of all generation assets	<i>[insert generation capacity of all generation assets in kW]</i>			

	Information
Storage capacity of all storage assets	<i>[insert storage capacity of all storage assets in kWh]</i>
Project Description	<i>[insert a description of the project]</i>
Project initiation date (e.g., date of selection as preferred bidder)	<i>[insert day, month, year, e.g., 03 October, 2017]</i>
Contract signing date (date on which relevant project contract e.g., tripartite agreement, power purchase agreement etc. was signed)	<i>[insert day, month, year, e.g., 03 October, 2017]</i>
Financial close date	<i>[insert day, month, year, e.g., 03 October, 2017]</i>
Commercial operations date	<i>[insert day, month, year, e.g., 03 October, 2017]</i>
Project commissioning date	<i>[insert day, month, year, e.g., 03 October, 2017]</i>
Address of Customer or Employer:	<i>[indicate street / number / town or city / country]</i>
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>
E-mail:	<i>[insert e-mail address, if available]</i>

* Refer ITA 14 for date and source of exchange rate.

Form EXP - 4.2(b) Specific Experience in Managing ES aspects

[The following table shall be filled in for contracts performed by the Applicant, and each member of a Joint Venture]

Applicant's Name: _____
 Date: _____
 Applicant's JV Member Name: _____
 ISD No. and title: _____
 Page _____ of _____ pages

1. Key Requirement no 1 in accordance with 4.2 (b): _____

Contract Identification				
Award date				
Completion date				
Role in Contract	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>
Total Contract Amount			US\$	
Details of relevant experience				

2. Key Requirement no 2 in accordance with 4.2 (b): _____

3. Key Requirement no 3 in accordance with 4.2 (c): _____

...

Section V - Eligible Countries

Eligibility for the Provision of Goods, Works, and Services in Bank-Financed Procurement

In reference to ITA 5.1, for the information of the Applicants, at the present time firms and individuals, supply of goods, or contracting of works or services, from the following countries are excluded from this Initial Selection process:

Under ITA 5.1 (a) *[insert a list of the countries following approval by the Bank to apply the restriction or state “none”]*

Under ITA 5.1 (b) *[list the countries or state “none”]*

Section VI - Fraud and Corruption

(Text in this Section VI shall not be modified)

1. Purpose

1.1 The Bank's Anti-Corruption Guidelines and this annex apply with respect to procurement under Bank Investment Project Financing operations.

2. Requirements

2.1 The Bank requires that Borrowers (including beneficiaries of Bank financing); bidders (applicants/proposers), consultants, contractors and suppliers; any sub-contractors, sub-consultants, service providers or suppliers; any agents (whether declared or not); and any of their personnel, observe the highest standard of ethics during the procurement process, selection and contract execution of Bank-financed contracts, and refrain from Fraud and Corruption.

2.2 To this end, the Bank:

- a. Defines, for the purposes of this provision, the terms set forth below as follows:
 - i. "corrupt practice" is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;
 - ii. "fraudulent practice" is any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain financial or other benefit or to avoid an obligation;
 - iii. "collusive practice" is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;
 - iv. "coercive practice" is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
 - v. "obstructive practice" is:
 - (a) deliberately destroying, falsifying, altering, or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede a Bank investigation into allegations of a corrupt, fraudulent, coercive, or collusive practice; and/or threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation; or
 - (b) acts intended to materially impede the exercise of the Bank's inspection and audit rights provided for under paragraph 2.2 e. below.

- b. Rejects a proposal for award if the Bank determines that the firm or individual recommended for award, any of its personnel, or its agents, or its sub-consultants, sub-contractors, service providers, suppliers and/ or their employees, has, directly or indirectly, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question;
- c. In addition to the legal remedies set out in the relevant Legal Agreement, may take other appropriate actions, including declaring mis procurement, if the Bank determines at any time that representatives of the Borrower or of a recipient of any part of the proceeds of the loan engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices during the procurement process, selection and/or execution of the contract in question, without the Borrower having taken timely and appropriate action satisfactory to the Bank to address such practices when they occur, including by failing to inform the Bank in a timely manner at the time they knew of the practices;
- d. Pursuant to the Bank’s Anti-Corruption Guidelines, and in accordance with the Bank’s prevailing sanctions policies and procedures, may sanction a firm or individual, either indefinitely or for a stated period of time, including by publicly declaring such a firm or individual ineligible (i) to be awarded or otherwise benefit from a Bank-financed contract, financially or in any other manner;¹ (ii) to be a nominated² sub-contractor, consultant, manufacturer or supplier, or service provider of an otherwise eligible firm being awarded a Bank-financed contract; and (iii) to receive the proceeds of any loan made by the Bank or otherwise to participate further in the preparation or implementation of any Bank-financed project;
- e. Requires that a clause be included in request for bid/request for proposals documents and in contracts financed by a Bank loan, requiring (i) bidders (applicants/proposers), consultants, contractors, and suppliers, and their sub-contractors, sub-consultants, service providers, suppliers, agents, personnel, permit the Bank to inspect³ all accounts, records and other documents relating to the procurement process, selection and/or contract execution, and to have them audited by auditors appointed by the Bank.

¹ For the avoidance of doubt, a sanctioned party’s ineligibility to be awarded a contract shall include, without limitation, (i) applying for pre-qualification, expressing interest in a consultancy, and bidding, either directly or as a nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider, in respect of such contract, and (ii) entering into an addendum or amendment introducing a material modification to any existing contract.

² A nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider (different names are used depending on the particular bidding document) is one which has been: (i) included by the bidder in its pre-qualification Application or bid because it brings specific and critical experience and know-how that allow the bidder to meet the qualification requirements for the particular bid; or (ii) appointed by the Borrower.

³ Inspections in this context usually are investigative (i.e., forensic) in nature. They involve fact-finding activities undertaken by the Bank or persons appointed by the Bank to address specific matters related to investigations/audits, such as evaluating the veracity of an allegation of possible Fraud and Corruption, through the appropriate mechanisms. Such activity includes but is not limited to: accessing and examining a firm’s or individual’s financial records and information, and making copies thereof as relevant; accessing and examining any other documents, data and information (whether in hard copy or electronic format) deemed relevant for the investigation/audit, and making copies thereof as relevant; interviewing staff and other relevant individuals; performing physical inspections and site visits; and obtaining third party verification of information.

PART 2 – Employer's Requirements

Section VII - Scope of Employer’s Requirements

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1. Description of the Projects

[Insert a summary of the technical requirements such as:

- 1. Outline description of the projects*
- 2. Legal and Regulatory Requirements*
- 3. Functional and/or Performance Requirements*
- 4. Commissioning and Trial Operation Requirements*
- 5. Testing and Quality Assurance Requirement*
- 6. Any other significant features]*

3. Implementation Period

3. Site and Other Data

S/N	Site	DisCo	State	Coordinates
1	Deidei Market	AEDC	FCT	9.0765, 7.3985
2	Jikwoyi	AEDC	FCT	8.9789, 7.5669
3	Orozo	AEDC	FCT	8.9002, 7.5707
4	Pykassa	AEDC	FCT	8.9536, 7.3947
5	Ankpa	AEDC	Kogi	7.457, 7.510
6	Anyigba Town 1	AEDC	Kogi	7.489, 7.179
7	Anyigba Town 2	AEDC	Kogi	7.489, 7.180
8	Anyigba Town 3	AEDC	Kogi	7.489, 7.181
9	Oha	BEDC	Delta	5.63366, 5.85565
10	Orekope	BEDC	Delta	5.64060, 5.89218
11	Iju	BEDC	Ondo	7.3803, 5.2528
12	Irun Akoko	BEDC	Ondo	7.58112, 5.669585
13	Ogbagi Akoko	BEDC	Ondo	7.55459667, 5.709155
14	Adelubi	IBEDC	Oyo	7.394322, 4.014274
15	Bola Community	IBEDC	Oyo	7.377766, 3.89725
16	Jiboye	IBEDC	Oyo	7.394495, 3.776544
17	Molade IV	IBEDC	Oyo	7.40646, 3.959167
18	Ogo-Oluwa	IBEDC	Oyo	7.404244, 4.003911
19	Sooko Elegu	IBEDC	Oyo	7.455187, 3.975417
20	Igando	IE	Lagos	6.55118, 3.239834
21	Ijaiye	IE	Lagos	6.666217, 3.286056
22	Bichi	KEDCO	Kano	12.2370, 8.2385
23	Civic Center Ultra Modern Market	KEDCO	Kano	12.00277, 8.53709
24	Dawakin Kudu (Kwanar Dawaki)	KEDCO	Kano	11.859971, 8.543465
25	Singer Market	KEDCO	Kano	12.008722, 8.53698
26	Tarauni Shopping Estate	KEDCO	Kano	11.975155, 8.559296
27	Aka Road	PHEDC	Akwa Ibom	5.017046, 7.922664
28	Gokhana and Khana	PHEDC	Rivers	4.687045, 7.30672
29	Ogu Bolu	PHEDC	Rivers	4.723908, 7.201008
30	Onne	PHEDC	Rivers	4.733532, 7.154886
31	Bamba Community	YEDC	Adamawa	9.1967943, 12.51427
32	Kofare Janbutu Jimeta	YEDC	Adamawa	9.287873, 12.41061
33	Saminaka Janbutu Jimeta	YEDC	Adamawa	9.27273, 12.3853
34	Mayo Dasa	YEDC	Taraba	8.943744, 11.340820
35	Mutum Biyu Community	YEDC	Taraba	10.7719503, 8.6360649
36	Behind Govt. College, Along Nguru Hadejia Road	YEDC	Yobe	10.419694, 12.868739
37	Danchuwa Rd, Behind Prison	YEDC	Yobe	11.092663, 11.735291
38	Gashua, Nguru Road	YEDC	Yobe	10.996421, 12.876389
39	Waziri Ibrahim Estate	YEDC	Yobe	11.990708, 11.762154
40	Rugan Fulani	YEDC	Yobe	11.990708, 11.762155

4. Environmental and Social (ES) Requirement

[The Employer’s team preparing the ES requirements should include a suitably qualified Environmental and Social specialist/s.]

Based on the ES assessment, the Employer shall provide key ES risks and impacts and expectations on developers to manage the risks and impacts. This may include as appropriate, but not limited to a summary of: key expectations in addressing Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) risks and impacts, managing labor and working conditions, protection of the environment, security of the site, community health and safety, management of safety of hazardous materials, resource efficiency and pollution prevention and management, biodiversity conservation and sustainable management of living natural resources etc. Any summary (key) information provided here shall not be inconsistent with the more detailed requirements in the RFP document.]

4. Confidentiality

In this Initial Selection, Bidder must sign a Mutual Confidentiality Agreement provided in Exhibit B. During the term of this Initial Selection or any RFPs, Bidders or Pre-Qualified Organizations may receive or have access to data and information that is confidential and proprietary to Electricity Distribution Companies and/or its customers. All such data and information (“Confidential Information”) made available to, disclosed to, or otherwise made known to Bidder in connection with this Initial Selection Process or future RFPs shall be considered the sole property of applicable Electricity Distribution Company and/or its Customers. Confidential Information may be used by Bidder only for the purposes of performing the obligations of the Bidder hereunder. Bidder shall not disclose Confidential Information to any third party without the prior written consent of the Electricity Distribution Company and its Customers. Bidder shall not use or duplicate any proprietary information belonging to or supplied by the Electricity Distribution Company and/or its Customers, except as authorized by Electricity Distribution Company and/or its Customers respectively. These obligations of confidentiality and non-disclosure shall remain in effect for indefinite period. The Bidder agrees that any response and discussion related to this RFQ thereto shall be considered Confidential Information. In the same vein of confidentiality, the Electricity Distribution Companies and REA shall not share, duplicate, or use the Proposals received from Bidders without the written permission of the Bidder. Electricity Distribution Companies and REA shall not disclose Confidential Information to any third party without the prior written consent of the Bidder.

5. Data Protection

Bidder acknowledges and agrees that, in the course of its activities hereunder, it may receive or have access to personal data and hereby agrees to comply with the terms and conditions set forth in this clause in its collection, receipt, use, transmission, storage, disposal, disclosure, or other dealings on such Personal Data (all these activities are herein collectively referred to as “processing”)

Bidder shall:

- *in processing the Personal Data, ensure full compliance with this Agreement and all Applicable Laws (especially the Nigeria Data Protection Regulation issued by the National Information Technology Development Agency – NITDA);*
- *keep and maintain all Personal Data in strict confidence, using such degree of care as is appropriate to avoid unauthorized access, use or disclosure except as permitted under this Clause;*
- *process the Personal Data solely and exclusively for the purposes for which the Personal Data, or access to it, is provided pursuant to the terms and conditions of this Agreement;*
- *not use, sell, rent, transfer, distribute, or otherwise disclose or make available the Personal Data for the Service Provider’s own purposes or for the benefit of anyone;*
- *implement administrative, physical, and technical safeguards to protect the Personal Data in accordance with the international best practices on data security and shall ensure that all such safeguards, including the manner in which the Personal Data is processed comply with the Applicable Laws.*
- *For the purpose of this Clause, Personal Data means information that: (i) identifies or can be used to identify an individual (including, without limitation, names, signatures, addresses, telephone numbers, e-mail addresses, photograph and other unique identifiers);*

or (ii) can be used to authenticate an individual (including, without limitation, identification numbers, user account numbers, government-issued identification numbers, passwords or PINs, financial account numbers, and other such personal identifiers) or (iii) sensitive data in relation to an individual’s race or ethnicity, religious or philosophical beliefs, political opinions and views, trade union membership, etc.

6. Reasons Pre-Qualified Organizations can lose Status

6.1 Pre-Qualified Organizations can lose their status of being a Pre-Qualified Organization if:

- *The time of three (3) years has passed since the Bidder(s) ’s application to become Pre-Qualified Organization was approved by REA.*
- *The Pre-Qualified Organization commits an act that results in the premature termination of an agreement at the fault of the Pre-Qualified Organization.*
- *The Pre-Qualified Organization would no longer qualify under the requirements and qualifications required by this RFQ (e.g., declaring bankruptcy since becoming a Pre-Qualified Organization).*

6.2. Pre-Qualified Organizations that have lost their status can re-apply to be a Pre-Qualified Organization if:

- *The Pre-Qualified Organization lost their status due to the time period of qualification expiring.*
- *If the Pre-Qualified Organization can prove the reason they lost their status has been remedied.*