



## **INTER UNIVERSITY COUNCIL FOR EAST AFRICA**

### **PRE-QUALIFICATION DOCUMENT**

**Subject of Procurement**

**PROPOSED CONSTRUCTION OF INTER-  
UNIVERSITY COUNCIL FOR EAST AFRICA (IUCEA)  
HEAD QUARTERS - PHASE II, KYAMBOGO AREA AT  
KIGOBE ROAD PLOT M833 KAMPALA- UGANDA**

**Procurement Ref Number:**

**IUCEA/WORKS/2022-23/001**

**Employer:**

**INTER- UNIVERSITY COUNCIL FOR EAST AFRICA**

**Date of Issue:**

**MONDAY 14<sup>th</sup> NOVEMBER, 2022**

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## **1. GENERAL PART**

### **1.1. Scope of Application**

1.1.1 The Procuring and Disposing Entity invites applications for the pre-qualification of works, services or supplies described in **Appendix B**.

1.1.2 Throughout this document:

- (a) the “Applicant” means the bidder submitting an application; and
- (b) “Application” means a bid or submission to be short-listed.

as defined in the EAC Procurement Manual 2022 and/or Public Procurement and Disposal of Public Assets Act (PPDA) 2003, as amended 2011, 2021 and Regulations, 2014 (Procurement of Work) of the Government of Uganda.

### **1.2. Source of Funds**

1.2.1 IUCEA received funds from the EAC Partner States and seeks to use part of the funds towards construction of a Phase II of its headquarters. Now the received funds from EAC Partner States have been allocated towards the cost of the procurement described in Appendix B. The Inter-University Council for East Africa (IUCEA) intends to use these funds for payments under the contract resulting from the bidding for which this short list is conducted.

### **1.3. Corrupt Practices**

1.3.1 It is the Partner States of East the African Community policy to require that Procuring and Disposing Entities, as well as Applicants and Providers, observe the highest standards of ethics during procurement and the execution of contracts. In pursuit of this policy, the Partner States of the East African Community (herein referred to as the Authority):

- (a) defines, for the purposes of this provision, the terms set forth below as follows:
  - (i) “corrupt practice” includes the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution; and
  - (ii) “fraudulent practice” includes a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the Procuring and Disposing Entity, and includes collusive practices among Providers prior to or after bid submission designed to establish bid prices at artificial, non-competitive levels and to deprive the Procuring and Disposing Entity of the benefits of free and open competition;

- (b) will reject a recommendation for award if it determines that the Bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract; and
- (c) will suspend a Provider from engaging in any public procurement proceeding for a stated period of time, if it at any time determines that the Provider has engaged in corrupt or fraudulent practices in competing for, or in executing, a Government contract.

1.3.2. In pursuit of the policy, The East African Partner States require representatives of both the Procuring and Disposing Entity and of Providers to adhere to the relevant codes of ethical conduct. The Code of Ethical Conduct for Providers is available from the Authority and Providers are required to indicate their acceptance of this code through the declarations in the Application Submission Sheet.

## **2. INSTRUCTIONS TO PROVIDERS**

### **2.1. Introduction**

The Inter-University Council for East Africa will evaluate and short list all eligible companies for the provision of the construction work, described in **Appendix B** of this document. Once a company has been short listed, it will be invited to submit a bid for the construction works. IUCEA reserves the right to add similar types of works to that described in **Appendix B**.

### **2.2. Objectives**

IUCEA invites sealed applications from reputable providers for the construction works. The scope of works required is given in **Appendix B**.

### **2.3. Eligible Applicants and Countries**

2.3.1 An applicant, and all parties constituting the applicant, shall meet the following criteria to be eligible to participate in public procurement:

- (a) have legal capacity to enter into a contract;
- (b) the applicant is not:
  - (i) insolvent;
  - (ii) in receivership;
  - (iii) bankrupt; or
  - (iv) being wound up
- (c) the applicant's business activities have not been suspended;
- (d) the applicant is not the subject of legal proceedings for any of the circumstances in (b); and

- 2.3.2 The applicant has fulfilled his or her obligations to pay taxes and social security contributions.
- 2.3.3 All EAC Partner States are eligible.
- 2.3.4 An applicant shall be a natural person, private entity, government-owned entity, subject to 2.3.9, or any combination of them with the formal intent to enter into an agreement or under an existing agreement in the form of a joint venture, consortium or association. In the case of a joint venture, consortium or association, unless otherwise specified in the application Submission Sheet, all parties shall be jointly and severally liable.
- 2.3.5 An applicant and all parties constituting the applicant shall have the nationality of an eligible country. An applicant shall be deemed to have the nationality of a country if the applicant is a citizen, or is constituted, incorporated or registered and operates in conformity with the provisions of the laws of that country.
- 2.3.6 This criterion shall also apply to the determination of the nationality of proposed subcontractors or providers for any part of the contract including related services.
- 2.3.7 Applicants shall not have a conflict of interest. All applicants found to be in conflict of interest shall be disqualified. Applicants shall be considered to have a conflict of interest with one or more parties in this short-listing process, if they:
- (a) have controlling shareholders in common; or
  - (b) receive or have received any direct or indirect subsidy from any of them; or
  - (c) have the same legal representative for purposes of this application; or
  - (d) have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the application of another Applicant, or influence the decision of the Procuring and Disposing Entity regarding this short-listing process; or
  - (e) Participated as a consultant in the preparation of the design or technical specifications of the works, services or supplies that are the subject of this short listing.
- 2.3.8 A firm shall submit only one bid in the same bidding process, either individually as a Bidder or as a partner of a joint venture. No firm can be a subcontractor while submitting

a bid individually or as a party of a joint venture in the same bidding process. A firm, if acting in the capacity of Subcontractor in any bid, may participate in more than one bid, but only in that capacity. A Bidder who submits, or participates in, more than one bid will cause all the proposals in which the Bidder has participated to be disqualified.

2.3.9 A firm that is under a declaration of suspension by the Authority at the date of submission of the application or thereafter, shall be disqualified. Government-owned entities in the East African Partner States shall be eligible only if they can establish that they are legally and financially autonomous, and operate under commercial law, and that they are not a dependent agency of the Procuring and Disposing Entity.

2.3.10 An applicant shall provide such evidence of their continued eligibility satisfactory to the Procuring and Disposing Entity, as the Procuring and Disposing Entity shall reasonably request.

#### **2.4. Cost of Applying**

An applicant shall bear all costs associated with the preparation and submission of its application and IUCEA will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the short-listing process.

#### **2.5. Clarification of Short-listing Documents**

A prospective applicant requiring any clarification of the short-listing documents may notify **IUCEA** in writing or by cable (hereinafter, the term cable is deemed to include telephone and e-mail) at the client's address indicated below. **IUCEA** will respond in writing to any request for clarification on the short-listing documents, which it receives no later than seven (7) days prior to the deadline for the submission of applications. Written copies of **IUCEA**'s response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective applicants that have received the short-listing documents.

The Procuring and Disposing Entity's address is;

Attention:	<b>The Executive Secretary</b>
	<b>Inter University Council for East African</b>
Street Address:	<b>Plot M833 Kampala,</b>
	<b>P. O. Box No: 7110,</b>
Town/City:	<b>Kampala</b>
Country:	<b>Uganda.</b>
Telephone:	<b>+256414256251</b>
Electronic mail address:	<b>procuremet@iucea.org</b>

## **2.6. Amendment of Short-listing Document**

- 2.6.1 At any time prior to the deadline for submission of applications, the Procuring and Disposing Entity may amend the Short-listing Document by issuing addenda.
- 2.6.2 Any addendum issued shall be part of the Short-listing Document and shall be communicated in writing to all who have obtained the short-listing document from the Procuring and Disposing Entity.
- 2.6.3 To give prospective applicants reasonable time to take an addendum into account in preparing their applications, the Procuring and Disposing Entity may, at its discretion, extend the deadline for the submission of applications.

## **3 PREPARATION OF APPLICATIONS**

### **3.1. Language of Application**

An application as well as any correspondence and documents relating the application shall be **written in English**. Supporting documents and printed literature provided by the applicant may be in another language like French or Kiswahili provided they are accompanied by an accurate translation of the relevant passages in English, in which case, for purposes of interpretation of the application, the translation shall govern.

### **3.2. Documents Establishing Applicant's Eligibility and Qualifications**

An applicant shall provide as part of its application, the documentary evidence of the applicant's legal status, financial, technical and production capability to carry out the works if a contract is awarded in the format provided in the Application Submission Sheet (**Forms A1–A7**). Failure to provide the required information shall result in disqualification.

### **3.3. Format and Signing of Applications**

3.3.1. An applicant is requested to submit its Pre-Qualifications Documents (included in Annex A) in one envelope marked: **“Pre-qualification Document for the Proposed Construction of Inter-University Council for East Africa Headquarters’ Phase II on Plot M833, Kampala – Uganda”**. The envelope shall contain one (1) original, Six (6) hard copies and a softcopy of the original on a memory stick. In case of differences between the original and / or copies and soft copy, the content of the original shall supersede.

3.3.2 The original and the copies of the application shall be typed or written in indelible ink and shall be signed by the applicant or a person or persons duly authorized to sign the short-listing documents. All pages of the application, except for unamended printed literature, shall be initialed by the person or persons signing the application and each page numbered.



3.3.3 Any interlineations, erasures, or overwriting shall be valid only if they are initialed by the person or persons signing the Application.

3.3.4 All Pages of the proposal MUST be numbered sequentially starting with page number one (1) being the cover page.

## **4 SUBMISSIONS OF APPLICATIONS**

### **4.1. Sealing and Labelling of Applications**

4.1.1 The Prequalification Application shall be composed of one envelope marked “**Pre-qualification Document for the Proposed Construction of Inter-University Council for East Africa Headquarters’ Phase II on Plot M833, Kampala – Uganda**”. The envelope shall contain one (1) original (marked “Original”) and Six (6) copies (marked “Copy”) and a soft copy of the original on a memory stick. No documents shall be submitted by electronic submission/email.

4.1.2 Address for submission is:

Attention:	<b>The Executive Secretary Inter University Council for East Africa</b>
Street Address:	<b>Plot M833, P. O. Box 7110,</b>
Town/City:	<b>Kampala</b>
Country:	<b>Uganda.</b>
Telephone:	<b>+256414256251/2</b>

4.1.3 The envelope shall also indicate the name and address of the applicant to enable the application be returned unopened in case it is declared “late”.

4.1.4 If the envelope is not sealed and marked as required by Clause 4.1, **IUCEA** will assume no responsibility for the application misplacement or premature opening.

### **4.2. Deadline for Submission of Applications**

Applications must be received by **IUCEA** at the address specified under Clause 4.1.2 no later than **Monday 05<sup>th</sup> December 2022 at 10:00HrsEast African Time**

### **4.3. Late Applications**

Any application received after the deadline shall be rejected and returned unopened to the applicant.

## **5 OPENING AND EVALUATION OF APPLICATIONS**

### **5.1. Opening of Applications by IUCEA**

- 5.1.1 There will be a public opening of applications on **Monday 05<sup>th</sup> December 2022 at 10:20Hrs East Africa Time.**
- 5.1.2 No Application shall be rejected at Application opening, except for late Applications, which shall be returned unopened to the Applicants.
- 5.1.3 IUCEA will prepare minutes for the Application opening.

### **5.2. Evaluation of Applications:**

- a) The **Entity** will carry out the evaluation of proposals on the basis of their responsiveness to:
- I. Legal Status,
  - II. Tax Payment,
  - III. Financial Position – Presentation of copies of Audited reports for the last five years,
  - IV. Technical; and
  - V. Evidence of payment for the Prequalification Document
- b) Specific evaluation criteria as given in Appendix C.
- c) Any application that fails to meet the requirements in 5.2 (a) will be considered unsuitable and shall be rejected at this stage. The Procuring and Disposing Entity shall notify the Applicant of the rejection of their application.

### **5.3. Clarification of Applications**

- 5.3.1 During evaluation of the Applications, IUCEA may, at its discretion, ask the Applicant for clarification of its Application. A request for clarification shall be signed and sent to a bidder by the Chairperson of the evaluation committee and all requests for clarifications shall be copied to all bidders for information purposes only and noted in the evaluation report.
- 5.3.2 A bidder shall be instructed to reply to clarifications in writing within a specified time, addressing their responses to the Head of the Procurement and Disposal Unit.
- 5.3.3 The Head of the Procurement and Disposal Unit shall ensure that all replies are promptly forwarded to the Chairperson of the evaluation committee.

5.3.4 Failure of a bidder to respond to a request for clarification may result in the rejection of its bid.

#### **5.4. Contacting the Procuring and Disposing Entity**

5.4.1 No Applicant shall contact the Entity on any matter relating to its Application from the time of Application opening to short listing of Applicants.

5.4.2 Any effort by the Applicant to influence the Entity in its decisions on the Application evaluation may result in the rejection of the Application.

#### **5.5. Confidentiality**

5.5.1 Information relating to the evaluation of applications, and recommendation for short listing, shall not be disclosed to Applicants or any other persons not officially concerned with such process until the notification of short listing is made to all Applicants.

5.5.2 From the deadline for submission of applications to the time of notification of the results of the short listing, any Applicant that wishes to contact the Procuring and Disposing Entity on any matter related to the short-listing process, may do so but only in writing.

### **6 SHORT LISTING/PREQUALIFYING**

#### **6.1. Notification to the Short-listed Applicants**

IUCEA will notify all Applicants in writing by registered letter or by email that they have been short listed to provide the construction works described in this document.

#### **6.2. Inspection**

IUCEA reserves the right to conduct a physical inspection of the premises of the Applicant at its own cost and discretion. If, after the inspection, it is deemed that the physical structure and quality of service equipment is unsatisfactory, then the Application will be rejected. The Procuring and Disposing Entity reserves the right to verify all information submitted.

#### **6.3 Currency**

All monetary/financial information furnished, must be quoted in **United States Dollars**.

#### **6.4. Changes in Qualifications of Applicants**

- 6.4.1 Applicants and those subsequently short listed or conditionally short listed, shall inform the Procuring and Disposing Entity of any material change in information that might affect their qualification status. Providers shall be required to update key short-listing information at the time of bidding.
- 6.4.2 Prior to award of contract, the best evaluated bidder may be required to confirm its continued qualified status in a post-qualification review process.

**Appendix A: Form A1: Application Submission Sheet**

Date: *[insert day, month, year]*  
Applicant’s Legal Name: *[insert full name]*  
Procurement Reference No: **IUCEA/WORKS/2022-23/001**  
Page *[insert page number]* of *[insert total number]* pages

To: **The Executive Secretary**

We, the undersigned declare that:

- (a) We have examined and have no reservations to the short listing document, including Addenda No:....., *[insert the number and issuing date of each Addenda]*;
- (b) We hereby apply to be short listed for the following works:

Reference Number	Description of the construction Works

- (c) We, including any subcontractors or providers for any part of the contract or contracts resulting from this short-listing process, are eligible to participate in public procurement.
- (d) We undertake to abide by the Code of Ethical Conduct for Providers and Providers during the procurement process and the execution of any resulting contract.
- (e) We, including any subcontractors or providers for any part of the contract or contracts resulting from this short-listing process, have nationals from the following eligible countries *[insert the nationality of the Applicant, including that of all parties in case of a joint venture and the nationality of any subcontractors, if applicable]*.
- (f) We, including any subcontractors or providers for any part of the contract or contracts resulting from this short-listing process do not have any conflict of interest, and are not associated, nor have been associated in the past, directly, or indirectly, with the consultant or any other entity that has prepared the design or technical specifications of the Supplies.
- (g) We, our affiliates, or subsidiaries, including any subcontractors for any part of the contract or contracts resulting from this short-listing process, have not been suspended by the Public Procurement and Disposal of Public Assets Authority in Uganda or equivalent authority from participating in public procurement.

- (h) We are not a government owned entity, or if we are, we meet the requirements of 2.3.9.
- (i) We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the short-listing process, the corresponding bidding process or execution of the Contract: *[insert complete name of each Recipient, their full address, the reason for which each commission or gratuity was paid and the amount and currency of each such commission or gratuity. If none has been paid or is to be paid, indicate “none”.]*

Name of Recipient	Address	Purpose/Reason	Amount & currency

- (j) We understand that you may amend the scope and value of any contracts to be bid or cancel the short-listing process at any time and that you are neither bound to accept any application that you may receive nor to invite the short-listed applicants to bid for the contract or contracts, which are the subject of this short listing, without incurring any liability to the Applicants.
- (k) We understand that qualification information will be subject to verification through a post-qualification process prior to any award of contract.
- (l) We hereby authorize you and your authorized representatives, to conduct any enquiries or investigations to verify the statements, documents and information submitted in connection with this application and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Application Submission Sheet will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information to provide such information deemed necessary and as requested by yourselves to verify statements and information provided in this application.

Signed: *[signature of person whose name and capacity are shown below]*

Name: *[insert complete name of person signing the application]*

In the capacity of *[insert legal capacity of person signing the application]*

Duly authorized to sign the application for and on behalf of: *[insert complete name of Applicant/Joint Venture]*

Dated on \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ *[insert date of signing]*

**Appendix A: Form A2: Applicant Information Sheet**

STRUCTURE AND ORGANIZATION	
<b>1</b>	<p>Name of Company: <i>[insert full legal name]</i></p> <hr/> <p>Physical address: <i>[insert street/ number/ town or city/ country]</i></p> <hr/> <p>Postal address:</p> <hr/> <p>Telephone number:</p> <hr/> <p>Telefax number:</p> <hr/> <p>Email:</p>
<b>2</b>	Description of the Company's activities:
<b>3</b>	Number of years of experience in the provision of the construction works under reference

4 In case of a Joint Venture, the following documentation shall be required for each member of the joint venture:

- a. a copy of the Bidder's Trading license for the year 2022 or equivalent.
- b. a copy of the Bidder's Certificate of Registration or equivalent.
- c. a copy of the Bidder's Valid and Current Income Tax Clearance Certificate specific for this assignment addressed to **Inter University Council for East Africa** for this particular purpose; For foreign bidders, the bidder shall attach an equivalent showing status of their tax compliance.
- d. a copy of the Bidders Tax registration certificate or equivalent.
- e. Power of Attorney of the signatory (ies) of the bid authorizing signature of the bid on behalf of the joint venture. The power of attorney submitted will be examined to verify accuracy, validity and authenticity of the document and in accordance with the enabling law; and as provided for in Regulation 17 (1) of PPDA (Evaluation) Regulations, 2014 and any other laws including the Companies Act.
- f. a certified copy of the Joint Venture Agreement, which is legally binding on all partners, showing that all partners shall be jointly and severally liable and one of the partners will be nominated as being in charge, authorized to incur liabilities, and receive instructions for and on behalf of any and all partners of the joint venture.

The Applicant's authorized representative for information is:

Name: *[insert full legal name]*

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

Telephone/Fax numbers: *[insert telephone/fax numbers, including country and city codes]*

E-mail address: *[indicate e-mail address]*



**Appendix A: Form A3: Applicant's Party Information Form**

*[This form shall be filled in for the Applicant's parties including partner(s) of a joint venture, subcontractors, suppliers and other parties]*

Date: *[insert day, month, year]*  
Applicant's Legal Name: *[insert full name]*  
Procurement Reference No: **IUCEA/WORKS/2022-23/001**  
Page *[insert page number]* of *[insert total number]* pages

JV applicant legal name: <i>[insert full legal name]</i>
Applicant's Party legal name: <i>[insert full legal name of Applicant's Party]</i>
Applicant's Party country of registration: <i>[indicate country of registration]</i>
Applicant Party's year of constitution: <i>[indicate year of constitution]</i>
Applicant Party's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant Party's authorized representative information Name: <i>[insert full legal 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>
Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation or Documents of Constitution, and Registration Documents of the legal entity named above. <input type="checkbox"/> In case of a government owned entity, documents establishing legal and financial autonomy and compliance with commercial law.

## Appendix A: Form A4: Required Documents on Legal Status

1	A copy of the Memorandum and Articles of Association or its equivalent. A separate list of Directors/Partners/Proprietors should be attached. A joint venture agreement should be attached where applicable
2	Valid and Current Income Tax Clearance Certificate addressed to <b>Inter University Council for East Africa</b> for this particular purpose. The Entity shall only accept original Income Tax Clearance Certificates. For foreign bidders, the bidder shall attach an equivalent showing status of their tax compliance.
3	A Power of Attorney which if signed in Uganda shall be registered; or if signed outside Uganda shall be notarized authorizing signature of the bid on behalf of the Bidder.
4	Evidence of fulfillment of obligations to pay social security contributions where applicable.
5	<p>For a Joint Venture, the documentation in 1 - 5 above shall be required for each member of the Joint Venture and the following additional documentation shall be required:</p> <ul style="list-style-type: none"> <li>(a) A certified copy of the Joint Venture Agreement, which is legally binding on all partners, showing that: <ul style="list-style-type: none"> <li>i) All partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.</li> <li>ii) One of the partners will be nominated as being in charge and receive instructions for and on behalf of any and all partners of the joint venture.</li> <li>iii) The execution of the entire Contract, including payment, shall be done exclusively with the partner in charge.</li> </ul> </li>   <li>(b) A Power of Attorney from each member of the JV nominating a Representative in the JV and a Power of Attorney from the JV nominating a representative who shall have the authority to conduct all business for and on behalf of any and all the parties of the JV during the bidding process and, in the event the JV is awarded the Contract, during contract execution.</li> </ul>

**Appendix A: Form A5: Historical Contract Performance**

[This form shall be filled in for the Applicant and for each partner of a Joint Venture] Date: [insert day, month, year]

Applicant’s Legal Name: [insert full name]

Procurement Reference No: **IUCEA/WORKS/2022-23/001**

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<b>Non-Performing Contracts in accordance with Section 2, Qualification Criteria and Requirements</b>			
<input type="checkbox"/> Contract non-performance did not occur during the [number] years specified in Section 2, Qualification Criteria sub-section 2.1.  <input type="checkbox"/> Contract(s) not performed during the [number] years specified in Section 2, Qualification Criteria sub-section 2.1.			
<b>Year</b>	<b>Non performed portion of contract</b>	<b>Contract Identification</b>	<b>Total Contract Amount (current value, USD or Equivalent in specified convertible currency)</b>
[insert year]	[insert amount and percentage]	Contract Identification: [indicate complete contract][insert amount in name/ number, and any other identification] Name of Employer: [insert full name] Address of Employer: [insert street/city/country] Reason(s) for non-performance: [indicate main reason(s)]	(USD equivalent)

**Pending Litigation, in accordance with Section 2, Qualification Criteria sub-section 2.2.**

- No pending litigation in accordance with Section 2, Qualification Criteria sub-section 2.2.
- Pending litigation in accordance with Section 2, Qualification Criteria sub-section 2.2 as indicated below.

<b>Year</b>	<b>Outcome as Percentage of Total Assets</b>	<b>Contract Identification</b>	<b>Total Contract Amount (current value, USD or Equivalent in specified convertible currency)</b>
<i>[insert year]</i>	<i>[insert percentage]</i>	Contract Identification: [indicate complete contract name, number, and any other identification] 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>	<i>[insert amount in the USD equivalent]</i>

## Appendix A: Form A6: General Experience

*[This form shall be filled in for the Applicant and for each partner of a Joint Venture]*

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

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

Procurement Reference No: **IUCEA/WORKS/2022-23/001**

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*[Identify contracts that demonstrate continuous work over the past **Ten (10)** years pursuant to Section 3/Appendix C, Qualification Criteria sub-section 3.1. List contracts chronologically, according to their commencement (starting) dates.]*

Starting Month / Year	Ending Month / Year	Contract Identification	Role of Applicant
<i>[indicate month/year]</i>	<i>[indicate month/year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the assignment performed by the Applicant: <i>[describe assignment performed briefly]</i> Amount of contract: <i>[insert amount in USD equivalent]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Contractor" or "Subcontractor" or "Contract Manager"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the assignment performed by the Applicant: <i>[describe assignment performed briefly]</i> Amount of contract: <i>[insert amount in USD equivalent]</i> Name of Employer: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Contractor" or "Subcontractor" or "Contract Manager"]</i>

**Appendix A: Form A7: Specific Construction Experience**

*[This form shall be filled in for contracts performed by the Applicant, each partner of a Joint Venture, and specialist sub-contractors]*

Date: *[insert day, month, year]*  
 Applicant’s Legal Name: *[insert full name]*  
 Procurement Reference No: **IUCEA/WORKS/2022-23/001**  
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*[List contracts that meet the criteria in Section 3/Appendix C, Qualification Criteria sub-section 3.2. List contracts chronologically, according to their commencement (starting) dates.]*

Contract No. <i>[insert number of similar contracts required]</i>	Information		
Contract Identification	<i>[insert contract name and number, if applicable]</i>		
Award date	<i>[insert day, month, year, e.g. 15 November, 2022]</i>		
Completion date	<i>[insert day, month, year, e.g. 03 December, 2022]</i>		
Role in Contract <i>[check the appropriate box]</i>	Supplier	Owner	Operator
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		USD <i>[insert total contract amount in USD equivalent]</i>
If partner in a JV, or subcontractor, specify participation in total contract amount	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i>	USD <i>[insert total contract amount in USD equivalent]</i>
Employer's Name:	<i>[insert full name]</i>		
Address: Telephone/fax number  E-mail:	<i>[indicate street / number / town or city / country]</i> <i>[insert telephone/fax numbers, including country and city area codes]</i> <i>[insert e-mail address, if available]</i>		

***For Contracts cited above, the applicant must attach documentary evidence in form of copies of contract agreements and completion certificates. Projects considered for evaluation shall be only those with copies of contract agreements and completion certificates.***

**Appendix A: Form A8: Key Personnel**

*[This form shall be filled in for the Applicant and for each partner of a Joint Venture]*

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

Applicant’s Legal Name: *[insert full name]*

Procurement Reference No: **IUCEA/WORKS/2022-23/001**

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1. Number of staff
  - a. Management staff:
  - b. Technical staff:
  - c. Support staff:
  
2. Please list the present key personnel and management staff (refer to Section 3 of Appendix B – Statement of Requirements for the list of key staff required for the assignment).

Name	Qualification	Years of relevant experience

3. Provide details of the proposed personnel and their signed CVs and qualifications/ academic documents. The format of the CV of the proposed personnel should be as below.

<b>Position</b>		
<b>Personnel information</b>	<b>Name</b>	<b>Date of birth</b>
	<b>Professional qualifications</b>	
<b>Present employment</b>	<b>Name of Employer</b>	
	<b>Address of Employer</b>	
	<b>Telephone</b>	<b>Contact (manager / personnel officer)</b>

		<b>E-mail</b>
	<b>Job title</b>	<b>Years with present Employer</b>

Summarize professional experience in reverse chronological order. Indicate particular technical and managerial experience relevant to the project.

<b>From</b>	<b>To</b>	<b>Company, Project, Position, and Relevant Technical and Management Experience*</b>



## Appendix A: Form A9: Equipment Capacity

*[This form shall be filled in for the minimum key equipment to be provided for establishment of Plant Hire Facilities by the Applicant, each partner of a Joint Venture, and specialist sub-contractors]*

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

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

Procurement Reference No: **IUCEA/WORKS/2022-23/001**

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Item of Equipment	Description, make and age (years)	Condition (new, good, poor) and number available	Owned, leased or to be purchased (from whom?)

In addition to the list of equipment above, for each of the proposed equipment the applicant must attach documentary evidence as proof of full ownership in form of logbooks (as appropriate) in the names of the applicant.

Type of Equipment		
Equipment Information	Name of manufacture	Model and power rating
	Capacity	Year of manufacture
Current Status	Current location	
	Details of current commitments	
Source	Indicate source of the equipment <input type="checkbox"/> Owned <input type="checkbox"/> Rented <input type="checkbox"/> Leased <input type="checkbox"/> Specially manufactured (Attach evidence of ownership, lease or hire in the form of registration books, agreements or memoranda or purchaser order)	

The following information shall be provided only for equipment not owned by the Bidder.

Owner	Name of owner	
	Address of owner	
	Telephone	Contact name and title
	Fax	Telex
Agreements	Details of rental / lease / manufacture agreements specific to the project. (Attach evidence of lease or hire in the form of registration books, agreements or memoranda or purchaser order)	

## Appendix A: Form A10: Financial Capacity

*[This form shall be filled in for the Applicant and for each partner of a Joint Venture Autonomous construction subdivisions of parent conglomerate businesses shall submit financial related only to the particular activities of the subdivision]*

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

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

Procurement Reference No: **IUCEA/WORKS/2022-23/001**

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### 1. Share capital

Authorized share capital:

### 2. Annual value of business undertaken in the last Five financial years (construction works only)

Year	2017	2018	2019	2020	2021
Turnover (USD)					

Please attach copies of the company's audited accounts for the previous five years (profit/loss, assets/liabilities) and any financial data, which you consider to be useful in the shortlisting. Please provide a list of all the attachments.

### 3. Please provide name and address of Bankers from which references can be obtained and authority to seek references.

### 4. Please summarize actual assets and liabilities in USD equivalent for the previous Five years in the format shown in the Table below.

Name of Applicant or partner of a joint venture	Previous five years				
	2017	2018	2019	2020	2021
Financial information in USD equivalent					
1. Total assets					
2. Current assets					
3. Total liabilities					
4. Current liabilities					
5. Bank Borrowings					
6. Shareholder's Equity					
7. Profits before taxes					
8. Profits after taxes					



**Appendix A: Form A11: Current Contract Commitments/ Works in Progress**

*[This form shall be filled in for the Applicant and for each partner of a Joint Venture]*

Date: *[insert day, month, year]*  
 Applicant’s Legal Name: *[insert full name]*  
 Procurement Reference No: **IUCEA/WORKS/2022-23/001**  
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Provide information on current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Name of contract	Employer, contact address/tel/fax	Value of outstanding work	Estimated completion date	Average monthly invoicing over last six months (USD /month)
1.				
2.				
etc.				

## **Appendix B: Statement of Requirements**

### **1. OBJECTIVES OF THE WORKS**

The objective of the Works services is to enable IUCEA to develop the facilities that will support attainment of strategic objectives of a conducive operational, corporate, and diplomatic environment for attainment of the outputs of the goals of its mission.

### **2. SCOPE OF WORKS**

The Works are for construction of a multi-purpose building with the following facilities among others: offices, research and innovation hub, conference facilities, training, and capacity building offices, as well as information resources centre, archives, cafeteria, external works, mechanical, electrical, and plumbing works. The building is 4 levels up with a basement for parking and other services. The site is located at Kyambogo Area, at Kigobe Road Plot M833.

## **Appendix C: Evaluation Criteria**

The evaluation criteria shall be based on the following main areas:

### **1. Supplier Eligibility**

- a. IUCEA shall entertain bids from, or award contracts to, suppliers who meet its legal, ethical, and quality requirements. This will require the ascertainment and confirmation of the qualifications of suppliers or contractors at any stage of the procurement proceedings.
- b. Potential contractors shall also be required to comply with Partner States and other regulatory requirements.

### **2. General Eligibility**

The documentation required to provide evidence of eligibility shall be: -

- (a) A copy of the Memorandum and Articles of Association or its equivalent as it may apply in different countries. A separate list of Directors/Partners/Proprietors should be attached.
- (b) A joint venture agreement should be attached where applicable.
- (c) A copy of the Bidder's Trading license for 2022 or equivalent as it may apply in different countries.
- (d) A copy of the Bidder's Certificate of Incorporation/Registration or equivalent for bidders not currently registered with the PPDA or its equivalent in respective country.
- (e) Valid and current Income Tax Clearance Certificate addressed to **Inter University Council for East Africa** for this particular purpose. The Entity shall only accept original Income Tax Clearance Certificates. For foreign bidders, the bidder shall attach an equivalent showing status of their tax compliance.
- (f) A Power of Attorney which if signed in Uganda shall be registered; or if signed outside Uganda shall be notarized authorizing signature of the bid on behalf of the Bidder. The power of attorney submitted will be examined to verify accuracy, validity and authenticity of the document and in accordance with the enabling law.

- (g) Evidence of fulfillment of obligations to pay social security contributions where applicable. This should be valid for the current period without any arrears.
- (h) A statement in the Bid Submission Sheet that the bidder meets the eligibility criteria stated in ITP 2.3.1; That where “a statement in the Bid Submission Sheet that the bidder meets the eligibility criteria stated in ITP 2.3.1” is not indicated in the Application Submission Sheet of an application as required, a separate statement that the bidder meets the eligibility criteria stated in ITP 2.3.1 should be submitted by an Applicant and signed off by the authorized signatory.
- (i) A declaration in the Bid Submission Sheet of nationality of the Bidder;
- (j) A declaration in the Bid Submission Sheet that the Bidder is not under suspension by the Authority (PPDA) in case of Uganda or equivalent authority for the case of other countries.
- (k) Signed Ethical Code of Conduct in Business by the authorized signatory.
- (l) Signed Curriculum Vitae (CVs) and academic (certificates/transcripts) of key staff.
- (m) Audited books of accounts for the last 5 years (2017, 2018, 2019, 2020, 2021) audited by auditors who are in the registry of auditors for the year 2022.

#### **For Providers within EAC Partner States**

- i. Return of allotment of shares; the bidder should submit a copy of the Company Memorandum and Articles of Association and a return of allotment for initial and subsequent share issuance /allotment in the company. The return of allotment of shares is provided by RSB in Partner States. Bidders are encouraged to approach RSB in a Partner States for this requirement.
- ii. Copies of National Identity Cards or Passports for majority shareholders

**NB. After the pre-qualification and bidding process, the contract will be subjected to a 30% reservation to Partner States providers if the success bidder is not a Partner States provider.**

For a Joint Venture, the documentation in 1.1 above shall be required for each member of the Joint Venture and the following additional documentation shall be required:

- (a) A certified copy of the Joint Venture Agreement or letter of intent to enter into such an agreement, which is legally binding on all partners, showing that:
  - i) All partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.
  - ii) one of the partners will be nominated as being in charge, and receive instructions for and on behalf of any and all partners of the joint venture; and
  - iii) the execution of the entire Contract, including payment, shall be done exclusively with the partner in charge.
- (b) A Power of Attorney from each member of the JV nominating a Representative in the JV and a Power of Attorney from the JV nominating a representative who shall have the authority to conduct all business for and on behalf of any and all the parties of the JV during the bidding process and, in the event the JV is awarded the Contract, during contract execution. The power of attorney submitted will be examined to verify accuracy, validity and authenticity of the document and in accordance with the enabling law; and as provided for in Regulation 17 (1) of PPDA (Evaluation) Regulations, 2014 and any other laws including the Companies Act.

### **c. Historical Contract Performance**

#### **2.1. History of non-performing contracts**

Non-performance of a contract did not occur within the last **3** years prior to the deadline for application submission, based on all information on fully settled disputes or litigation.

#### **2.2. Pending litigation**

Indicate any pending litigation against the bidder if any or indicate if there is no pending litigation against the bidder using the form below for each dispute:

### **3. Experience**

#### **3.1. General Experience.**

Experience under building contracts in the role of contractor, subcontractor, or management contractor for at least the last 10 years prior to the submission deadline, and with activity in at least 8 months in each year. Provide completion certificates as evidence. (In case of JV each party must meet the requirements).

#### **3.2. Specific Construction Experience**

Participation as main contractor, in at least **Five (5)** building contracts each with a value of at least **USD: 4,500,000 (United States Dollars Four Million Five Hundred Thousand only)** within the last **Five (5)** years (2021, 2020, 2019, 2018 and 2017). The projects should have achieved **at least 70 percent physical and financial completion.**

**For Contracts cited above in 3.1 and 3.2 the applicant must attach documentary evidence in form of copies of contract agreements clearly showing the value of contracts and completion certificates. The completion certificates must have been achieved within the 5 years. Projects considered for evaluation shall be only those with copies of contract agreements which clearly show the value of the contracts and completion certificates. The similarity shall be based on a building of least 3 levels above the ground with 1 levels of basement parking the physical size, complexity, methods/technology, or other characteristics.**



**d. Capacity**

The following shall be considered:

- a) Key Personnel
- b) Equipment
- c) Financial position

The applicant should propose a list of key staff that meets the specifications in the Table below:

**NB: Specific experience shall be evaluated based on the scope of work in relation to similar works and similar roles**

No.	Position	Keys qualifications	General Experience /Specific Experience (Years)
1.	Contracts Manager – 1 No.	Minimum Degree in either Building, Civil Engineering, Architecture, Mechanical/Electrical Engineering or Quantity Surveyor or Equivalent/related field.  Registered with the Engineers Registration Board or Architects Registration Board of Uganda or by recognized international professional regulatory body.  Having a valid practicing license.  Should have experience in works of an equivalent or similar nature in value, scope and complexity.	15/8
2.	Site Engineer – 1 No.	Minimum of bachelor’s degree in Civil and Building Engineering and must be a registered Engineer with Engineers Registration Board Or by recognized international competent authority and having a valid practicing license	10/5

3.	Quantity Surveyor – 1 No.	Minimum of bachelor’s degree in Quantity Surveying or Building Economics. Registered with the Surveyors Registration Board of Uganda or Equivalent recognized regulatory body of respective country and having a valid practicing license	10/5
4.	Health, Safety and Environmental officer – 1 No.	Minimum of Bachelor’s Degree in Environmental Engineering or related discipline with post graduate training in HSE Registered with NEMA or other relevant body and having a valid NEMA Certificate.	7/4
5.	Mechanical Engineer– 1 No.	Minimum of Degree in Mechanical Engineering or Equivalent/related field. Registered with the Engineers Registration Board and having a valid Practicing license.	7/4
6.	Electrical Engineer / ICT Expert – 1 No.	Minimum of Degree in Electrical Engineering or Equivalent/related field. Registered with the Engineers Registration Board and having a valid Practicing license.	7/4
7.	Mechanical Technician– 1 No.	Minimum of Diploma in Mechanical Engineering	10/5
8	Electrical Technician– 1 No.	Minimum of Diploma in Electrical Engineering	10/5
9	Site Foreman– 1 No.	Minimum of Diploma in Building and Civil Engineering	10/5
10	Land Surveyor – 1 No.	Minimum of bachelor’s degree in land Surveying or Building Economics. Registered with the Surveyors Registration Board of Uganda or equivalent recognized regulatory body in respective country and having a valid practicing license	5/3

**e. Key Equipment**

The applicant must demonstrate access to or ownership of the key equipment listed in the Table below (either by ownership, lease, hire). Attach documentary evidence of ownership, lease, hire such as registration books, agreements or memoranda or purchase order.

No	Minimum Key Equipment Type and Characteristics	Minimum Number required
1.	Automatic Concrete Mixer	Concrete Transit Mixer - 3 Nos, each having concrete carrying capacity of 8 CM.
2.	Batching Plant (2-3.5 CM)	Batching Plant - 1 No. having capacity to produce concrete of 30 CM/hr.
3.	Tipper / Dump Trucks (20-ton capacity)	4 Nos.
4.	35m Tower Crane	1No.
5.	Poker Vibrators (various sizes)	4 sets
6.	Excavator / Traxcavator / Dozer loader	2 Nos.
7.	Jumping Compactor	4 Nos.
8.	Steel Scaffolding	5,000 m <sup>2</sup>
9.	Steel Formwork Plates and props	5,000 m <sup>2</sup>
10.	Water Pump	2 Nos.
11.	Self-Loader Trucks.	1 Nos.
12.	Bulldozer	1 No.
13.	Wheel Loader	1 Nos.
14.	Mechanical Hoist at least 20m High	1 Nos.
15.	Pick-up	2 Nos.

16.	Generator (100 KVA)	1 No.
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**f. Financial Situation**

**(i) Historical Financial Performance**

Applicants should demonstrate the current soundness of their financial position and its prospective long-term profitability. Submit audited accounts and other financial statements acceptable to the Employer, for the last five (5) years i.e 2017,2018,2019, 2020 and 2021.

**(ii) Average Annual Turnover:**

Minimum average annual turnover of **USD: 15,000,000 (United States Dollars Fifteen Million only)** calculated as total certified payments received for contracts in progress or completed, within the last five (5) years. (In case of JV at least one party must meet 70% of the requirements and each party must meet 30% of the requirements).

**(iii) Financial Resources:**

- (a) The Applicant must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means, other than any contractual advance payments to the tune of **USD: 2,000,000 (United States Dollars Two Million only)** that shall be utilized to make orders for required equipment upon award of the contract.
- (b) Please provide name and address of Bankers from which references can be obtained and authority to seek references.