

PREQUALIFICATION DOCUMENTS

PACKAGE C : PROCUREMENT OF FLOATING EQUIPMENT

**LA UNION PORT DEVELOPMENT PROJECT
 PACKAGE C: PROCUREMENT OF FLOATING EQUIPMENT**

PREQUALIFICATION DOCUMENTS

CONTENTS

	<u>Page</u>
SECTION 1	DEFINITIONS AND ABBREVIATIONS ----- 1-1
SECTION 2	INVITATION FOR PREQUALIFICATION----- 2-1
SECTION 3	INSTRUCTIONS TO APPLICANTS
3.1	Scope of Bid ----- 3-1
3.2	Submission of Letter of Intent ----- 3-3
3.3	Completion, Initialing and Signing -- ----- 3-3
3.4	Submission of Applications----- 3-3
3.5	Eligible Bidders ----- 3-5
3.6	Minimum Prequalification Requirements - ----- 3-5
3.7	Joint Ventures ----- 3-8
3.8	Subcontractors----- 3-9
3.9	Conflict of Interest ----- 3-9
3.10	Updating Prequalification Information ----- 3-9
3.11	General ----- 3-9
SECTION 4	EVALUATION PROCEDURES
4.1	General ----- 4-1
4.2	Objectives of Evaluation ----- 4-1
4.3	Basis of Evaluation ----- 4-1
4.4	Particulars ----- 4-1
SECTION 5	PROJECT INFORMATION
5.1	General Information ----- 5-1
5.2	Geological Conditions and Maritime Conditions of the Project Site- 5-1
5.3	Scope of Works ----- 5-1
SECTION 6	APPLICATIONS FORMS
	Form No. 1: Letter of Intent to Apply for Prequalification----- 6-1
	Form No. 2: Letter of Application ----- 6-2
	Attachment 2-1: Power of Attorney ----- 6-6
	Form No. 3: General Information ----- 6-7
	Attachment 3-1: Certified Copy of Registration of the Firm----- 6-9
	Form No. 4: Joint Venture Summary ----- 6-10
	Form 4a: Joint Venture Agreement ----- 6-11
	Attachment 4a-1: Power of Attorney ----- 6-13
	Form No. 4b: Details of Subcontractors/Suppliers ----- 6-14
	Form No. 5: Annual Turnover ----- 6-15
	Attachment 5-1: Copy of Evidence of Annual Turnover ----- 6-16
	Form No. 6: Contracts of Similar Nature and Complexity ----- 6-17

	<u>Page</u>
Form No. 6a: Details of Contracts of Similar Nature and Complexity -----	6-18
Attachment 6a-1: Copy of Evidence of Works Completed or in Progress -----	6-20
Form No. 7: Personnel Capabilities -----	6-21
Form No. 7a: Candidate Summary -----	6-22
Form No. 8: Shipyard Capabilities -----	6-23
Attachment 8-1: Maintenance Service/Spare Parts -----	6-24
Attachment 8-2: Quality/Safety Assurance Program -----	6-25
Form No. 9: Financial Capability -----	6-26
Attachment 9-1: Certified Audited Financial Statement of the Last Five Financial Years -----	6-28
Attachment 9-2: Certified Balance Sheet -----	6-29
Attachment 9-3: Bank Reference Letters (Credit Lines) -----	6-30
Form No. 10: Litigation History -----	6-31
Attachment 10-1: Contract Default History -----	6-32

DRAWINGS

- : Project Location
- : General Layout Plan
- : Package C - Tugboat - General Arrangement
- : Package C - Tugboat - Accommodation Plan

SECTION 1

DEFINITIONS AND ABBREVIATIONS

SECTION 1 DEFINITIONS AND ABBREVIATIONS

The following words, expressions and abbreviations shall have the meaning assigned to them as indicated, except where the context otherwise requires:

Purchaser	:	The COMISION EJECUTIVA PORTUARIA AUTONOMA (CEPA)
Fund	:	Japan Bank for International Cooperation (JBIC)
Engineer	:	Nippon Koei Co., Ltd. & Associates
Project	:	La Unión Port Development Project
Works	:	Design, manufacture, delivery and/or installation of Cargo Handling Equipment under Contract Package B of the Project
Applicant	:	The firm, partnership or company wishing to be pre-qualified for bidding, independently or as a leading firm in a consortium or as a joint venture partner.
Bid	:	The bid for execution of the Works.
Applicant	:	The Applicant qualified by the Employer to participate in the Bid.
Letter of Acceptance	:	The formal acceptance by the Employer of the Bid.
Contractor	:	The firm, consortium or joint venture whose Bid has been accepted by the Employer.
Contract	:	The contract signed between the Employer and the Contractor for execution of the Works.
Contract Price	:	The sum stated in the Letter of Acceptance as payable to the Contractor for the execution and completion of the Works and the remedying of any defects therein in accordance with the provisions of the Contract.
Commencement Date	:	The date upon which the Contractor receives the notice to commence issued by the Engineer, after the Contract signing.

SECTION 2 INVITATION FOR PREQUALIFICATION

SECTION2 INVITATION FOR PREQUALIFICATION

- 2.1 The Government of the Republic of El Salvador, hereinafter referred to as "GOES", has received an ODA Loan from the Japan Bank for International Cooperation, hereinafter referred to as "JBIC", toward the cost of La Unión Port Development Project, hereinafter referred to as "the Project", through the Loan Agreement No. ES-P5 signed on October 25, 2001, and intends to apply the proceeds of the loan to payments under the Contract for which this Invitation for Prequalification is issued. Disbursement of the ODA Loan by JBIC will be subject, in all respects, to the terms and conditions of the Loan Agreement, including the disbursement procedures and the 'Guidelines for Procurement under JBIC ODA Loans'. No party other than GOES shall derive any rights from the Loan Agreement or have any claim to Loan proceeds. The above Loan Agreement will cover only a part of the project cost. As for the remaining portion, GOES will take appropriate measures for financing.
- 2.2 JBIC requires that bidders and contractors, as well as GOES, under contracts funded with JBIC ODA Loans and other Japanese ODA, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, JBIC
- (a) will reject a proposal for award if it determines that the bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question;
 - (b) will recognize a contractor as ineligible, for a period determined by JBIC, to be awarded a contract funded with JBIC ODA Loans if it at any times determines that the contractor has engaged in corrupt or fraudulent practices in competing for, or in executing, another contract funded with JBIC ODA Loans or other Japanese ODA.
- 2.3 The Comisión Ejecutiva Portuaria Autónoma (CEPA), hereinafter referred to as "the Purchaser", intends to prequalify bidders for the supply and delivery of Floating Equipment under Package C, hereinafter referred to as "the Goods", for the Project. The supply and delivery of the Goods consist of the following:
- Design, building, official sea trial, delivery to the site, and demonstration trial of two (2) steel-hulled twin screw type tugboats, each equipped with twin diesel propulsion engines with a total output of 2,646 Kw (3,600 PS) and two 360° steerable propellers (see more details in the Appendix hereto); and
 - Training of the Purchaser's personnel on the operation and maintenance of the above-mentioned tugboats.
- 2.4 It is expected that the Invitation to Bid will be issued in, 200..
- 2.5 Prequalification is open to firms and voluntarily formed joint ventures from all countries and areas who possess the experience and capability specified in the Prequalification Documents to execute and complete the supply and delivery of the Goods.

- 2.6** Applicants may obtain the Prequalification Documents for a non-refundable fee of US\$ _____ between, 200__ and, 200__ during normal office hours at the following address:

Unidad de Adquisición y Contrataciones Institucional (UACI)
Comisión Ejecutiva Portuaria Autónoma (CEPA)
Edificio Torre Roble, 5th Floor
Boulevard de Los Héroes, San Salvador, El Salvador

- 2.7** To be prequalified, Applicants shall meet the following minimum requirements:

- (a) The average annual turnover for vessel/equipment supply and delivery works (defined as billing for works in progress and completed) of the Applicant (or the joint venture) as prime shipbuilder or supplier over the last five (5) years (1998 to 2002) must not be less than US\$ 20 million.
- (b) The Applicant (or the lead partner of the joint venture) must have experience as prime shipbuilder in the successful building and delivery of tugboats with an output of 2000 Hp or more, regularly on an average of at least 10 vessels for every 5 years in the last 10 years (1993 to 2002), from a single designated shipyard.
- (c) The Applicant (or the lead partner of the joint venture) must have experience as prime shipbuilder in the successful building and delivery of tugboats of his own design with an output of 3,600 PS or more and equipped with 360° steerable propellers, regularly on an average of at least 5 vessel for every 5 years in the last 10 years (1993 to 2002), from a single designated shipyard.
- (d) The Applicant (or the lead partner of the joint venture) must have experience in successful building and delivery of at least 2 tugboats of the above-mentioned categories to at least 2 countries outside his home country in the last 10 years (1993 to 2002), from a single designated shipyard.
- (e) The total share of work to be undertaken by subcontractor(s), if any, shall be less than 25% of the contract amount.

- 2.8** Applicants who have purchased the Prequalification Documents, and who intend to apply for Prequalification as a Single Contractor or Lead Partner of Joint Venture, must officially confirm in writing or by fax to the President of the Comisión Ejecutiva Portuaria Autónoma (CEPA) at the address indicated in Item 6 above, of their intention to submit an Application for Prequalification, in the Form provided in the Prequalification Documents, not later than two (2) weeks before the closing date for the Prequalification Application.

- 2.9** Submissions of Applications for Prequalification must be received in sealed envelopes, either delivered by hand or by registered mail to:

Unidad de Adquisición y Contrataciones Institucional (UACI)
Comisión Ejecutiva Portuaria Autónoma (CEPA)
Edificio Torre Roble, 5th Floor

Boulevard de Los Héroes, San Salvador, El Salvador

not later than 14:00 hour (El Salvador Standard Time) on, 2002 and be clearly marked "Application for Prequalification for La Unión Port Development Project, Package C: Procurement of Floating Equipment".

Applicants who have purchased the Prequalification Documents and submitted the Letter of Intent to Apply for Prequalification but who do not submit an Application by this time and date will be deemed to have withdrawn from the prequalification process.

2.10 CEPA will reject late applications.

2.11 Applicants will be advised, in due course, of the result of their applications. Only the firms and joint ventures prequalified under this procedure will be invited to bid

SECTION 3

INSTRUCTIONS TO APPLICANTS

SECTION 3 INSTRUCTIONS TO APPLICANTS

Name of Project: La Unión Port Development Project

Name of Package: Package C : Procurement of Floating Equipment

Name of Purchaser: COMISION EJECUTIVA PORTUARIA AUTONOMA (CEPA)

Date _____, 2002

3.1 Scope of Bid

3.1.1 The Comisión Ejecutiva Portuaria Autónoma (CEPA), the executing agency of the Government of the Republic of El Salvador, hereinafter referred to as “the Purchaser”, has received an ODA Loan from the Japan Bank for International Cooperation (JBIC), toward the cost of La Unión Port Development Project, hereinafter referred to as “the Project”, through the Loan Agreement No. ES-P5 signed on October 25, 2001, and intends to apply the proceeds of this loan to payments under the Contract for which this Invitation for Prequalification is issued. Disbursement of the ODA Loan by JBIC will be subject in all respects to the terms and conditions of the Loan Agreement, including the disbursement procedures and the “Guidelines for Procurement under JBIC ODA Loans.” No party other than the Government of the Republic of El Salvador shall derive any right from the Loan Agreement or have any right to the loan proceeds. The above Loan Agreement will cover only a part of the project cost. As for the remaining portion, the Government of the Republic of El Salvador will take appropriate measures for financing.

3.1.2 JBIC requires that bidders and contractors, as well as the Government of the Republic of El Salvador, under contracts funded with JBIC ODA Loans and other Japanese ODA, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, JBIC:

- (a) will reject a proposal for award if it determines that the bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question;
- (b) will recognize a contractor as ineligible, for a period determined by JBIC, to be awarded a contract funded with JBIC ODA Loans if it at any times determines that

the contractor has engaged in corrupt or fraudulent practices in competing for, or in executing, another contract funded with JBIC ODA Loans or other Japanese ODA.

3.1.3 The Project works are divided into three (3) contract packages as follows:

- Package A : Civil and Building Works;
- Package B : Procurement of Cargo Handling Equipment
- Package C : Procurement of Floating Equipment

The project site is located in La Unión City, about 185 km east of the capital city of San Salvador.

The Purchaser hereby intends to prequalify shipbuilders/suppliers for the supply and delivery of Floating Equipment under Package C, hereinafter referred to as "the Goods", which consist of the following:

- Design, building, official sea trial, delivery to the site, and demonstration trial of two (2) tugboats with the following main features, including all equipment, spare parts and tools:
 - Type: Steel-hulled twin screw type, equipped with two 360° steerable propellers
 - Main engine: Twin diesel propulsion engines with a total output of 2,646 Kw (3,600 PS)
Bollard pull: Mean maximum bollard pull on sea trial condition at maximum continuous output of the engine 441 KN (45 tons) ahead
 - Service speed: On fully loaded condition at 85% rated out put of the main engines with 15% sea margin. 12.5 Kts.
- Training of the Purchaser's personnel on the operation and maintenance of the above-mentioned tugboats.

It is expected that the Invitation to Bid for Package C will be issued in 200..

3.1.4 Prequalification is open to firms and voluntarily formed joint ventures from all countries and areas who possess the experience and capability specified herein to execute and complete the supply and delivery of the whole of the Goods under the Contract.

- 3.1.5 General information on the climate, oceanography, topography, project information, expected construction period, and other relevant data are included in the Appendix hereto. The Bidding Documents will follow the Sample Bidding Documents under JBIC ODA Loans for Procurement of Goods, as well as, where applicable, the “Law of Procurement and Contracts of the Public Administration” (Ley de Adquisiciones y Contrataciones de la Administracion Publica) of the Republic of El Salvador.
- 3.2 Submission of Letter of Intent**
- 3.2.1 Potential Applicants, who have purchased and studied the Prequalification Documents and intend to apply for the Prequalification as an independent Applicant or Lead Partner in the case of a Joint Venture, shall confirm in writing to CEPA whether they intend to submit an Application for Prequalification, using the Form provided in Section 3 (Form No. 1). This form shall be reproduced on the Applicant’s Letterhead and shall be submitted to CEPA as early as possible, but in any event not later than two (2) weeks before the closing date for Prequalification Application.
- 3.3 Completion, Initialing and Signing**
- 3.3.1 If any Application Form or any part of an Application Form does not apply to the Applicant, then the Applicant shall write “not applicable” stating the reason on the relevant Form or part, and initial the page.
- 3.3.2 All pages of the Application, including all forms, added pages and insertions shall be initialed at the bottom by the Applicant’s official representative. Evidence of the appointment and authorization shall be attached to the Letter of Application (Form No. 2).
- It shall comprise the Power of Attorney from the Applicant, appointing and authorizing the named person to act as his representative and notarization by an official Public Notary evidencing the signature and capacity of the person issuing the Power of Attorney.
- 3.4 Submission of Applications**
- 3.4.1 Applications for prequalification must be submitted in sealed envelopes clearly marked “Application for Prequalification for La Unión Port Development Project (ES-P5), Package C : Procurement of Floating Equipment”, and delivered either by hand, courier or by registered mail to the following address:
- Unidad de Adquisiciones y Contrataciones Institucional (UACI)
Comisión Ejecutiva Portuaria Autónoma (CEPA)

Edificio Torre Roble, 5th Floor
Boulevard de Los Héroes
San Salvador, El Salvador

not later than 17:00 hour (El Salvador Standard Time) on
....., 200.... Any application without prior
submission of the Letter of Intent to apply for
Prequalification will not be accepted by CEPA.
Applications submitted after the time and date specified
above will be rejected.

- 3.4.2 Applicants shall submit six (6) sets of their Application, comprising one (1) original and five (5) copies. Each set shall be clearly marked **ORIGINAL** or **COPY** as appropriate. The original shall take precedence in the case of any discrepancy. All sets shall be put in one envelope or package.

The name and mailing address of the Applicant shall be clearly marked on the envelope or package.

- 3.4.3 All the information requested for prequalification shall be submitted in the English language.

Where information is provided in another language, it shall be accompanied by a translation into English language, which will prevail and will be used for interpreting the information.

- 3.4.4 All documents issued in foreign countries and that will become a part of Applications shall be legalized through one of the following processes:

- (a) The "APOSTILLE" process established by the Pact No. 12 "Pact Abolishing the Requirements of Legalization for Foreign Public Documents" dated October 5, 1961 in The Hague Conventions on Private International Law.
- (b) The process established by Article 261 of the Code of Civil Procedures of the Republic of El Salvador which requires that:
 - (i) the documents shall be authenticated by the representative of the Diplomatic Mission or Consulate Office of the Republic of El Salvador in the country where they are issued; and
 - (ii) the documents shall be signed by the Ministry of Foreign Affairs of the country where they are issued and shall be authenticated by the representative of

the Ministry of Foreign Affairs of the Republic of El Salvador.

- (c) In the case the documents are issued in the countries that are not listed as Members of The Hague Convention on Private International Law (as described in case (a) above), or where there is no Diplomatic Mission or Consulate Office of the Republic of El Salvador (as described in case (b) above), the documents then shall be legalized by a Diplomatic Mission or Consulate Office of the Republic of El Salvador in a nearest country.

3.4.5 Failure to provide information that is essential to evaluate the Applicant's qualifications or failure to provide timely clarification or substantiation of the information supplied, may result in disqualification of the Applicant.

3.5 Eligible Bidders

3.5.1 Prequalification is open to firms and voluntarily formed joint ventures from all countries and areas who possess the experience and capability required herein to execute and complete the supply and delivery of the whole of the Goods.

3.6 Minimum Prequalification Requirements

3.6.1 Prequalification will be based on meeting all the minimum requirements stated in Sub-Items 1.6.2 to 1.6.8 below regarding the Applicant's general and particular experience, personnel and equipment capabilities, financial position and litigation, as demonstrated by the Applicant's responses in the Application Forms.

The Purchaser reserves the right to waive minor deviations if they do not materially affect the capability of an applicant to perform the Contract.

3.6.2 General Experience (Form No. 5)

The Applicant shall meet the following minimum criteria:

The average annual turnover for equipment supply and delivery works (defined as billing for works in progress and completed) of the Applicant (or the joint venture) as prime shipbuilder or supplier over the last five (5) years (1998 to 2002) must not be less than US\$ 20 million.

3.6.3 Particular Experience (Forms No. 6 and 6a)

The Applicant shall demonstrate that, in addition to the general experience requirement, the following specified criteria are satisfied:

- (a) The Applicant (or the lead partner of the joint venture) must have experience as prime shipbuilder in the

successful building and delivery of tugboats with an output of 2000 Hp or more, regularly on an average of at least 10 vessels for every 5 years in the last 10 years (1993 to 2002) from a single shipyard.

- (b) The Applicant (or the lead partner of the joint venture) must have experience as prime shipbuilder in the successful building and delivery of tugboats of his own design with an output of 3,600 PS or more and equipped with 360° steerable propellers, regularly on an average of at least 5 vessels for every 5 years in the last 10 years (1993 to 2002) from a single shipyard.
- (c) The Applicant (or the lead partner of the joint venture) must have experience in successful building and delivery of at least 2 tugboats of the above-mentioned categories over at least 2 countries outside his home country in the last 10 years (1993 to 2002) from a single shipyard.
- (d) The total share of work to be undertaken by subcontractor(s), if any, shall be less than 25% of the contract amount.

The building and delivery experience required in Items (a) to (c) above shall be limited to the single designated shipyard where the Applicant proposes to build the tugboats under Package C, as stated in the Application Form No. 2.

3.6.4 Personnel Capabilities (Forms No. 7 and 7a)

The Applicant must have suitably qualified personnel to fill the following positions. In the Forms No. 7, the Applicant shall supply information on the candidate for each position who shall meet the minimum experience requirements specified below:

Position	Total Experience	Holding Similar Position
1. Project Manager	> 15 years	> 5 years
2. QA/QC Engineer	> 12 years	> 4 years
3. Hull Construction & Outfitting Engineer	> 8 years	
4. Mechanical Engineer	> 8 years	
5. Electrical Engineer	> 8 years	

3.6.5 Shipyard Capabilities (Form No. 8)

The shipyard capabilities will be examined by the scoring

system.

A joint venture or consortium shall submit only one application form and the required attachments for each of the mentioned major types of plant.

- (a) The Applicant shall own, or have assured access (through hire, lease, purchase agreement or other means) to the shipyard facilities in full working order, and must demonstrate that, based on known commitments, they will be available for use in the proposed Contract.
- (b) Maintenance Services/Spare Parts information (Attachment 8-1) shall be furnished by the Applicant, indicating whether or not it has established an agent or agents in Central America or North America region, which can fully provide spare parts; and maintenance and repair services in El Salvador.
- (c) The Applicant shall provide a Quality/Safety Assurance Program (Attachment 8-2) including inspection and tests for the tugboats.

3.6.6 **Financial Position** (Form No. 9)

The Applicant shall demonstrate that he has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means sufficient to meet the cash flow requirement for a period of 16 months during the duration of the Contract (Application Form No. 9 and Attachments 9-1, 9-2 and 9-3), estimated at US\$ 10 million, net of the Applicant's commitments for other contracts.

In the case of a joint venture, the financial means of all partners will be combined and the sum shall not be less than US\$ 10 million.

- 3.6.7 The audited financial statements for the last 5 years (1998 - 2002) shall be submitted and must demonstrate the soundness of the Applicant's financial position, showing long-term profitability. Where necessary, the Purchaser will make inquiries with the Applicant's bankers.

3.6.8 **Litigation History** (Form No. 10)

The Applicant shall provide accurate information, to be adequately evidenced, on any litigation or arbitration resulting from contracts completed or under execution over the last five (5) years. A record of more than two awards against the Applicant or any partner of a joint venture may result in the

rejection of the application.

It should be noted that any Applicant or partner who was in a previous joint venture where another partner was under the litigation case as mentioned above, even individually, will not be considered for prequalification.

3.7 Joint Ventures 3.7.1 Joint ventures must comply with the following requirements:

- (a) Minimum qualification requirements:
 - (i) The lead partner shall meet not less than fifty percent (50%) of all the qualifying criteria given in Sub-Items 1.6.2 and 1.6.6 above and one hundred percent (100%) of the criteria given in Sub-Items 1.6.3 (a), (b) and (c) above.
 - (ii) Each of the other partners shall meet individually not less than twenty five (25%) percent of all the qualifying criteria given in Sub-Items 1.6.2 and 1.6.6 above.
 - (iii) The joint venture must satisfy collectively the criteria given in Sub-Items 1.6.3 (d), 1.6.4 and 1.6.5. Individual members must each satisfy the requirement of Sub-Items 1.6.7 and 1.6.8 above.
- (b) Applicants are advised that Joint Ventures comprising four (4) or more partners are not anticipated.

The formation of a joint venture after prequalification, and any change in a prequalified joint venture, will be subject to written approval of the Purchaser prior to the deadline for submission of bids. Such approval may be denied if:

- (i) partners withdraw from a joint venture and the remaining partners do not meet the qualifying requirements;
 - (ii) the new partners to a joint venture are not qualified, individually or as another joint venture; or
 - (iii) in the opinion of the Purchaser, a substantial reduction in competition may result.
- (c) Any bid shall be signed so as to legally bind all partners, jointly and severally and be submitted with a copy of the Joint Venture Agreement, using the Application Forms No. 4 and 4a, providing the joint and several liabilities with respect to the Contract.

3.7.2 The prequalification of a joint venture does not necessarily prequalify any of its partners individually or as a partner in

any other joint venture or association. In the case of dissolution of a joint venture, each one of the constituent firms may prequalify if it meets all of the prequalification requirements, subject to written approval of the Purchaser.

3.8 Subcontractors 3.8.1 When specialist subcontractors/suppliers are used by an Applicant for supply and delivery of part of the proposed Goods, e.g., design, building and delivery of goods and/or supply of spare parts, the Applicant shall clearly indicate such use in his application. The subcontractors/suppliers and their inputs shall be described in Application Form No. 4b as well as in other documents where information about Subcontractors/Suppliers are requested. Applicants' attention is drawn to Sub-Item 1.6.3 (d) about the limitation of work share of subcontractors.

3.9 Conflict of Interest 3.9.1 The Applicant (including all members of a joint venture) shall not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other Prequalification and Bidding Documents for the Project, or with an entity that was proposed as Engineer for the Contract. Any such association may result in the disqualification of the Applicant.

3.10 Updating Prequalification Information 3.10.1 Bidders will be required in the bidding process to update the vital information submitted at the time of prequalification to demonstrate their continued compliance with the qualification criteria. A bid shall be rejected if the Applicant's qualification thresholds are no longer met at the time of bidding.

3.11 General 3.11.1 If an Applicant is uncertain as to the true meaning of any clause of the Prequalification Documents, he can request the Purchaser to provide clarifications. Such request shall be addressed to the Purchaser at the address indicated in Item 1.4 not later than 17:00 hour (El Salvador Standard Time) on, 200...

All interpretations and/or modifications of the Prequalification Documents by the Purchaser shall be made only by means of addenda issued to each Applicant, who shall acknowledge receipt thereof. Addenda will be issued not later than, 200...

3.11.2 Applicants will not be allowed to make any change or correction to their applications after submission at the deadline specified in Sub-Clause 1.4.1. If the Purchaser finds any doubtful points in an application, he may request the Applicant in writing to provide sufficient clarification. Such request for clarification and the formal response thereto shall be solely for the purpose of prequalification evaluation, and

shall not in any way modify the substance of the original application.

- 3.11.3 Only firms and joint ventures that have been prequalified under this procedure will be considered for the other steps of the bidding process. A qualified firm or a member of a qualified joint venture may participate in only one bid for the Contract. If a firm submits more than one bid, singly or in joint venture, all bids including that party will be rejected. This rule may not apply in respect of bids that include specialist subcontractors who are used by more than one bidder.
- 3.11.4 Bidders will be required to provide a bid security in the form of a guarantee or bond from a reputable bank who has corresponding bank in El Salvador, or a bonding or insurance company who has a branch office in El Salvador for an amount of US\$ 200,000. The successful bidder will be required to provide a performance security and other guarantees as indicated in the Bidding Documents.
- 3.11.5 The Purchaser reserves the right to:
- (a) amend the scope and value of the Contract to be bid, in which event the Contract will only be bid among those prequalified bidders who meet the requirements of the Contract as amended;
 - (b) reject or accept any application; and
 - (c) cancel the prequalification process and reject all applications.

The Purchaser shall neither be liable for any such actions nor be under any obligation to inform the Applicant of the grounds for them.

- 3.11.6 Applicants will be advised by the Purchaser in writing or by facsimile followed by a confirmation letter within 90 days of the deadline for submission of applications as mentioned in Sub-Item 1.4.1 above, of the result of their application, and of the names of the prequalified applicants, without being assigned any reason for the Purchaser's decision.

SECTION 4

EVALUATION PROCEDURES

SECTION 4 EVALUATION PROCEDURES

4.1 General

4.1.1 The duly completed Prequalification Applications submitted by the Applicants shall be the basis on which CEPA determines by sound judgment and at its discretion, the eligibility and competence of each Applicant to prequalify for bidding for the proposed Contract.

4.1.2 The evaluation of Applications for Prequalification will be based on the Evaluation Guide for Prequalification and Bidding under JBIC ODA Loans, issued by the Japan Bank for International Cooperation (JBIC) in June 2000. The "Law of Procurement and Contracts of the Public Administration" (Ley de Adquisiciones y Contrataciones de la Administracion Publica) of the Republic of El Salvador will not be referred to in the prequalification evaluation process.

4.2 Objectives of Evaluation

The primary objective of the prequalification evaluation procedures is to ensure that only eligible and competent shipbuilders/suppliers are prequalified to submit bids for the Project, whilst ensuring that implementation of the evaluation system is not only transparent but also impartial and fair to all Applicants.

4.3 Basis of Evaluation

The Prequalification will be based on the pass-or-fail criteria and the scoring system on the Applicant's general and particular experience, personnel capabilities, shipyard capabilities, and financial position, as demonstrated by the Applicant's responses in the forms and attachments enclosed to the Letter of Application.

The evaluation procedure includes the following three steps:

- (i) Step 1, "Preliminary Screening", is to assess the conformity of the application documents and the completeness of the information submitted by each Applicant as required in the Prequalification Documents. The assessment will be based on the pass-or-fail criteria.
- (ii) Step 2, "Minimum Requirements Evaluation", is to examine whether the applications fully meet the minimum requirements stated in Sub-Items 1.6.2 to 1.6.8 of the Instructions to Applicants, also based on the pass-or fail criteria.
- (iii) Step 3, "Detailed Evaluation", is to evaluate by a scoring system each of the following four categories: Experience, Personnel Capabilities, Shipyard Capabilities, and Financial Position.

4.4 Particulars

- (a) Where, in the opinion of CEPA, major discrepancies are found in the information submitted, the Application shall be considered unsatisfactory and the Applicant will not be eligible for prequalification until such discrepancies have been satisfactorily explained or resolved. CEPA will not enter into any correspondence with Applicants except to seek clarification when necessary. In

the case of minor discrepancies, CEPA reserves the right to interpret figures as it deems proper and appropriate.

- (b) CEPA reserves the right to investigate any statements or claims made by the Applicants and to institute any appropriate action, legal or administrative, should it be discovered later that the prequalification was obtained through misleading, ambiguous or false statement or erroneous information.
- (c) CEPA will make the final selection of prequalified Applicants to be invited to submit bids for the proposed Contract only after consultation with the Japan Bank for International Cooperation (JBIC). Each Applicant will then be informed in writing or by facsimile followed a letter of confirmation of the result of his Application and of the list of prequalified Applicants.
- (d) Notwithstanding the prequalification of an Applicant, CEPA reserves the right to review all prequalification statements and other relevant information during the bidding process. Should such review uncover any misinterpretation within the prequalification statements or any change in the situation of the prequalified Applicant which would downgrade the substance of the prequalification statements, CEPA will disqualify such previously prequalified Applicant.
- (e) The decision of CEPA and the concurrence by JBIC on the prequalification or disqualification of an Applicant will be final.

SECTION 5

PROJECT INFORMATION

SECTION 5 PROJECT INFORMATION

5.1 General Information

5.1.1 Objective of the Project

The project comprises the construction of a modern port with a 340m long Panamax type container terminal, 220m long multipurpose terminal with a depth of -14m and a dolphin type passenger terminal with a depth of -9.5m. The purpose of the new port is to provide a world class efficient port terminal taking the advantage of the strategic location in Central America and well sheltered location in Fonseca Bay.

5.1.2 Background of the project

The location of the new port coincides with the jetty of the no longer operational Cutuco Port. This port, built between 1912 and 1915, served as the main terminal for exports and imports for the eastern part of the country until it close in 1996. However, currently the port facilities were deteriorated and outdated. The Government of El Salvador, in its national development plans has plotted the La Union Port project as one of the main catalytic elements that will bring progress to the eastern region of the country. The Government of El Salvador through CEPA, with the assistance of the Government of Japan through the Japanese International Cooperation Agency carried out the feasibility and the detailed design of the new port project as part of a Port Revitalization Program in la Union Province. The project site is in La Union City which is located at 185km by highway from the Capital City of San Salvador. The Government of El Salvador has also already commissioned the detailed design and will start the bidding process for the construction of a by-pass highway for the heavy traffic attracted and originated by the port. This highway, part of the port revitalization program will also serve the fishing port of Punta Gorda.

5.2 Natural Conditions of the Project Site

5.2.1 Meteorological Conditions

(1) Temperature.

In La Union Area, according to the data collected from 1996 to 2000, the temperature have the mean value of 28.5°C in summer and 27.9°C in winter. The maximum variation reported in the last five years is between 18.1°C and 35.8°C.

(2) Winds

The predominant winds are NE directions from November to February and SW from March to October. The average wind speeds is 3 m/s from January to April and 2 m/s from May to December.

(3) Rainfall

The annual precipitation of La Union Bay varies between 1,600mm to 1,800mm. The average number of rainy days is 117.

5.2.2 Oceanographic Conditions

(1) Bathymetry

The berth location proposed for the new port is currently situated at the depth of around -10m. The turning basing in front of the new berth is gently sloping upward to a shallower area of around -8m. Most of the part of inner channel is governed by a subsoil with a sea bed depth of around -7.5m and will need to be dredged to -14m. The connection point between the inner channel and the outer channel is a turning point which is naturally deep and no dredging will be required in this area. Most of the outer channel is governed by a sub soil with a sea bed depth of around -12.5m and will need to be dredged to -14.5m.

(2) Tide

The various particular tidal elevations were defined as follows;

Mean Springs High Water Level (M.H.W.L.)	CD + 3.37 m
Mean Sea Level (M.S.L.)	CD + 1.65 m
Chart Datum Level	CD \pm 0.00 m
Mean Spring Low Water Level (M.L.W.L.)	CD - 0.13 m

(3) Waves

The waves at the project site are relatively small and the location of the berth area is well protected from offshore waves of the Pacific Ocean.

It is estimated that the maximum wave height of $H_{1/3} = 2.2\text{m}$ is expected at the proposed berth during a stormy condition.

(4) Currents

The maximum observed current are in the order of 1.87 m/s which was reported in the upper layer of the inner channel with a direction of southeast during the ebb tide.

5.3 Scope of Works and Delivery Schedule

5.3.1 Scope of Works

The supply and delivery works under Package C : Procurement of Floating Equipment for the Project consist of the following:

- Design, building, official sea trial, delivery to the site, and demonstration trial of two (2) tugboats with the following main features, including all equipment, spare parts and tools:
 - Type: Steel-hulled twin screw type, equipped with two 360° steerable propellers
 - Main engine: Twin diesel propulsion engines with a total output of 2,646 Kw (3,600 PS)
Bollard pull: Mean maximum bollard pull on sea trial condition at maximum continuous output of the engine 441 KN (45 tons) ahead
 - Service speed: On fully loaded condition at 85% rated out put of the main engines with 15% sea margin. 12.5 Kts.
- Training of the Purchaser's personnel on the operation and maintenance of the above-mentioned tugboats.

5.3.2 Delivery Schedule

The building and delivery of all the tugboats under Package C are scheduled to be completed within 16 months from the commencement date which will be around mid 2004.

SECTION 6
APPLICATION FORMS

Form No. 1

Letter of Intent to Apply for Prequalification

[Letterhead paper of the Applicant or lead partner for a joint venture, including full postal address, telephone no., fax no., telex no., and cable address]

Date :

To : President

Comisión Ejecutiva Portuaria Autónoma (CEPA)
c/o Unidad de Adquisiciones y Contrataciones Institucional (UACI)
Edificio Torre Roble, 5th Floor
Boulevard de Los Héroes, San Salvador

Ref. : La Unión Port Development Project

Subject : Intention to Apply for Prequalification for Package C : Procurement of Floating Equipment

Dear Sir,

Having officially obtained and studied the Prequalification Documents for the Package C : Procurement of Floating Equipment of La Unión Port Development Project, we hereby confirm our intention to submit an Application for Prequalification as *(an independent Applicant or the Lead Partner of Joint Venture to be named)* for the supply and delivery of the Goods under the said Package C.

For the purposes of this Prequalification, we advise of the following :

Name of Applicant : _____

Head Office Address : _____

Telephone/Fax : _____

Yours faithfully,

Date : _____

Applicant's Official Representative :

Name : _____

Position : _____

Signature : _____

Company's Stamp (if available)

Form No. 2

Letter of Application

[Letterhead paper of the Applicant or lead partner for a joint venture, including full postal address, telephone no., fax no., telex no., and cable address]

Date:

To: President
Comisión Ejecutiva Portuaria Autónoma (CEPA)
c/o Unidad de Adquisiciones y Contrataciones Institucional (UACI)
Edificio Torre Roble, 5th Floor
Boulevard de Los Héroes, San Salvador

Ref.: La Unión Port Development Project

Subject: Prequalification Application for Package C : Procurement of Floating Equipment

Dear Sir,

1. Being duly authorized to represent and act on behalf of... .. (hereinafter referred to as "the Applicant"), and having reviewed and fully understood all of the prequalification information provided, the undersigned hereby apply to be prequalified by your agency as a bidder for the design, building, supply and delivery of tugboats under Package C : Procurement of Floating Equipment for La Unión Port Development Project in El Salvador.
2. If after your evaluation of this Application, we are prequalified as a Bidder, then it is our intention to participate in the Bidding for the above-mentioned Package C : Procurement of Floating Equipment.
3. If the Contract for Package C is awarded to us, we will build the proposed tugboats at the following single shipyard:
 - Name of shipyard: _____
 - Location of shipyard: _____
 - Ownership of shipyard: *(Indicate whether it is owned, rented, leased or provided by subcontractor(s))*
4. We are applying for prequalification as an independent Applicant/Joint Venture formed by the following partners* *(*Delete as applicable)*

Name of Joint Venture: _____

_____ (Name of Firm) _____ (Country of Home Office)

Partner (1)
(Lead Partner) _____ ; _____

Partner (2) _____ ; _____

Partner (3) _____ ; _____

5. Attached in Form No. 3 are relevant official documents evidencing the following:

- (a) The Applicant's legal status;
- (b) The principal place of business; and
- (c) The place of incorporation (*for applicants who are corporations*), or the place of registration and the nationality of the owners (*for applicants who are partnerships or individually-owned firms*).

6. Your Agency and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information as deemed necessary and as requested by yourselves to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.

7. Your Agency and its authorized representatives may contact the following persons for further information:

General and managerial inquiries

Contact 1 : _____

Telephone 1 : _____

Contact 2 : _____

Telephone 2 : _____

Personal inquiries

Contact 1 : _____

Telephone 1 : _____

Contact 2 : _____

Telephone 2 : _____

Technical inquiries

Contact 1 :

Telephone 1 :

Contact 2 :

Telephone 2 :

Financial inquiries

Contact 1 :

Telephone 1 :

Contact 2 :

Telephone 2 :

8. This application is made with the full understanding that:
- (a) Bids by prequalified applicants will be subject to verification of all information submitted for prequalification at the time of bidding;
 - (b) Your Agency reserves the right to:
 - Amend the scope and value of any contracts bid under this Project; in such event, bids will only be called from prequalified bidders who meet the revised requirements; and
 - Reject or accept any application, cancel the prequalification process, and reject all applications.
 - (c) Your Agency shall not be liable for any such actions and shall be under no obligation to inform the Applicant of the grounds for them.

Applicants who are not joint ventures should delete Items 8 and 9 and initial the deletions.

8. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture or association. We also specify the financial commitment in terms of the percentage of the value of the Contract, and the responsibilities for execution of the Contract.
9. We confirm that if we bid, that bid, as well as any resulting Contract, will be
- (a) Signed so as to legally bind all partners, jointly and severally; and
 - (b) Submitted with a joint venture agreement providing the joint and several liability of all partners in the event the Contract is awarded to us.
10. The undersigned declare that the statements made and the information provided in the duly completed Application are complete, true, and correct in every detail.

For and on behalf of (name of Applicant or lead partner of a joint venture) :

Signed:

Name : _____

Position : _____

For and on behalf of (name of partner of a joint venture) :

Signed

Name : _____

Position : _____

For and on behalf of (name of partner of a joint venture) :

Signed:

Name : _____

Position : _____

ATTACHMENT 2-1
POWER OF ATTORNEY

Form No. 3

General Information

All individual firms and each partner of a joint venture applying for prequalification are requested to complete the information in this Form. Nationality information shall be provided for all owners of Applicants who are partnerships or individually-owned firms.

Where the Applicant proposes to use specialist Subcontractors for critical components of the works as mentioned in Sub-Item 1.8.1 of the Instructions to Applicants, the following information shall also be supplied for the specialist Subcontractor(s), together with a brief description of their specialized input.

1.	Name of Company				
2.	Scope of Participation				
3.	Year of Establishment				
4.	Specialization of Business				<i>(Please attach any professional certificates or licenses relating to the company's activities, and certificates evidencing membership and registration grade issued by competent authorities, marked as "Form No. 3".)</i>
5.	Address, Telephone, Fax and Email of Head Office				
6.	Paid-up Capital				Original Currency in Home Country: Equivalent to US\$: 1 US\$ = (Applied exchange rate)
7.	List of Principal Shareholders and their Nationality				
8.	Place of Branch Offices				
9.	Directors				
	Name	Nationality	Position	Years With the Firm	Years of Construction Experience
11.	Senior Management and Principal Staff				
	Name	Nationality	Position	Years With the Firm	Years of Construction Experience

12.	Number of Permanent Staff and Temporary Staff				
	Type	Permanent Staff	Temporary Staff	Total	Number of Engineers who have project experience

Date : _____

Applicant's Official Representative :

Name : _____

Position : _____

Signature : _____

Company's Stamp (if available)

ATTACHMENT 3-1

**CERTIFIED COPY OF
REGISTRATION OF THE FIRM**

Form No. 4
Joint Venture Summary

Names of all partners of a joint venture:
Lead Partner :
Partner 1 :
Partner 2 :
Partner 3 :

Annual Turnover Data (vessel/equipment building/manufacture and/or supply only) in US\$ equivalent					
Name of Partner	1998	1999	2000	2001	2002
Lead Partner :					
Partner 1 :					
Partner 2 :					
Partner 3 :					
Total					

Note: Total value of vessel/equipment design/building/manufacture/delivery or supply turnover in terms of works billed to clients in US\$ equivalent at the rate of exchange at the end of the period

Form No. 4a
Joint Venture Agreement

To: President
Comisión Ejecutiva Portuaria Autónoma (CEPA)
c/o Unidad de Adquisiciones y Contrataciones Institucional (UACI)
Edificio Torre Roble, 5th Floor
Boulevard de Los Héroes, San Salvador

We, the undersigned, legally authorized by means of the attached Powers of Attorney to act with regard to the Package C : Procurement of Floating Equipment for the La Unión Port Development Project, and on behalf of our respective firms named below,

Hereby declare:

1. That our firms will conclude a Joint Venture Agreement in case that the Contract for the building/supply and delivery of tugboats under Package C for the La Unión Port Development Project is awarded to our Joint Venture (or Consortium);
2. That our firms have nominated _____ [*name of the lead partner*] as the Lead Firm of our Joint Venture (or Consortium) for the purpose of this Application;
3. That our firms authorize Mr./Ms. _____ [*name of the person who is authorized to act as the Representative on behalf of the Joint Venture*] to act as the Bidder's Representative in the name and on behalf of our Joint Venture (or Consortium);
4. That all partners of our Joint Venture (or Consortium) shall be liable jointly and severally for the execution of the Contract;
5. That our Joint Venture (or Consortium) is an Association constituted for the purpose of the execution of the Contract for Package C : Procurement of Floating Equipment under La Unión Port Development Project;
6. That if the Purchaser accepts the Bid of our Joint Venture (or Consortium), it shall not be modified in its composition or constitution without the prior consent of the Purchaser until the completion of the Contract;
7. That each partner's share of the building/supply and delivery works, stated as percentage to the total contract amount, is as follows:

Name of Partner	Work Description	Value of Work (% to the Contract amount)
Lead Partner :		
Partner 1 :		
Partner 2 :		
Partner 3 :		
Total		

Give names and positions of the proposed Joint Venture Representatives, as well as the firms' names and addresses:

1.	Name:	Signature:
	Position:	Date:
	Representative of: (firm's name)	

2.	Name:	Signature:
	Position:	Date:
	Representative of: (firm's name)	

3.	Name:	Signature:
	Position:	Date:
	Representative of: (firm's name)	

ATTACHMENT 4a-1
POWER OF ATTORNEY

Form 4b

Details of Subcontractors/Suppliers

Subcontractor/Supplier		Sublet work or equipment	Value (% to Contract Price)
Name	Address		

Applicants shall also provide full details for any proposed subcontractor and supplier, including brochure or other documents to illustrate and describe the firm and its experience.

The Applicant's attention is drawn to Sub-Item 1.6.3 (d) about the limitation of work share of subcontractors/suppliers.

Form No. 5

Annual Turnover

Name of Applicant or Partner of a Joint Venture:

All individual firms and all partners of a joint venture are requested to complete the information in this form. The information supplied shall be the annual turnover of the Applicant (or each member of a joint venture), for the last five (05) years, in terms of the amounts billed to clients for each year for work in progress or completed, converted to US\$ at the rate of exchange at the end of the period reported.

Annual Turnover Data (vessel/equipment building/manufacture and/or supply works)		
Year	Turnover	US\$ equivalent
1) 1998		
2) 1999		
3) 2000		
4) 2001		
5) 2002		

Note:

1. The Applicants shall enclose copy of documentary evidence or refer to such evidence submitted under another Application form.
2. Use a separate sheet for each partner of a joint venture.

ATTACHMENT 5-1
COPY OF EVIDENCE OF ANNUAL TURNOVER

Form No. 6

Contracts of Similar Nature and Complexity

Form 6 and 6a shall be filled in by sole Applicants, joint venture partners and subcontractors (if any).

On a separate page, using the Form 6a, independent Applicants, joint venture partners and subcontractors are requested to list all contracts of a similar nature and complexity to the Contract, for which they have undertaken during the last ten (10) years (1993 to 2002). The partners of a joint venture of such contracts should provide details of their share in the joint venture. The value should be based on the currencies of the contracts at the time of award.

Independent Applicants, joint venture partners and subcontractors shall summarize in the table below the number of the major equipment supplied under contracts completed or being under way in the last 15 years.

Tugboat	Number of vessels built per shipyard and supplied in last 10 years	Country of delivery
1. 2000 Hp tugboat	vessels	
2. 3600 Hp tugboat of own design, with 360° steerable propellers	vessels	
3. Overseas delivery of tugboats of above categories	vessels	

The Applicant shall enclose copies of Taking-Over Certificates or similar documents for the building/supply works completed or in progress.

Form No. 6a

Details of Contracts of Similar Nature and Complexity

Name of Applicant, Partner of a Joint Venture:
--

1.	Number of Contract
	Name of Contract
	Country
2.	Name of Purchaser or Client
3.	Purchaser's or Client's address
4.	Location of Shipyard where the tugboat was built: _____ Port of delivery: _____
5.	Contract role (state one option only) <input type="checkbox"/> Sole Contractor <input type="checkbox"/> Lead partner of J/V <input type="checkbox"/> Partner in J/V <input type="checkbox"/> Subcontractor
6.	List value of contracts at completion, or at date of award for current contracts, share in case of partnership in a Joint Venture, and share of subcontractor Contract Value: US\$ _____ Share _____ Share Value (Local currency) _____
7.	Equivalent value (amounts in million US\$ with one decimal) Value of Contract: US\$ _____ Value of Share (US\$) _____
8.	Date of award and completion: Award: _____ Completion: _____
9.	Contract duration: _____ years _____ months
10.	Particulars of tugboats designed/built/delivered: - Type of vessel: <input type="checkbox"/> Harbor tugboat; <input type="checkbox"/> Anchor handling or supply tugboat <input type="checkbox"/> Salvage tugboat <input type="checkbox"/> Pusher - Principal dimensions: LOA: _____ m; LPP: _____ m; Bm: _____ m; Dm: _____ m; Fall Draft: _____ m - Gross tonnage (international or flag country): _____ tons - Service area: <input type="checkbox"/> Smooth water <input type="checkbox"/> Coasting <input type="checkbox"/> Ocean going - Service speed: _____ Kts - Pollard pull (ahead): _____ KN (____ tons) - Complement crew: _____ passenger: _____ - Main engine: - Type : _____ - Maximum continuous output: _____ Hp at _____ rpm

	<p>- Type of propelling unit: _____ _____</p> <p>- Firefighting equipment for external use: _____</p> <p>- Spilled oil dispersion system: _____</p>
11.	Other features of the vessel, if any:
12.	Name of designer: _____

ATTACHMENT 6a-1
COPY OF EVIDENCE OF WORKS COMPLETED
OR IN PROGRESS

Form No. 7
Personnel Capabilities

Name of Applicant:

For specific positions essential to contract implementation, Applicants should provide the names of at least two candidates qualified to meet the specified requirements stated for each position. The data on their experience should be supplied in separate sheets using one Form 7a for each candidate.

1.	Project Manager
	Name of Prime Candidate
	Name of Alternate Candidate
2.	QA/QC Engineer
	Name of Prime Candidate
	Name of Alternate Candidate
3.	Hull Construction and Outfitting Engineer
	Name of Prime Candidate
	Name of Alternate Candidate
4.	Mechanical Engineer
	Name of Prime Candidate
	Name of Alternate Candidate
5.	Electrical Engineer
	Name of Prime Candidate
	Name of Alternate Candidate

Form No. 7a
Candidate Summary

Name of Applicant:

Position	Candidate <input type="checkbox"/> Prime <input type="checkbox"/> Alternate		
Candidate Information	1. Name of candidate	2. Date of birth	
	3. Professional qualifications		
Present employer	4. Name of employer		
	<i>Address of employer</i>		
	Telephone	Contact (manager/personnel officer)	
	Fax	Cable/E-mail	
	Job title of candidate	Total years of experience	
		Number of years in similar position	
Years with present employer			

From	To	Company/Project/Position/Relevant Technical and Management Experience

Note:

1. Summarize professional experience over the last twenty (20) years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the Project.

Form No. 8
Shipyard Capabilities

Name of Applicant:

Shipyard Facilities

Shipyard information

1. Name of Shipyard
3. Shipyard Area (under roof/open area)
2. Maximum Capacity
4. Year of Construction of Shipyard

Current Status

5. Current Production
6. Details of current commitments

Ownership

7. Indicate ownership of the shipyard

- Owned Rented leased Provided by Subcontractor **

8. Name of Owner

Owner*

9. Address of Owner

Telephone
Contact name and title

Fax
Cable/E-mail

Agreements*

Details of Rental/Lease/Building Agreements Specific to the Project

Notes:

1. Applicant shall provide adequate information to demonstrate clearly that he has the shipbuilding capability to meet the requirements for building the tugboats to be supplied.
Note that if the Applicant has many shipyards, he shall fill this Form for each shipyard and indicate the shipyard where the proposed tugboat will be built as mentioned in the Application Form No. 2.
2. *Omit the following information for shipyard if is owned by the Applicant or partner of the joint venture.
3. **Submit the name of Subcontractor, if the shipyard or relevant shipbuilding facilities are provided by Subcontractor(s).

ATTACHMENT 8-1

MAINTENANCE SERVICE/SPARE PARTS

Note:

1. Maintenance Service/Spare Parts information shall be furnished by the Applicant, indicating whether or not it has established an agent or agents in Central America or North America, which can fully provide spare parts; and maintenance and repair services for tugboats in El Salvador.

ATTACHMENT 8-2

QUALITY/ SAFETY ASSURANCE PROGRAM

Note:

1. The Applicant shall provide a Quality/Safety Assurance Program including inspection and tests for the Goods.

Form No. 9
Financial Capability

Name of Applicant or Partner of a Joint Venture

Banker	Name of Banker		
	Address of Banker		
	Telephone	Contact name and title	
	Fax	Cable/E-mail	

Financial information in US\$ equivalent	Actual:					Projected:	
	Previous five years					Next two years	
	1998	1999	2000	2001	2002	2003	2004
1. Total assets							
2. Current assets							
3. Total liabilities							
4. Current liabilities							
5. Sales							
6. Ordinary profits							
7. Profits before taxes							
8. Profits after taxes							

Note:

1. Attach audited financial statements for the last five (05) years (for the individual applicant or each partner of a joint venture).

Firms owned by individuals, and partnerships, may submit their balance sheets certified by a registered accountant, and supported by copies of tax returns, if audits are not required by the laws of their countries of origin.

2. Applicants shall submit bank reference letters from reputable commercial banks to the effect that such banks certify the financial capability of the Applicants to meet their financial obligation to perform the Contract.

Cash Flow Capacity during the Execution of the Contract

(a) Source of Financing

Applicants shall fill in the sources and amounts of financing they expect to acquire during the execution of the Contract.

Source of financing

Amount (US\$ equivalent)

1.

2.

3.

4.

(b) Current Commitments / Work in Progress

Applicants and each partner to an application shall provide information 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

Value of outstanding works
(current US\$ equivalent)

Estimated completion date

1.

2.

ATTACHMENT 9-1

**CERTIFIED AUDITED FINANCIAL STATEMENT OF
THE LAST FIVE FINANCIAL YEARS**

ATTACHMENT 9-3
BANK REFERENCE LETTERS
(CREDIT LINES)

Form No. 10
Litigation History

Name of Applicant or partner of a joint venture:

Year	Award FOR or AGAINST Applicant	Name of Client, Cause of Litigation, and Matter in Dispute	Disputed Amount (Current Value, US\$ equivalent).

Note:

Applicants, including each of the partners of a joint venture, shall provide information on any history of litigation or arbitration relating to contracts executed in the last five (05) years or currently under execution. A separate sheet should be used for each partner of a joint venture.

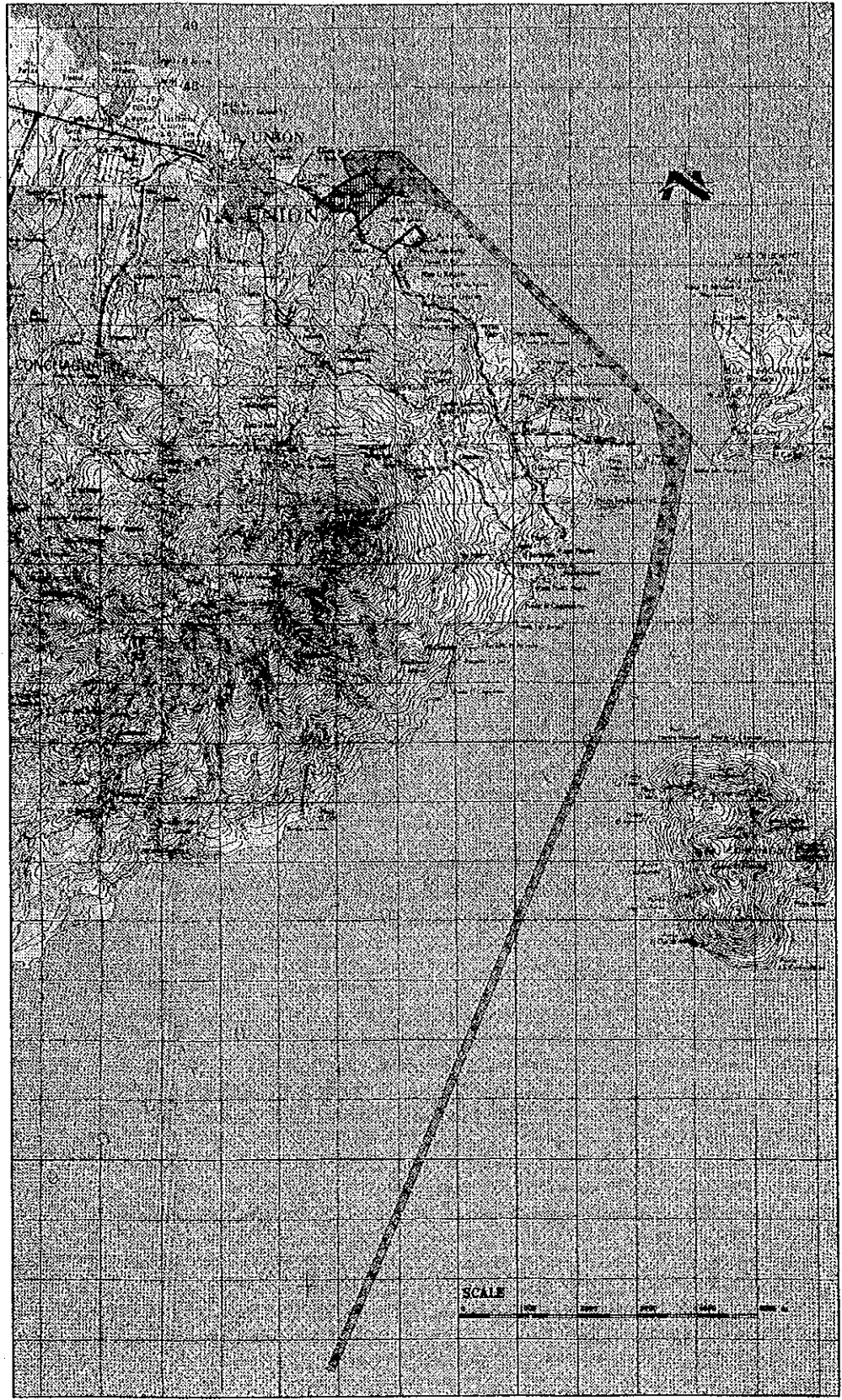
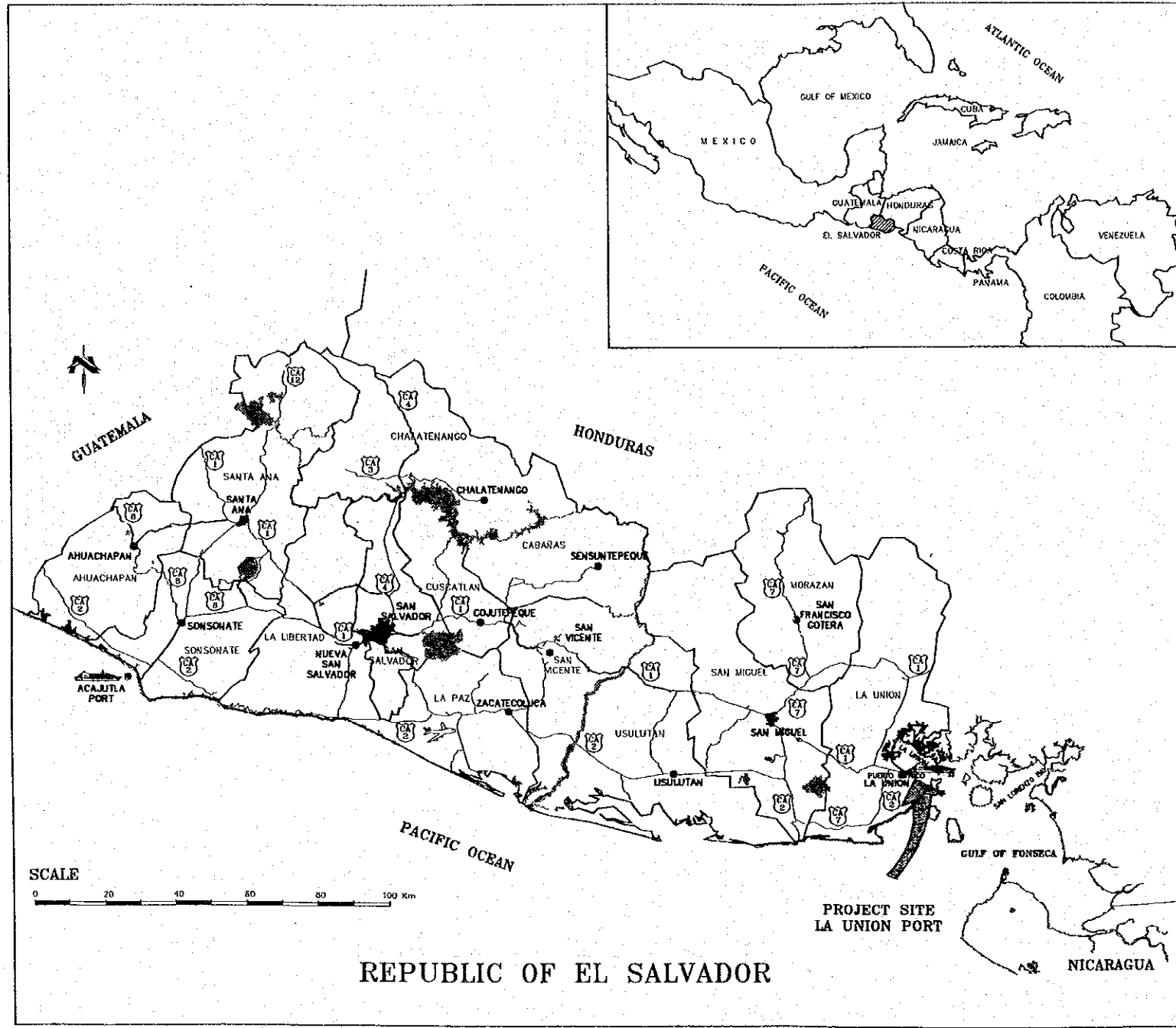
ATTACHMENT 10-1

CONTRACT DEFAULT HISTORY

Note:

The applicant shall in this Attachment list the history of contract defaults history (such as delay of completion) from the year 1998 to present. The list shall be in chronological order mentioning project name, Client's name and country. The Attachment shall include contract defaults for each joint venture partner and subcontractor separately.

DRAWING



REV. NO.	DATE	COORDINATE	BY	APPROVED	DATE

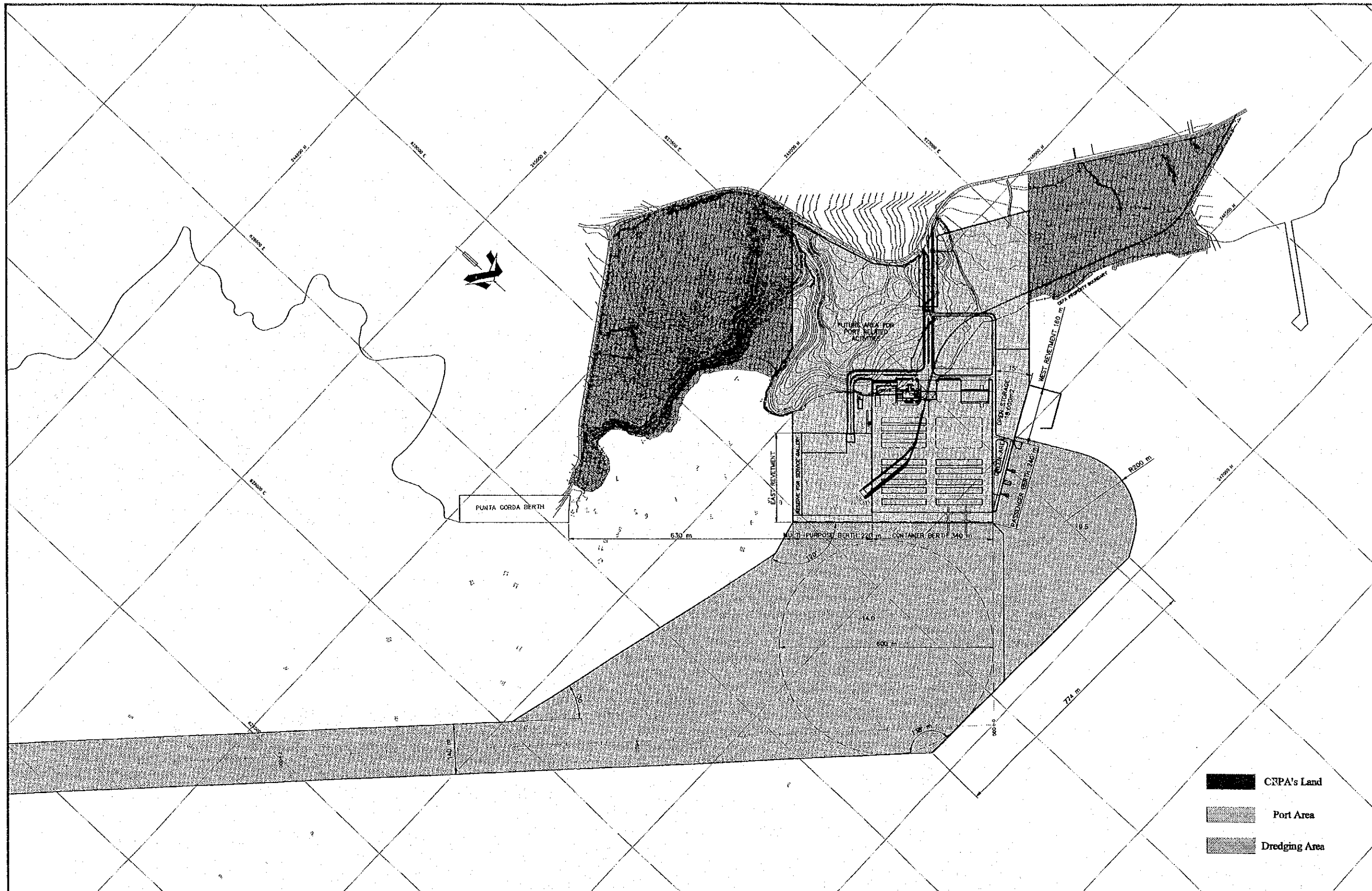
JBIC LOAN No. ES-P5
Cepa COMISION EJECUTIVA PORTUARIA AUTONOMA (CEPA)

LA UNION PORT DEVELOPMENT PROJECT

DESIGNED BY :
 CHECKED BY :
 APPROVED BY :

TITLE :
PROJECT LOCATION (PACKAGE C)

DATE :
 OCTOBER/2002
 SCALE :
 NO SCALE



REV. NO.	DATE	COORDINATE	BY	APPROVED	DATE

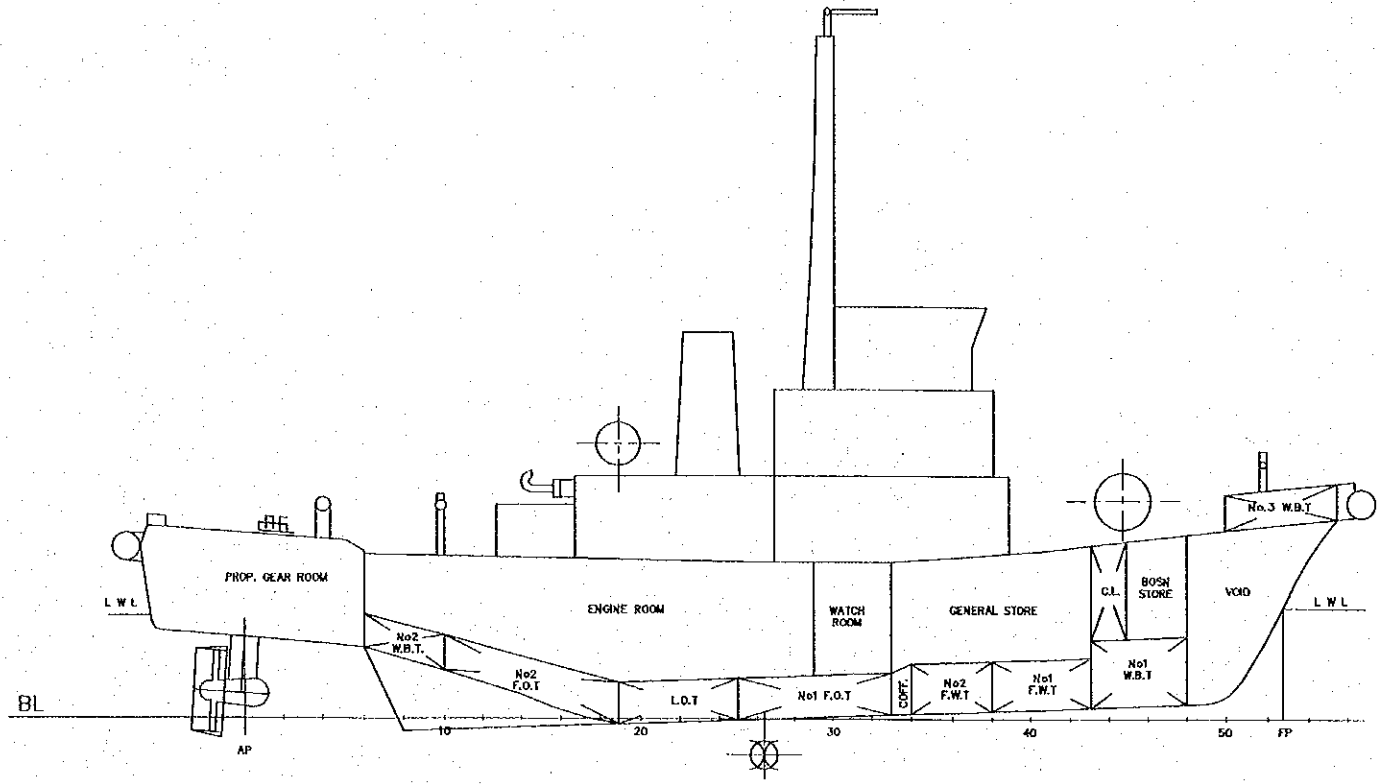
JBIC LOAN No. ES-P5
Cepa COMISION EJECUTIVA PORTUARIA AUTONOMA (CEPA)

LA UNION PORT DEVELOPMENT PROJECT

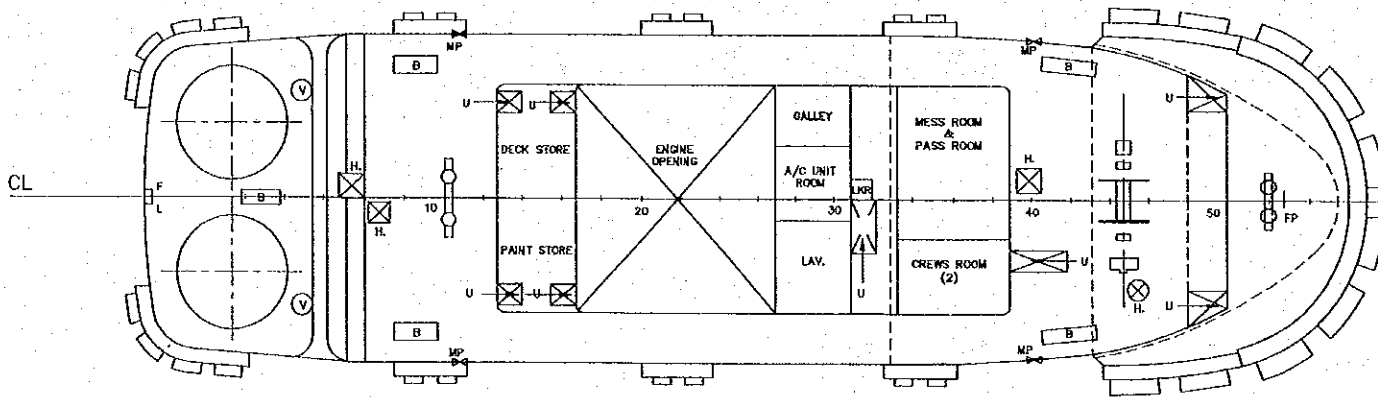
DESIGNED BY :
 CHECKED BY :
 APPROVED BY :

TITLE :
GENERAL LAYOUT PLAN (PACKAGE C)

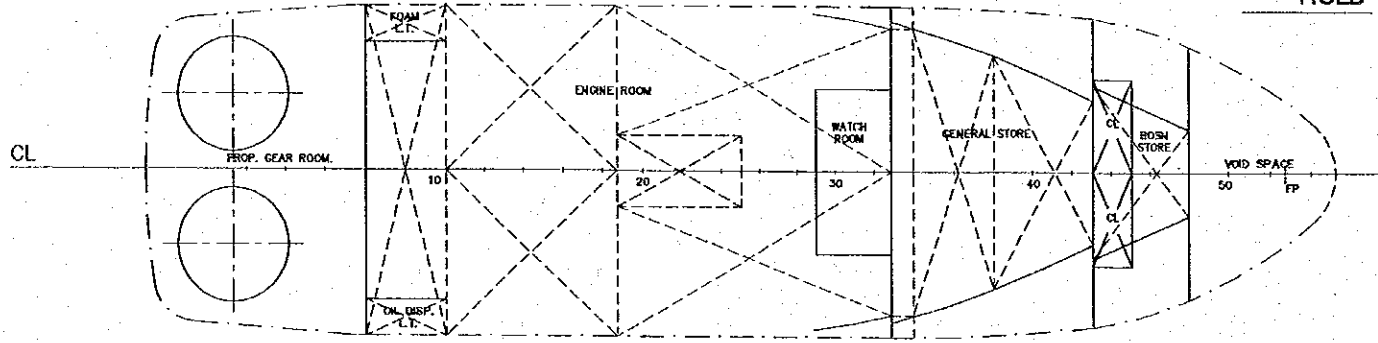
DATE :
 OCTOBER/2002
 SCALE :
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UPPER DECK



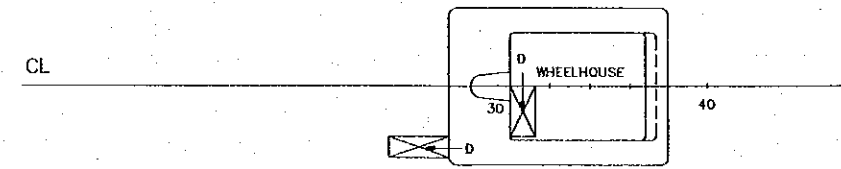
HOLD



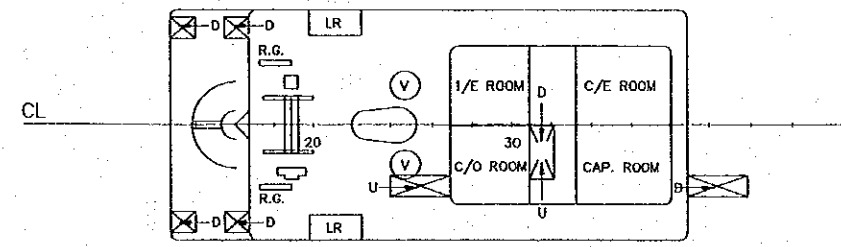
PRINCIPAL PARTICULARS

LENGTH (O.A.)	33.50 m
LENGTH (P.P.)	29.00 m
BREADTH (MLD)	9.40 m
DEPTH (MLD)	4.00 m
DRAFT (MLD)	3.10 m
GROSS TON	280 ton
MAIN ENGINE	2X1,323 kW (2x1,800=3,600 PS)
SERVICE AREA	COASTING SERVICE

NAV. BRIDGE DK.

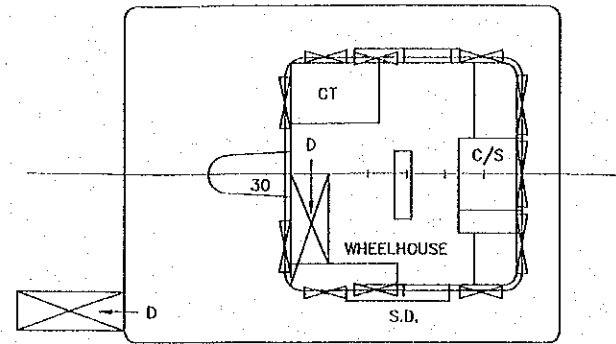


ENGINE CASING TOP & BRIDGE DECK

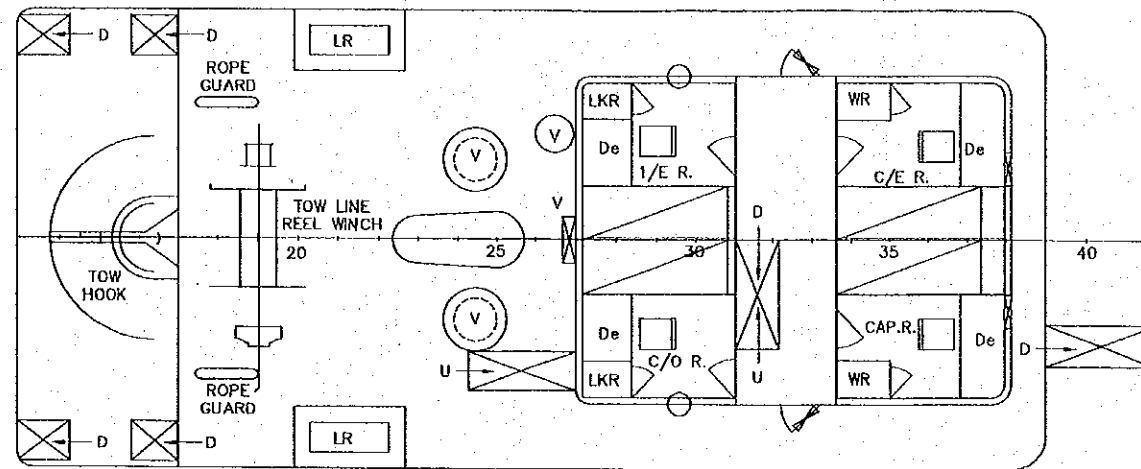


REV. NO.	DATE	COORDINATE	BY	APPROVED	DATE	JBIC LOAN No. ES-P5 COMISION EJECUTIVA PORTUARIA AUTONOMA (CEPA)	LA UNION PORT DEVELOPMENT PROJECT	DESIGNED BY :	TITLE :	DATE :
					CHECKED BY :			TUGBOAT-GENERAL ARRANGEMENT (PACKAGE C)	OCTOBER/2002	
					APPROVED BY :				SCALE :	1:200

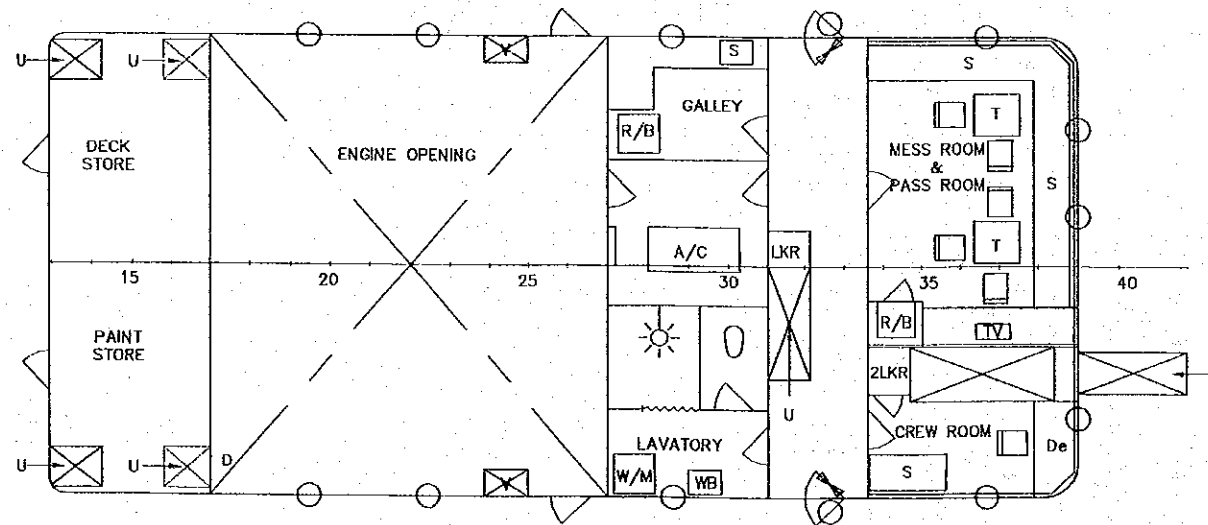
NAVIGATION BRIDGE DECK




ENGINE CASING TOP & BRIDGE DECK



UPPER DECK



REV. NO. DATE COORDINATE BY APPROVED DATE				JBIC LOAN No. ES-P5  COMISION EJECUTIVA PORTUARIA AUTONOMA (CEPA)		LA UNION PORT DEVELOPMENT PROJECT		DESIGNED BY : CHECKED BY : APPROVED BY :		TITLE : TUGBOAT-ACCOMMODATION PLAN (PACKAGE C)		DATE : OCTOBER/2002	
										SCALE : NO SCALE			

