



JAPAN INTERNATIONAL COOPERATION AGENCY (JICA)



MINISTRY OF PUBLIC WORKS
REPUBLIC OF INDONESIA

**DETAILED DESIGN STUDY
OF
NORTH JAVA CORRIDOR FLYOVER PROJECT
IN THE REPUBLIC OF INDONESIA**

**PROCUREMENT DOCUMENT
FOR PREQUALIFICATION OF BIDDERS**

**PACKAGE II
NAGREG FLYOVER
GEBANG FLYOVER**

DECEMBER 2006



KATAHIRA & ENGINEERS INTERNATIONAL

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ABBREVIATIONS

GOI.....	Government of Indonesia
MPW	Ministry of Public Works
DGH.....	Directorate General of Highways
ODA.....	Official Development Assistance
STEP.....	Special Term for Economic Partnership
JV.....	Joint Venture
ICB.....	International Competitive Bidding
ELMC.....	Eligible Local Manufacturing Company/ies
PQ.....	Prequalification
PQD.....	Prequalification Documents
IFP.....	Invitation for Prequalification
ITA.....	Section I. Instructions to Applicants
ADS.....	Section II. Application Data Sheet
PQC.....	Section III. Pre-Qualification Criteria
APF.....	Section IV. Application Forms
SOC	Section V. Scope of Contract
ELC.....	Eligible Countries
ELI.....	Eligibility Form
EXP.....	Experience Form
FIN.....	Financial Data Form
LIT.....	Pending Litigation Form

GLOSSARY

Prequalification	An assessment made by the Employer of the appropriate level of experience and capacity of the firms expressing interest in undertaking a particular Contract before an Invitation letter to bid is issued.
Project	The entire delivery proposed by the Employer to be provided in part or whole pursuant to the written Contract.
Works	The total work involvement in a construction Contract, including “Permanent Works” or Finished Product as specified, and the “Temporary Works” required for the execution and completion of the Contract at the location of the project.
Contract	is a Prime Contract as defined in the Procurement Conditions of Special Term for Economic Partnership (STEP) Loan Agreement No. IP-528.
Party	means either the Employer or the Contractor according to the context and “ Parties ” refers to both the Employer and the Contractor jointly.
Employer	One of the two (2) parties to a work Contract. For the purpose of this document, Employer is the Government of Indonesia represented by the <u>Directorate General of Highways</u> of the Ministry of Public Works acting through its Authorized Representative.
Contractor	is a “Prime Contractor” which shall be nationals of Japan or juridical persons incorporated and registered in Japan that is one party to the Contract who will execute and complete the Works, and the other party being the Employer.
Management Contractor	A firm, acting in the role of the Contractor, that does not normally perform Contract construction work directly, but manages the work of other (Sub) contractors, while bearing full responsibility and risk for price, quality and timely performance of the Work under the Contract.
Specialist Subcontractor	A specialist enterprise engaged for highly specialized processes or work which cannot be provided by the Main Contractor.
Joint Venture	An entity consisting of more than one partner that, as the Contractor, shall execute the Works in partnership, all partners of which shall be jointly and severally responsible for the Contract.
Nominated Subcontractor	An enterprise selected and retained by the Employer to provide pre-specified item in the Bill of Quantities and nominated as subcontractor to the main contractor for such purpose.
JBIC	Means Japan Bank for International Cooperation-is the lending Institution/Agency to the Employer.
DGH	means the <u>Directorate General of Highways</u> representing the Employer acting through any of his authorized representative/s.
Writing	Any authenticated handwritten, typed or printed communication, including telex, electronic mail, cable and facsimile transmission with proof of receipt when, and in the form, requested by the sender.

INVITATION FOR PREQUALIFICATION

Date: _____

Loan No: IP-528

1. The Government of the Republic of Indonesia, hereinafter referred to as “GOI”, has obtained an Official Development Assistance (ODA) Loan (Special Term for Economic Partnership (STEP) from Japan Bank for International Cooperation, hereinafter referred to as the “JBIC”, in the amount of 4,287 Million Japanese Yen toward the cost of the North Java Corridor Flyover Project, under Loan Agreement No. IP-528 signed on March 31, 2005, and intends to apply a portion of the proceeds of the loan to payment under the Contract(s) for which this invitation for Pre-qualification is issued. Disbursement of the ODA Loan by the 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 GOI shall derive any rights from the Loan Agreement or have any claim to the loan proceeds. The above Loan Agreement will cover only a part of the project cost. As for the remaining portion, the GOI will take appropriate measures for finance.
2. JBIC requires that bidders and contractors, as well as the GOI, 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. The Directorate General of Highways (DGH), Ministry of Public Works, hereinafter referred to as “Employer” intends to prequalify Contractors for the following Contracts under this project,

The NORTH JAVA CORRIDOR FLYOVER PROJECT involves the construction of Six (6) Flyovers that is designed to provide the most appropriate countermeasures to achieve sound improvement of road transportation network and substantial enhancement of physical distribution along North Java Corridor and in the inland areas of Java Island for vitalization of socio-economic activities in the pertinent regions through the establishment of smooth and reliable traffic network.

The project also aims to provide essential infrastructure in order to alleviate the critical traffic congestions at several junctions along North Java Corridor. The traffic situation in Merak, Balaraja, Nagreg, Gebang, Peterongan and Tanggulangin is expected to become more serious with the on-going and up-coming high density development plans on these sites. Four (4) locations namely, Merak, Nagreg, Peterongan and Tanggulangin are locations with railroad crossings. These problems could be resolved by providing grade separation structure such as flyovers.

The project will be implemented separately in three (3) contract packages presented below:

Package No.	Contract Name	Location	Construction Period
I	Construction of Merak Flyover Construction of Balaraja Flyover	Banten Province	456 calendar days
II	Construction of Nagreg Flyover Construction of Gebang Flyover	Bandung Metropolitan	456 calendar days
III	Construction of Peterongan Flyover Construction of Tanggulangin Flyover	East Java Province	456 calendar days

4. It is expected that Invitations to Bid will be made in _____ (Month & Year)
5. Prequalification is open to firms and voluntarily formed joint ventures from Japan and Indonesia, in accordance with the "Guidelines for Procurement under JBIC ODA Loans" and "Procurement Conditions of the STEP Loan." Applications may be made for prequalification for one or all of the above contracts.
6. Interested eligible firms may obtain further information from the Directorate General of Highways, Ministry of Public Works and inspect the Prequalification document at the address given below during office hours.
7. The prequalification documents can be obtained free of charge, on the submission of written application to the address below. The DGH will promptly dispatch the documents by registered airmail or courier, but under no circumstances will the Employer be held responsible for late delivery or loss of the documents so mailed to the Applicant.
8. The Employer will not be responsible for any costs or expenses incurred by Applicants in connection with the preparation or delivery of their Applications.
9. Eligible Applicants may obtain the Prequalification Documents after _____ (DATE) by calling, writing, faxing or telexing or by electronic mail to:

Procurement Committee for Contractor
 Directorate General of Highways
 Ministry of Public Works (MPW)
 JL. Pattimura No. 20, Kebayoran Baru
 Jakarta Selatan 12110, INDONESIA
 Telephone No : _____
 Facsimile : _____

10. All Applicants are advised to attend the Pre-Submittal Conference on _____ (Date and Time) _____ at the Office of the Chairman for Procurement Committee for Contractor, at the address indicated above.
11. Submission of Applications for Prequalification must be clearly marked “**Application to Prequalify for North Java Corridor Flyover Project, Package ____** and must be received in sealed envelopes delivered, either personally, or by registered mail/international courier not later than _____, _____ a.m./p.m.
12. The DGH (Employer) reserves the right to reject late applications.
13. Applicants are advised that Bids which exceed the Approved Government Estimate will be subject to clarification and necessary adjustment to meet the allocated budget. In the event that the final bid cost considered still exceeds the Government Estimate after clarification and adjustment, the bid may be rejected.
14. Applicants will be advised, in due course, of the results of their applications. Only firms and joint ventures prequalified under this procedure will be invited to bid.

SECTION I

INSTRUCTIONS TO APPLICANTS

SECTION I

INSTRUCTIONS TO APPLICANTS

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A. GENERAL

1. **Scope of Application**
 - 1.1 In connection with Invitation for Prequalification indicated in Section II, Application Data Sheet (ADS), the Employer, as defined in the ADS, issues the Prequalification Document to Applicants interested in bidding for the works described in Section V, Scope of Contract. The number of Contracts and the name of each contract corresponding to this prequalification is provided in the ADS.
2. **Source of Funds**
 - 2.1 The Borrower, the Government of Indonesia (GOI) through the Directorate General of Highways (DGH) (hereinafter called the “Employer”) has received an ODA Loan (Special Term for Economic Partnership (STEP) from Japan Bank for International Cooperation (hereinafter referred to as “JBIC”) in the amount of 4,287 Million Japanese Yen toward the cost of North Java Corridor Flyover Project, under Loan Agreement No. IP-528 signed on March 31, 2005, and intends to apply a portion of the proceeds of this loan to payments under the contract for which this Invitation for Prequalification is issued.
 - 2.2 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 GOI shall derive any rights from the Loan Agreement or have any rights to the loan proceeds. The above Loan Agreement will cover only a part of the project cost. As for the remaining portion, the GOI will take appropriate measures for finance.
3. **Corrupt Practices**
 - 3.1 JBIC requires that bidders and contractors, as well as the GOI, 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, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract;
 - (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.
 - (c) defines, for the purposes of this provision, the terms set forth below as follows:

- (i) “corrupt practice” means the offering, giving, receiving, or soliciting, directly or indirectly, of any thing of value to influence the action of any party in the procurement process or the execution of a contract;
 - (ii) “fraudulent practices” means a representation or omission of facts in order to influence a procurement process or the execution of the contract;
 - (iii) “collusive practices” means a scheme or arrangement between two or more bidders, with or without the knowledge of the Employer, designed to influence the action of any party in a procurement process or the execution of the contract;
 - (iv) “coercive practices” means harming or threatening to harm, directly or indirectly, persons, or their property to influence their participation in a procurement process, or affect the execution of the contract;
- (d) will sanction a party or its successor, including declaring ineligible, either indefinitely or for a stated period of time, to participate in JBIC-financed activities if it at any time determines that the firm has, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, a JBIC-financed Contract

4 Eligible Applicants

- 4.1 An Applicant shall be a legal entity.
- 4.2 Applicant in case of Prime Contractor shall be from Japan.
- 4.3 The Japanese firm's association with Indonesian Contractors as Joint Venture partner is hereby encouraged to fully utilize the local Contractors' resources and expertise on Works under similar condition and to effectively promote the transfer of technology by Japanese Contractors to local Contractors in consonance to the vision of the Loan Agreement.
- 4.4 Applicant in case of a joint venture will be eligible provided that the nationality of the lead partner is Japan, that nationality of other partners is Japan and/or Republic of Indonesia and that the share of work of Japanese partners in the joint venture is more than 50% of the contract amount.

Each of the constituent members shall complete the full and detailed particulars on the forms provided in these Prequalification Documents. The name of the lead partner and the expected participation or share of each member of the joint venture must be indicated in the application.

- 4.5 Applicants (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 firm found to have a conflict of interest with one or more parties in this prequalification process shall be disqualified. All Applicants shall be considered to have a conflict of interest, 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 their 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 to influence the application of another Applicant in the subsequent bidding process or influence the decisions of the Employer regarding this prequalification process; or
 - (e) Participated as a consultant in the preparation of the design or technical specifications of the Works that is the subject of this prequalification. Where a firm, or firms from the same economic or financial group, in addition to consulting, has also the capability to manufacture or supply goods or to construct works, that firm or firms from the same economic or financial group, may not normally be a supplier of goods or works, if it provided consulting services for the contract corresponding to this prequalification, unless it can be demonstrated that there is no significant degree of common ownership, influence or control.
 - (f) lend or temporarily second, their personnel to firms or organizations which are engaged in consulting services for the preparation related to procurement for or implementation of the project, if the personnel would be involved in any capacity on the same project.
- 4.6 A firm that is under a declaration of ineligibility by the JBIC in accordance with ITA Clause 3, at the date of submission of the application thereafter, shall not be considered.
- 4.7 An Applicant should have certified quality management for quality assurance.
- 4.8 An Applicant should have certified occupational, safety, health and administration system issued by authorized agencies.
- 4.9 Applicants shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.

- B. Contents of Prequalification Document**
- 5 **Sections of the Prequalification Document**
- 5.1 The Prequalification Document consists of Parts 1 and 2 which include all the sections indicated below, and should be read in conjunction with any Addenda issued in accordance with Clause 8.
- PART 1 – Prequalification Procedures**
- Invitation for Application (IFP)
 - Section I. Instructions to Applicants (ITA)
 - Section II. Application Data Sheet (ADS)
 - Section III. Pre-qualification Criteria
 - Section IV. Application Forms
- PART 2 – Requirements**
- Section V. Scope of Contract
- 5.2 The “Invitation for Prequalification” issued by the Employer is part of the Prequalification Document.
- 5.3 The Employer accepts no responsibility for the completeness of the Prequalification Documents and its Addenda unless they were obtained directly from the Employer.
- 5.4 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish all information and documentation required by the Prequalification Document.
- 6 **Clarification of Prequalification Document**
- 6.1 A prospective Applicant requiring any clarification of the Prequalification Document shall contact the Employer in writing at the Employer’s address indicated in the ADS. The Employer will respond in writing to any request for clarification provided that such request is received no later than the date indicated in the ADS prior to the deadline for submission of Applications. The Employer shall forward copies of its response to all Applicants who have acquired the Prequalification Documents directly from the Employer including a description of the inquiry but without identifying its source. Should the Employer deem it necessary to amend the Prequalification Document as a result of a request for clarification, it shall do so following the procedure under ITA Clause 8 and in accordance with the provisions of Sub-clause 16.2.
- 7 **Pre-submission Conference**
- 7.1 A Pre-submission Conference shall be held on _____ (date & time). All questions pertaining to the Pre-qualification process shall be entertained during the said Conference. Attendance shall not be mandatory however interested Applicants are advised to attend.

- 8 **Amendment of Prequalification Document**
- 8.1 At any rate prior to the deadline for submission of Applications, the Employer may amend the Prequalification Document by issuing Addendum or Addenda.
- 8.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the Prequalification Document directly from the Employer.
- 8.3 To give prospective Applicants reasonable time in which to take an Addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for submission of Applications.
- C. **Preparation of Applications**
- 9 **Cost of Applications**
- 9.1 The Applicant/s shall bear all costs associated with the preparation and submission of its application, and the Employer shall in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.
- 10 **Language of Application**
- 10.1 The Application/s, as well as all correspondences and documents relative to the prequalification exchanged by the Applicant/s and the Employer, shall be written in the English language. Supporting documents and printed literature that are part of the application may be in another language, provided they are accompanied by an accurate translation of the relevant passages into the English language, in which case, for purposes of interpretation of the application, the translation shall govern.
- 11 **Documents comprising the Application**
- 11.1 The Application shall comprise the following:
- (a) Application Letter, in accordance with ITA Clause 12;
 - (b) Written confirmation authorizing the signatory of the Application to commit the Applicant, in accordance with ITA Sub-clause 14.3;
 - (c) Documentary evidence establishing the Applicant's eligibility to prequalify, in accordance with ITA Clause 13;
 - (d) Documentary evidence establishing the Applicant's qualifications, in accordance with ITA Clause 13; and
 - (e) Any other document required as specified in the ADS.
- 11.2 Applicants must issue certification as to the accuracy of all information submitted. If requested, original documents shall be presented for authentication by the Employer.

Authority is understood to be vested upon the Employer or its authorized representative(s) to make independent queries, as the Employer considers necessary to confirm or amplify such information.

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| 12 Application Letter | 12.1 The Applicant shall prepare an Application Letter using the form furnished in Section IV, Application Forms. This Form must be completed without any alteration to its format. |
| 13 Documents establishing the qualifications of the Applicant | 13.1 To establish its qualifications to perform the contract in accordance with Section III, Prequalification Criteria. The Applicant shall provide information requested in the corresponding Information Sheets included in Section IV, Application Forms. |
| 14 Signing of the Application and Number of Copies | <p>14.1 The Applicant shall prepare one (1) original of the documents comprising the Application as described in ITA Clause 11 and clearly marked it "ORIGINAL". The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant.</p> <p>14.2 The applicant shall submit copies of the signed original application, in the number specified in the ADS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.</p> <p>14.3 The Prequalification being required for submission must be properly book bound; and the contents of which must be numbered/paginated consecutively, the total number of which must be indicated in the covering page and all pages must be signed or initialed by the duly authorized representative of the Applicant.</p> <p>14.4 The requirements regarding the legal instrument evidencing the authorization to represent and sign on behalf of the Applicant shall be as specified in the ADS.</p> |

D. Submission of Applications

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| 15 Sealing and Marking of Applications | <p>15.1 Prequalification Documents shall be submitted consisting of one (1) "Original Copy" and two (2) "Copies" , each copy clearly marked as such and comprising of the prequalification questionnaire and forms duly accomplished and supplemented with all the information required, including all addenda, if any.</p> <p>15.2 The Original Copy and all Copies of Prequalification Documents shall be submitted in two separate sealed envelopes or packages whichever is convenient and which shall:</p> <ul style="list-style-type: none"> (a) bear the name and address of the Applicant; (b) be addressed to the Employer, in accordance with ITA Clause 16.1; and (c) bear the specific identification of this prequalification |
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process indicated in the ADS.

If the envelopes are not sealed and marked as required, the Employer will assume no responsibility for the misplacement of the Application.

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| 16 | Deadline for Submission of Applications | <p>16.1 Application shall be received by the Employer at the address and no later than the deadline indicated in the ADS.</p> <p>16.2 The Employer, may at its discretion, extend the deadline for the submission of applications by amending the Prequalification Document in accordance with ITA Clause 8, in which case all rights and obligations of the Employer and Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.</p> |
| 17 | Late Applications | <p>17.1 No Prequalification Documents shall be accepted after the deadline (____Time & Date____) of Submission nor shall Applicants be allowed to improve their documents after their failure to qualify. Documents submitted after the said deadline shall be returned UNOPENED to the Applicants.</p> |
| 18 | Opening of Applications | <p>18.1 The Employer shall prepare a record of the opening of Applications that shall include, as minimum, the name of the Applicant. A copy of the record shall be distributed to all Applicants.</p> |
| E. Evaluation of Applications | | |
| 19 | Confidentiality | <p>19.1 Information relating to the evaluation of Applications, and recommendation for prequalification, shall not be disclosed to any persons not officially concerned with such process until notification of prequalification is made to all Applicants.</p> <p>19.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA Clause 26, if any Applicant wishes to contact the Employer on any matter related to the prequalification process, it may do so in writing.</p> |
| 20 | Clarifications of Applications | <p>20.1 To assist in the evaluation of Applications, the Employer may ask any Applicant for a clarification of its application which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing.</p> <p>20.2 If an Applicant does not provide clarifications of the information requested by the date and time set in the Employer's request for clarification, its Application may be rejected.</p> |
| 21 | Responsiveness of Applications | <p>21.1 The Employer may reject any Application which is not responsive to the requirements of the Prequalification Document.</p> |

F. Prequalification of Applicants

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| 22 | Evaluation of Applications | <p>22.1 The Employer shall use the criteria and methods defined in Section III, Prequalification Criteria to evaluate the qualifications of the Applicants and proposed subcontractors.</p> <p>22.2 Unless otherwise indicated in the ADS, this prequalification shall be for a single contract.</p> <p>22.3 The evaluation shall be done in accordance with the Implementation Guidelines Concerning Government Procurement of Goods and Services (Decree No. 8, year 2006, supplemented with Presidential Decree No. 67 of year 2005) and other existing pertinent Rules and Regulations of Indonesia.</p> <p style="padding-left: 40px;">The evaluation will also be done in accordance with the Guidelines for Procurement under JBIC ODA (STEP) Loans, November 1999. In case of discrepancy between the JBIC Guidelines and the Indonesian Rules and Regulations, the JBIC Guidelines shall prevail, in accordance with the Loan Agreement.</p> |
| 23 | Employer's Right to Accept or Reject Applications | <p>23.1 The Employer reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants or any obligation to inform the Applicants of the grounds for the action taken thereon.</p> |
| 24 | Prequalification of Applicants | <p>24.1 All Applicants, including their proposed subcontractors, whose application have been determined to be substantially responsive to the requirements of the Prequalification Document and who have met or exceeded the specified criteria shall be prequalified by the Employer.</p> |
| 25 | Notification of Prequalification | <p>25.1 Once the Employer has completed the evaluation of the Applications, it shall notify all Applicants in writing of the names of those Applicants who have been prequalified.</p> |
| 26 | Invitation to Bid | <p>26.1 Promptly after notification of the results of the prequalification, the Employer shall invite bids from all Applicants that have been prequalified.</p> <p>26.2 Bidders may be required to provide bid security in a form of a Bank Guarantee issued by state owned bank in the country where the Contract will be executed or a reputable international/foreign bank recommended by the Bank of Indonesia, acceptable to the Employer, for an amount as specified in the bidding document.</p> |

- 26.3 For this package, if the firm participating as Individual Applicant also participates as the partner of a joint venture or if the same firm appears on more than one (1) joint venture as partner, all of these individual applicant and joint ventures shall be disqualified in the prequalification. This rule shall not apply in respect of bids that include Specialist Subcontractor(s) that are used by more than one (1) bidder.
- 27 **Updated Prequalification Information** 27.1 Bidder shall be required to update the Financial Information used for prequalification during bidding process and to confirm their continued compliance with the Prequalification Criteria. A successful bidder shall be rejected if the bidder's thresholds are no longer met at the time of bidding.
- 28 **Eligible Goods** 28.1 All goods whose country of origin is other than Japan can be procured for not more than seventy percent (70%) of the total cost of goods of the amount of contract.
- The goods procured from the eligible local manufacturing company(ies) (hereinafter referred to as "the Eligible Local Manufacturing company(ies)") invested by Japanese manufacturing companies can be regarded and counted as Japanese origin if such Eligible Local Manufacturing Company(ies) satisfy(ies) the following conditions:
- Juridical persons incorporated and registered in the Republic of the Indonesia, and which have their appropriate facilities for producing or providing the goods and services in the Republic of the Indonesia and actually conduct their business there;
- Not less than 10% of shares are held by a single Japanese manufacturing company; and
- The proportion of shares held by any single company of the third countries other than Japan or the Republic of the Indonesia is not more than that held by any Japanese manufacturing companies.
- 29 **Declaration** 29.1 Bidders will be required in the Bidding Documents to stipulate the percentage of contract amount of goods from Japan and goods from Eligible Local Company(ies) and to attach the declaration as to the eligibility of goods and suppliers. The Form of Declaration is attached at the end (page 18) of these Instructions to Applicants as sample.
- G. Cancellation of Procurement**
- 30 **Cancellation of Procurement** 30.1 **The Employer may cancel this procurement process if the Local Government fails to complete the land acquisition. Such decision by the Employer shall be concurred by JBIC. Applicants have no right to any reason to this cancellation.**

SAMPLE

FORM OF DECLARATION

I, the Undersigned, hereby certify that (_____) percent (_____%) of the amount of the contract are procured from Japan and the Eligible Local Manufacturing Company(ies).

I, the Undersigned, further certify that, (Name of the Prime Contractor) has been incorporated and registered in Japan, has its appropriate facilities for producing or providing the goods and services in Japan and actually conducts its business there.

I, the Undersigned, further certify that, (Name of the Subcontractor) has been incorporated and registered in (Japan or the Republic of the Indonesia), has its appropriate facilities for producing or providing the goods in (Japan or the Republic of the Indonesia) and actually conducts its business there.

Date:

Name of the Firm
Legal Address

Signature by authorized Signatory

SECTION II – APPLICATION DATA SHEET (ADS)

Section II – Application Data Sheet (ADS) contains information and provisions that are specific to a particular prequalification process. The Employer must specify in the ADS only the information that the ITA request to be specified in the ADS. All information shall be provided; **no clause shall be left blank.**

To facilitate the preparation of the ADS, its clauses are numbered with the same numbers as the corresponding ITA clauses. This Guide provides information to the Employer on how to enter all required information, and includes an ADS format that summarizes all information to be provided.

A. General

ITA 1.1	The Name of the Employer is: <u>Directorate General of Highways</u> , Ministry of Public Works.
ITA 1.1	The Number and Name of the Contract is: Contract Package II – Construction Nagreg Flyover Construction of Gebang Flyover
ITA 2.1	The Name of the Borrower is: the Government of the Republic of Indonesia
ITA 2.1	The Name of the Project is: North Java Corridor Flyover Project

B. Contents of the Prequalification Document

ITA 6.1	<p>For clarification purposes only, the Employer's Address is:</p> <p>Attention : Chairman of Committee (Name) Address : (Number & Street)</p> <p>City : Jakarta Country : Indonesia Telephone : _____ Facsimile No. : _____ E-mail Address: _____</p> <p>The deadline for clarification request submission is on:</p> <p>Date : _____ Time : _____</p>
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B. Preparation of Applications

ITA 11.1(e)	The Applicant shall submit with his Application the following additional documents: <i>[specify any additional document/s that are not listed in ITA 11.1 that must be submitted with the Application]</i>
ITA 14.2	In addition to the Original, the number of copies to be submitted with the Application is: two (2).
ITA 14.3	The requirements regarding legal instrument evidencing the authorization to represent and sign on behalf of the Applicant shall be : Power of Attorney and Contractor's Affidavit.

D. Submission of Applications

ITA 16.1	<p>For application submission purposes only, the Employer's address is:</p> <p>Attention : Chairman of Committee (Name)</p> <p>Address : (Number & Street)</p> <p>City : Jakarta</p> <p>Country : Indonesia</p> <p>Telephone : _____</p> <p>Facsimile No. : _____</p> <p>E-mail Address: _____</p> <p>The deadline for clarification request submission is on:</p> <p>Date : _____</p> <p>Time : _____</p>
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F. Prequalification of Applicants

ITA 22.2	<p>As stipulated in ITA 1.1, this prequalification exercise shall be for multiple contracts. The Employer will prequalify each Applicant for all contract packages. A prequalified Applicant shall be allowed to bid for any contract package within his bidding capacity. If one bidder bids for all packages and is the lowest evaluated in all packages, such bidder may be awarded all contracts provided he satisfactorily meets all requirements of each Contract Package.</p>
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SECTION III – PREQUALIFICATION CRITERIA

Section III – Prequalification Criteria (PQC) contains all criteria and methods that the Employer will use to evaluate applications. The information to be provided in relation to each criterion and the definitions of the corresponding terms are included in the respective Application Forms.

JBIC requires bidders to be prequalified by meeting redefined, precise minimum requirements. The method entails Pass-Fail Criteria and Scoring System.

The criteria adopted must relate to characteristics that are essential to ensure satisfactory execution of the contract, and must be stated in unambiguous terms. In essence, the criteria must be chosen so that only Contractors who are well qualified to carry out the contract are permitted to bid. The criteria must also be set so that they neither inhibit competition nor set a predetermined number of firms to be prequalified. All firms that meet the criteria shall be invited to bid.

An Applicant's capabilities to perform the contract/s satisfactorily are established in respect of:

1. Requirements for Prequalification

Prequalification is in principle required in advance of bidding to ensure that Invitations to Bid are extended only to those who are technically and financially capable. Prequalification shall be based entirely upon the capacity of prospective Applicants to perform the particular contract satisfactorily, taking into account, their:

- a) Experience of and past performance on similar contracts (Flyover/Viaduct);
- b) Capabilities with respect to Site Management and Personnel;
- c) Capabilities with respect to Equipment and Plant;
- d) Financial Position; and
- e) Litigation History

Forms to assist prospective Applicants to provide the required information are included with the Prequalification Documents issued to interested eligible Applicants.

Verification of the information provided by the prospective Applicants at the time of prequalification will also be done at the time of bid evaluation. Award of the contract may be denied to an Applicant/s judged to no longer have the capability or resources to successfully perform the Contract, including the case where the information provided was fraudulent or incorrect.

For this package, if the firm participating as Individual Applicant also participates as the partner of a joint venture or if the same firm appears on more than one (1) joint venture as partner, all of these individual applicant and joint ventures shall be disqualified in the prequalification.

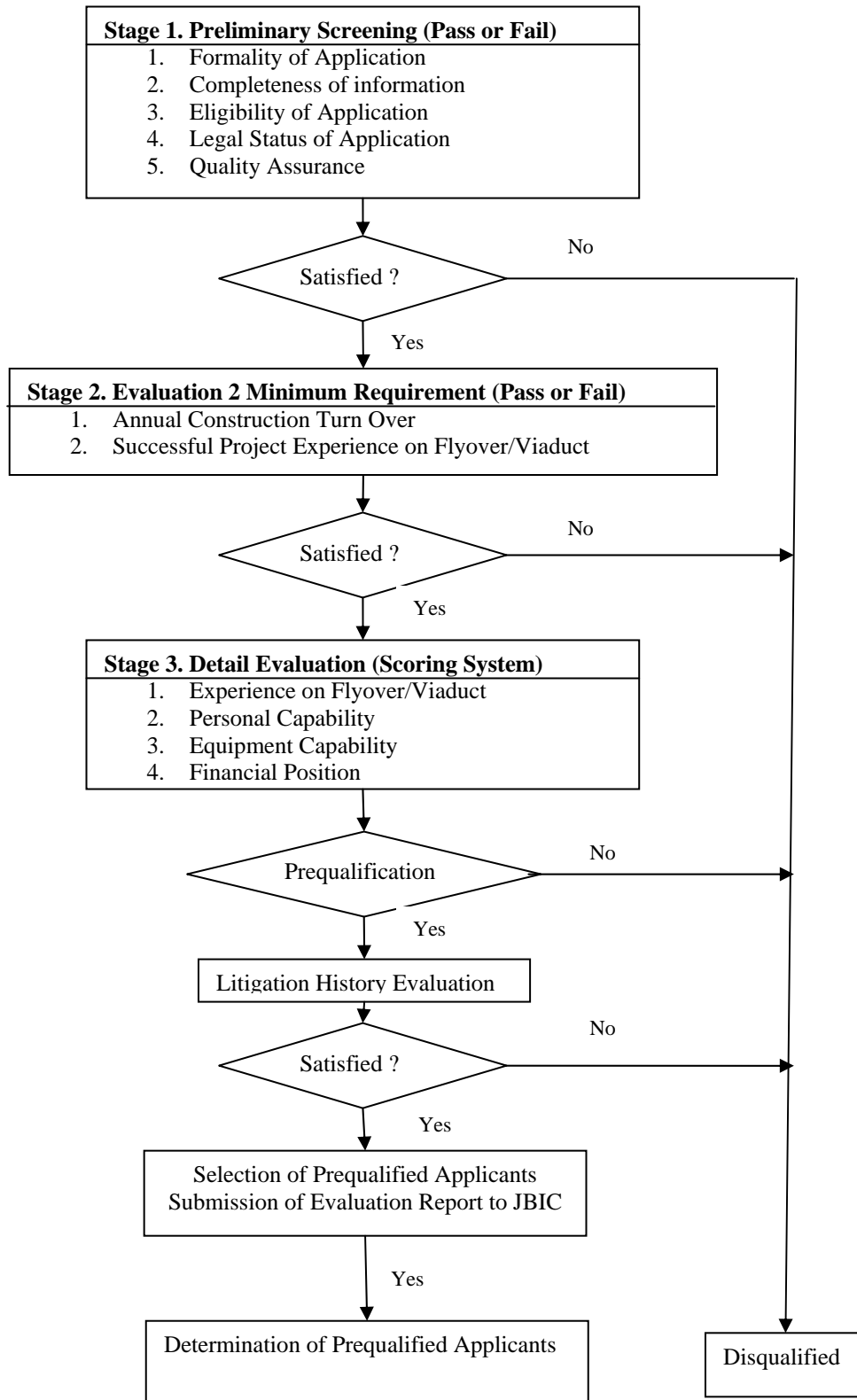
2. Evaluation of Information submitted for Prequalification

Prequalification of an Applicant consists of mainly of three (3) stages:

- Stage 1 : Preliminary Screening
- Stage 2 : Evaluation of Minimum Requirements
- Stage 3 : Detailed Evaluation

The Evaluation Flowchart of the Prequalification procedure is presented as Figure 1.

Figure 1 – Flow Chart of Prequalification Procedure



2.1 Stage 1 : Preliminary Screening

Preliminary Screening is made of the documents submitted by the Applicants in connection with the following:

1. **Formality of Application**, it is to assess the document's formality; whether the submitted documents and its format are in conformity with the requirements specified in the documents, in the event of no submission or omission of required documents deemed as important, the Application is to be disqualified at this stage.
2. **Completeness of Information**, it is to assess the completeness of information for all documents submitted by the Applicants including supporting data (Forms I through XVI), in the event of no submission or omission of required documents deemed as important (including supporting data) the Application is to be disqualified at this stage.
3. **Eligibility of Application** : Applicant must be in compliance with the requirements in accordance with the Instructions to Applicants (ITA) Clause 4. Applicants should attach copies of the original documents related to this requirement.
4. **Legal Status of Application**: The current Indonesian legal regulation has stipulated the requirements of legal status for the Applicants upon the following conditions:
 - The Applicant is currently not under the supervision of the Court;
 - The Applicant is currently not declared bankrupt by the Court;
 - The activity of the Applicant is currently not terminated or suspended by the Court or other Authority;
 - Any Director or Officer of the Applicant's Firm is currently not punished or criminally sanctioned; and
 - The Applicant or any of its Directors has not violated a law related with professionalism code of the company/individual according to the decision made by the Court.
5. **Quality Management System Certificate** : It is to assess the function to maintain, manage and control the quality of product consistently offered to the Employer. All of these requirements need a Quality Management System (ISO 9000) or equivalent.

2.2 Stage 2 : Evaluation of Minimum Requirements

This stage evaluates the capability of Applicants with respect to the minimum requirements for (1) annual turnover and (3) successful project experience of similar nature and complexity (Flyover/Viaduct). Applications which do not satisfy the minimum requirement will be disqualified.

1) Annual Construction Turnover

Minimum Average of Annual Construction Turnover of:

1. The Applicant must have an average annual turnover of a minimum of 30 Million US Dollar equivalent, defined as value of works completed in a project either in progress or completed in the last five (5) years from 2001 – 2005.

2. Applicants should submit Form III (General Experience of Applicant). Each Form is to be signed by the Applicant's Authorized Representative.
3. The information supplied should be the Annual Turnover in terms of the amounts billed to client for each year for work in progress or completed, converted to US Dollars at the rate of exchange at the end of the period reported. Applicants should provide copies of the original documents related to this requirement.
4. If the Average Annual Turnover (AAT) of the Applicant is less than the above minimum requirement, the said Applicant will be disqualified.

2) Successful Project Experience

Successful experience as Prime Contractor, single entity or partner in a Joint Venture, in the execution of at least three (3) projects that have been successfully or are substantially completed and that are similar to the proposed works (Flyover/Viaduct) based on the physical size, complexity, methods, technology or other characteristics, for within the last five (5) years will be regarded as the minimum requirement for this item. The Applicant should provide the evidence of completion of its project, and will be attached to the Application Forms, Form IV. This evidence should comprise certified copies of completion certificates issued by respective Employers of Project Consultants. Failing to meet this requirement will mean disqualification by the Applicant/s.

2.3 Stage 3 – Detailed Evaluation of Applications

This detailed evaluation is to conduct a "Scoring Points Evaluation" for each item of:

- 1) General Experience, including project experience of similar nature and complexity, and project experience in similar site conditions;
- 2) Personnel Capabilities;
- 3) Equipment Capabilities; and
- 4) Financial Position (cash flow capacity and soundness of financial position)

The scoring system, in accordance with JBIC guidelines, includes setting minimum scores for each criterion that must be reached by an Applicant to allow prequalification.

2.3.1 Experience of Past Performance on Similar Contracts

(1) Experience with Similar Works (Flyover/Viaduct) Nature and Size)

Participation as Contractor within the last five (5) years, each similar work with a value of at least US\$ 5 Million equivalent, that have been successfully or are substantially completed and that are similar to the proposed works (Flyover/Viaduct). The similarity shall be based on Prestressed Concrete and Steel girder type of bridge, physical size¹, complexity, methods,

¹ Physical size refers to: i) Flyover and/or Viaduct; ii) Concrete and/or Steel Bridge with not less than 2 lanes; and iii) Bored Piles Foundation

technology and other characteristics as described in section V, Scope of Contract.

The criteria for this factor are established in terms of the number of contracts of similar nature (type) and size (value) completed, as described in Section V, Scope of Contract, in the last five (5) years.

Form IV (Experience in Contract of Similar Works) requests information relevant to this item. A separate form should be made out of each contract submitted for consideration. Letters of reference from previous customers should be attached.

Form V (Joint Venture Data) requests information on the Joint Venture composition of any submitted Contract which is/was a Joint Venture: a copy of this form should be attached to Form IV if relevant.

(2) Experience with Similar Site Conditions

Similar Site Conditions refer to variables like Country (Indonesia or similar developing countries), as described in Section V - Scope of the Contract, where the works have to be constructed. This factor is also measured in terms of the number of contracts completed in the last five (5) years of operations.

Form IV (Experience in Contract of Similar Works) also requests information relevant to this item.

2.3.2 Capability with respect to Site Management and Personnel

The term “Capability” used here includes all factors determining an Applicant’s technical abilities other than experience. This arrangement eliminates the possibility that lack of experience can be offset by high technical qualifications.

(1) Site Management and Organization

It is to show the capacity of the Applicant’s site management and organization in order to achieve the project’s goal as requested by the Employer. While the quality of home office management may affect contract performance, it is usually less important than site management once the Contractor has mobilized.

Two (2) aspects of site management are assessed separately:

i) Project Organization and Management

The responsibilities for construction, logistics, contract administration, and delegation of authority are identified in the proposal for site management and if the relationship between these activities is clearly defined and arranged in a logical pattern, a satisfactory rating is awarded, and

ii) **Subcontracting System (Number and Pattern)**

Generally, the fewer the subcontractors involved in a construction program, the easier is the program to manage. In many construction projects, however, the primary contractor may not have the experience, personnel, or equipment to handle all elements of the work adequately. Subcontracting of specialized work is therefore normally permitted in large construction projects, and is often desirable. On the other hand, the primary contractor is expected to carry-out the principal construction tasks; this is the basic assumption in the prequalification process and will be assessed as “appropriate”. Both the number of subcontractors envisioned by the Applicant and the proposed division of work are, therefore, considerations that are examined separately, and a composite rating is awarded to this factor.

Form VII (Proposed Site Organization) requests information on the proposed site organization. Form VIII (Proposed Subcontractors) requests information on current contracts. Form IX (Summary of Contract Commitments and work in Progress) requires further information pertaining to the Applicant's site organization capabilities.

(2) **Personnel**

The Applicant must have suitably qualified personnel to fill the following key positions. The Applicant will supply information on a prime candidate and an alternate for each of the following positions. Form X (Personnel/Staff proposed for the project) and Form XI (Experience Summary of Key Personnel for the Project) asks for this information. All candidates should meet corresponding experience requirements in the following table:

Position	Minimum Experience Requirements (years)			Education
	NP	SW	Status	
General Superintendent	1	15	PS	S1
Asst. General Superintendent	2	10		S1
Quality Control Engineer	2	10		S1
Materials Engineer	2	10		S1
Quantity Engineer	2	10		S1
Bridge Engineer	2	10		S1
Highway Engineer	2	10		S1

Note:

NP = Number of Persons

SW = Minimum requirement of experience in similar works (years)

PS = Permanent Staff

S1 = Engineering Graduate

2.3.3 Plant and Equipment

Form XII(a) and Form XII(b) (Summary List and Equipment proposed for the project) requests information on the proposed Plant and Equipment.

Name	Specification	No. of Equipment		Status
		Location 1	Location 2	
Pile Boring Machine	1.5 ~ 1.8m Ø	1	1	
Pile Boring Machine	2.5m Ø	1	1	
Bulldozer	15 ton	2	2	
Wheel Loader	1.5 m ³	2	2	
Hydraulic Excavator/Breaker	0.5 m ³	3	3	
Motor Grader	3.1 m	1	1	
Tyre Roller	10 Ton	1	1	
Vibratory Roller	5-8 Ton	1	1	
Water Tanker	6000 Ltr	2	2	
Asphalt Finisher	3 m		1	
Crane	150 Ton		1	
Crane	100 Ton		1	
Crane	30 Ton		1	
Crane	16 Ton		1	
Agitator/Truck Mixer	5 - 6 m ³	8	8	
Dump Truck	10 Ton	15	15	
Concrete Batch Plant	30 m ³ /Hr	1	1	
Asphalt Mixing Plant	30 Tons/Hr	1	1	
Stone Crasher	30 T/Hr	1	1	
Note:				
<ul style="list-style-type: none"> The Equipment and Plant listed above are considered as minimum requirement. The life year of proposed equipment shall be less than ten (10) years old 				
<ul style="list-style-type: none"> Status of Equipment: The equipment to be utilized for the project shall clearly defined their status whether: <i>Owned, Rental, Lease, etc.</i> The notarized Lease Contract Agreement for Equipment to be Leased or Rented (including the Lessor's proof of ownership of the said Equipment) must be submitted with the PQ documents 				

Information given must be known commitments and all listed items must be in good working condition. Form XII (a) should be used to summarize the information provided.

If found to be necessary during the procurement process, the proposed equipment by Applicants, may be checked by the procurement committee to the site locations and all the cost to be incurred by such checking shall be borne by the Applicant/s.

2.3.4 Financial Capacity

(1) Average Annual Construction Turnover

For scoring this item, only average income from contract work over the last five (5) years will be used.

Turnover, which is only a secondary evaluation factor, is a measure of the size of a firm's operation: It does not by itself

indicate profitability (which is shown in the profit - and – loss statement as the residual amount after deducting expenses from income). Volume of business, in addition to assets, is significant as an indirect measure of the management, staff, and materials resources, the more likely it is that a firm can mobilize them for the Contract and, if necessary, divert staff or equipment from other contracts to meet the requirements of the contract.

(2) Net worth or Net Equity

Net worth or net equity is the difference between total assets and total liabilities. The net worth measures a firm's ability to produce profits over the long run as well as its ability to sustain losses. Although the yearly figures for the net worth indicate the growth of the firm, the return on equity gives a better indication of the efficiency with which equity is employed within the firm. This is obtained by dividing the annual profit before taxes by the net worth of the previous year and expressed as a percentage. The return on equity will not be used for determining financial capability of an Applicant, but if any discontinuities or abnormal features in ratio should alert the Employer to potential financial problems and the need to seek expert professional advice for further review and interpretation.

(3) Working Capital

Working capital is the difference between current assets and current liabilities, and measures the firm's ability to generate cash in short term. Current assets are cash and other assets suitable for conversion into cash within one year. Current liabilities are monetary obligations that must be paid out within the current year.

Submission of audited balance sheets or, if not required by the law of the Applicant's country, other financial statements acceptable to the Employer, for the last three (3) years to demonstrate the current soundness of the Applicant's financial position and its prospective long-term profitability.

2.3.5 Weighting

The weightings for a distribution with a total score of 100 points are broken down as follows:

- Experience (including past performance)30 points
- Capability with respect to Site Management
and Personnel20 points
- Capability with respect to Equipment and Plant..... .. 20 points
- Financial Capability30 points

The minimum score needed by an Applicant to be considered for prequalification is set at sixty percent (60%) of the maximum for the respective group score of the four (4) groups. To avoid prequalification of an Applicant that just reached the minimum of each group score and thus shows an overall weakness, the required minimum overall score

is set at eighty percent (80%) of the total maximum score, and failure to meet this requirement will lead to disqualification.

A failure in one (1) group cannot be covered by capability in other groups. In this case, application will be disqualified.

2.3.6 Litigation History

Any information about litigation or defaults on on-going contracts that casts serious doubt on the Applicant's capability to perform new contracts will be considered under this heading. The Applicant is to provide full details of litigation history and defaults on or on uncompleted contracts for the last 10 years.

- Contract default history such as delay of time for completion for which the applicant is responsible.
- Record of contract price and final contract amount.
- All pending litigation shall be treated as resolved against the Applicant and so shall in total not represent more than fifty percent (50%) of the Applicant's net worth.

Any Applicant who is found to have submitted false or inaccurate statement or information shall be disqualified from the bid process.

Form XIV (Litigation History) requests this information. The Applicant shall submit evidences if the history of litigation had already been resolved.

Form XV (Statement/Legal Status). The Applicant shall declare the statement/legal status of the company.

2.3.7 JOINT VENTURES

Joint Ventures must comply with the following requirements:

As a minimum qualification requirement:

The lead partner shall meet not less than 50% of the qualifying criteria given in Item 2.3.4.1 (Average Annual Turnover) and Item 2.3.4.2 (Net Worth or Equity requirement).

Each of the other partners in the joint venture shall meet, individually not less than the corresponding percentage of their participation as joint venture (as indicated in Form V), the qualifying criteria in Item 2.3.4.1 (Average Annual Turnover) and Item 2.3.4.2 (Net Worth or Equity requirement).

The joint venture must satisfy collectively the criteria of Item 2.3.1 (Experience of Past Performance on Similar Contracts), Item 2.3.2 (Capability with respect to Site Management and Personnel), Item 2.3.3 (Plant and Equipment Capability) and Item 2.3.4 (Financial Capacity) for which purpose, the relevant figures for each of the partners shall be added to arrive at the joint venture's total capacity.

Each of the members of the joint venture must satisfy Item 2.3.4 (Financial Statements) and Item 2.3.6 above (Litigation History).

The formation of a joint venture after Prequalification, and any change in a prequalified Joint Venture, (and any of its principal named Subcontractor) will be subject to the written approval of the Employer 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 prequalifying 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 Employer, a substantial reduction in competition may result.

Any bid shall be signed in such form or manner so as to legally bind all partners, jointly and severally, and shall be submitted with a copy of the Joint Venture Agreement providing the joint and several liabilities of each party thereof with respect to the Contract.

The Prequalification of a joint venture does not necessarily prequalify any of its partners individually or as a partner in any other joint venture association. In case of dissolution of a joint venture, each one of the constituent firms may subsequently prequalify if it meets all of the Prequalification requirements, subject to the written approval of the Employer.

SECTION IV – APPLICATION FORMS

The Prequalification questionnaire contains the following forms:

Form I	-	Letter of Application
Form II	-	General Information
Form III	-	General Experience of Applicant
Form IV	-	Experience in Contract of Similar Works
Form V	-	Joint Venture Data
Form VI	-	Description of Works and Site Conditions in Contract
Form VII	-	Proposed Site Organization
Form VIII	-	Proposed Subcontractors
Form IX	-	Summary of Contract Commitments and Work Progress
Form X	-	Personnel/Staff Proposed for the Project
Form XI	-	Experience Summary of Key Personnel for the Project
Form XII(a)	-	Equipment Proposed for the Project – Summary List
Form XII(b)	-	Equipment Proposed for the Project
Form XIII	-	Financial Data
Form XIV	-	Litigation History
Form XV	-	Statement/Legal Status
Form XVI	-	Additional information

Notes:

- (1) If necessary, additional sheets may be added to the forms. Each page of each form shall be clearly marked in the right top corner as follows: Form I, Page 1; Form I, Page 2; etc.- If the form goes beyond one (1) page.
- (2) Some of the forms will require attachments. Such attachments should be clearly marked as follows: Attachment 1 to Form I; Attachment 2 to Form I; etc.

FORM I
Letter of Application

(Letterhead paper of the Applicant or partner responsible for a joint venture, including full postal address, telephone no., fax no., telex no., and cable address)

Date: _____

THE CHAIRMAN
(Name & Address of COMMITTEE)

Gentlemen,

1. Being duly authorized to represent and act on behalf of _____ (Name of Applicant) (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 yourselves as an Applicant for the following Contract Package under the North Java Corridor Flyover Project under Directorate General of Highways (JBIC Loan IP-528)

Contract Package No	Contract Name	Construction Period
II	Construction of Nagreg Flyover Gebang Flyover	456 calendar days

2. Attached to this letter are copies of original documents defining:

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

3. 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(s) 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, or with regard to the resources, experience, and competence of the Applicant.
4. 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
Personnel 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

5. This application is made with the full understanding that:
- (a) Bids by prequalified Applicants will be subject to verification of all information submitted for prequalification at the time of bidding.
 - (b) 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 Applicants 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 paras. 6 & 7 and initial the deletions.

6. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the Joint Venture or Association. We also specify the financial commitment in terms of the percentage of the value of the contract, and the responsibilities for execution of the contract.
7. 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 liabilities of all partners in the event the contract is awarded to us.

8. The undersigned declare that the statements made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed Name	Signed Name
For and behalf of (name of Applicant or Lead Partner of a Joint Venture)	For and on behalf of (name of Partner)

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

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

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

AFFIDAVIT OF APPLICANT

I hereby certify that all information in this Applicant's (Contractor's) Confidential Application Statement for Prequalification, including all information in the forms attached and enclosures to this statement, are true and correct, and I hold myself liable, criminally and/or civilly, for any misrepresentation or false statement made therein.

In faith whereof, I have hereto affixed my signature this _____ day of _____, 2006 _____ at _____.

(Affiant)

REPUBLIC OF INDONESIA)
PROVINCE/CITY OF _____)

SUBSCRIBED AND SWORN TO before me this _____ of _____, 2006 at _____ affiant exhibited to me his Passport No. _____ issued on _____ at _____ or _____ issued on _____ at _____.

Notary Public
License No. _____
Until _____

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

Note: Or equivalent in the Contractor's Country/Area of Registration notarized by their respective Embassy/Consulate

FORM II

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 must be provided for all owners or Applicants that are partnerships or individually-owned firms.

Where the Applicant proposes to use subcontractors for critical components of the Works, or for work contents in excess of ten percent (10%) of the value of the whole works, the following information should also be supplied for the specialist subcontractor(s), together with the brief description of their specialized input.

1	Name of Firm	
2	Head Office Address	
3	Local Office Address (if any)	
4	Telephone	Contact
5	Facsimile	Telex, E-mail
6	Place of Incorporation/Registration	Year of Incorporation/Registration
	Nationality of Owners	
	Name	Nationality
	1.	
	2.	
	3.	
	4.	
	5.	
7	Main Line(s) of Business Since Since Since Since	

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM III
General Experience of Applicant

Name of Applicant or partner of joint venture

All Applicants are requested to complete the information in this Form. The information supplied should be the Annual Turnover of the Applicant in terms of the amounts billed to client for each year for work in progress or completed, converted to US \$ equivalent at the rate of exchange at the end of the period reported.

Years	Annual Turnover Data (Construction Only)	
	Turnover	US\$ Equivalent
1. 2005		
2. 2004		
3. 2003		
4. 2002		
5. 2001		

Note:

- The turnover is to include the amounts for the Applicant's work as Prime Contractor
- The Applicant should provide supporting documents for the claimed expenditure.

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM IV

Experience in Contract of Similar Works

Name of Applicant or partner of a joint venture

The Applicant should submit a separate sheet for each contract. Letters of Reference from past customers, indicating past performance and/or satisfactory completion and the total price of the pertinent projects, should be attached. If the Contract was a Joint Venture, a copy of the following Form V should also be attached.

1.	Number of Contract
	Name of Contract
	Country in which Contract was located
2.	Name of Employer
3.	Employer's Address
4.	Nature of Works and special features to the Contract for which the Applicant wishes to Prequalify
5.	Contract Role (Check one) <input type="checkbox"/> Sole Contractor <input type="checkbox"/> Subcontractor <input type="checkbox"/> Partner in a JV
6.	Value of the total contract (in specified currencies at completion, or at date of award for current contracts)
7.	Equivalent value in US\$ equivalent at time of completion.
8.	Date of Award
9.	Date of Completion
10.	Contract Duration <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> _____ years _____ months </div>
	Brief Description of the Project

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM V
Joint Venture Data

A copy of this Form should be attached to each contract described on the previous Form IV, if the contract was executed as a joint venture.

Name of all partners of a joint venture	
Number of Contract	
Name of Contract	
Name of Partners	Percentage (%) of Participation
i. Lead Partner	
2. Partner	
3. Partner	
4. Partner	
5. Partner	

Total value of annual construction turnover, in terms of work billed to clients, in US\$ equivalent, converted at the rate of exchange at the end of the period reported.

Annual Turnover Data (Construction only): US\$ equivalent for the last five (5) years						
Partner	2001	2002	2003	2004	2005	Remarks
1. Lead Partner						
2. Partner						
3. Partner						
4. Partner						
5. Partner						
Totals						

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM VI**Description of Works and Site Conditions in Contract**

Name of Applicant or partner of a joint venture

Number of Contract:

Name of Contract

Application to Package : All Packages

			Description
	I. <i>General Description</i>		
	Nature of Project	Type	
	Length of Superstructure	m	
	II. <i>Earthworks</i>		
	Common Excavation	M ³	
	Borrow Material	M ³	
	Soft Ground Treatment	Y/N ^{*1}	
	III. <i>Bridge Substructure</i>		
	Bored Piles (1500– 2500mm Ø)	I.m	
	IV. <i>Bridge Superstructure</i>		
	Cast-in-situ Concrete Box Girder	Y/N	
	Prestressed Trapezoidal Steel Girder Type	Y/N	
	V. <i>Site Conditions</i>		
	Country Indonesia ^{*2}	Y/N	
	Urban City ^{*3}	Y/N	
	Major Utility Constraints	Y/N	
	Spanning over railway / road	Y/N	
	Spanning under railway / road	Y/N	
	Traffic Management problem	Y/N	
	Climate	Type	
	Rainfall (high, medium, low)	Type	
	Topography (hilly, flat, etc)	Type	

Note:

*1 = Y / N ; Yes or No

*2 = if N, fill with Name of Country

*3 = Please mention rural or urban, and the name of city

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM VII
Proposed Site Organization

For Package :
Name of Applicant or partner of a joint venture

Preliminary Site Organization Chart

Narrative Description of Site Organization Chart

- b. Description of Relationship between Head Office and Site Management²

- c. Description of Quality / Safety Assurance Systems

- c. Description of Environmental Management Considerations

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

² Indicate clearly which responsibility and what authority will be delegated to Site Management

FORM VIII
Proposed Subcontractors

For Package :
Name of Applicant or partner of a joint venture :

Section of Works	Approximate Value	Name(s) & Address (es) of Subcontractors	Description & Location of Similar Works Previously Executed

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM IX

Summary of Contract Commitments and Work Progress

For Package :
Name of Applicant or partner of a joint venture :

Applicants should provide information on their 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	Value of Remaining Work (current US\$ equivalent)	Estimated Completion Date

Applicant's Official Representative

Signature: _____

Name: _____

Position: _____

Date: _____

Official Stamp: (if available)

FORM X
Personnel / Staff Proposed for the Project

For Package :
Name of Applicant or partner of a joint venture:

For specific position essential to contract implementation, Applicants should provide the names of at least two (2) 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 XI for each candidate. The Curriculum Vitae and the Letter of References of each candidate should be attached.

1.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
2.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
3.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
4.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM XI

Experience Summary of Key Personnel for the Project

For Package :
Name of Applicant or partner of a joint venture

Position	Candidate <input type="checkbox"/> Prime <input type="checkbox"/> Alternate	
Candidate Information	1. Name of Candidate	2. Date of Birth
	3. Professional qualifications	
Present Employment	4. Name of Employer	
	5. Address of Employer	
	Telephone	Contact (Manager/Personnel Officer)
	Facsimile	Telex
	Job Title of candidate	Years with Present Employer

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

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

Candidate certifies the above to be a correct representation

Applicant's Official Representative

Name: _____

Signature : _____

Signed : _____

Name: _____

Date: _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM XII (a)
Equipment Proposed for the Project – Summary List

For Package :
Name of Applicant or partner of a joint venture:

The Applicant is to provide in this Form a summary of the equipment proposed and detailed in the preceding Form XII(b).

MAJOR LIST OF EQUIPMENT				
Name	Specification	Number (Unit)	Status*	Remark
- Bored Piling Machine				
- Bulldozer				
- Wheel Loader				
- Hydraulic Excavator/Breaker				
- Motor Grader				
- Tyre/Pneumatic Roller				
- Vibratory Roller				
- Stone Crusher				
- Water Tanker				
- Asphalt Finisher				
- Crane				
- Crane				
- Crane				
- Concrete Batch Plant /Pump				
- Concrete Paver				
- Agitator/Truck Mixer				
- Dump Truck				
- Asphalt Mixing Plant				
<p>Note: The Plant and Equipment (minimum requirement) for this Package is listed in Item 2.3.3 page 27 of this Prequalification Document.</p> <p style="margin-left: 40px;">* - Information and whatever else required should be available when and where required immediately.</p> <p style="margin-left: 40px;">- Status of equipment to be utilized for the project shall be indicated whether owned, hire or lease, etc.</p> <p style="margin-left: 40px;">- Proof of Ownership for Owned Equipment, Lease Contract Agreement for equipment to be leased (including proof of ownership by lessor) must be submitted</p>				

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM XII (b)
Equipment Proposed for the Project

For Package :
Name of Applicant or partner of a joint venture:

The Applicant will provide adequate information to demonstrate clearly that it has the capability to meet the requirements for each and all items of equipment listed in the Criteria for Prequalification. A separate Form XII(b) will be prepared for each item of equipment proposed by the Applicant. For each item of equipment, the Applicant should attach a copy of ownership certificate or lease agreement Form XII(a) should be used to summarize the information provided.

Item of Equipment		
Equipment Information	1. Name of Manufacturer	2. Model & Power Rating
	3. Capacity	4. Year of Manufacture
Current	5. Current Location	
	6. Details of current commitments	
Source	7. Indicate source of equipment <input type="checkbox"/> Owned <input type="checkbox"/> Rented <input type="checkbox"/> Leased <input type="checkbox"/> Specially Manufactured	

Provide the following information for equipment owner by Applicant or Partner.

Owner	8. Name of Owner	
	9. Address of Owner	
	Telephone	Contact Name & Title
	Facsimile	Telex
Agreements	Details or rental / lease / manufacture agreements specific to the Project	

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available)

FORM XIII
Financial Data

Name of Applicant or Partner of a Joint Venture:

Applicants, including each partner of a joint venture, should provide financial information to demonstrate that they meet the requirements stated in the Instructions to Applicants. Each Applicant or partner of a joint venture must fill in this Form. If necessary, use a separate sheets to provide complete banker information. A copy of the Audited Balance Sheets and Statement of Profit and Losses for each of the last three (3) years should be attached.

Summarize actual assets and liabilities in US\$ equivalent (at the rates of exchange current at the end of each year) for the last three (3) years.

No.	Financial Information US\$ Equivalent	Actual: Previous Three (3) Years		
		YEARS		
		1. 2003	2. 2004	3. 2005
1.	Total Assets			
2.	Current Assets			
3.	Fixed Assets			
4.	Total Liabilities			
5.	Current Liabilities			
6.	Profits before Taxes			
7.	Profits After Taxes			
8.	Net Worth (8) = (1) – (4)			
9.	Working Capital (9) = (2) – (5)			
10.	Return on Equity of (10) = (6) / (8) Prior year			

Certified by Public Accountant

Signature: _____

Name: _____

Position: _____

Date: _____

Account
Company: _____

Applicant's Official Representative

Signature: _____

Name: _____

Position: _____

Date: _____

Official Stamp
(If available): _____

FORM XIV
Litigation History

Name of Applicant or partner of a joint venture:

Applicants, including each of the partners of the Joint Venture should provide information on annual history of litigation or arbitration resulting from contracts executed in the last 10 year, or currently under execution. A separate sheet should be used for each 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)
2005			
2004			
2003			
2002			
2001			
2000			
1999			
1998			
1997			
1996			

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available

FORM XV
Statement / Legal Status

The Undersigned here by:

Name : _____

Position: _____

Company: _____

Declare that we, _____ (Firm's name) currently are:

- Not being under supervision of the Court
- Not being declared bankrupt by the Court
- Not being terminated or suspended by the Court or other Authority
- Ensuring that any Director of the Firm (Company) is not punished for criminal sanction.
- Or any Director never violated the law related with professionalism code of the Firm or Company / individual according to the decision made by the Court.

Applicant's Official Representative

Signature :_ _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available

FORM XVI
Additional Information

Name of Applicant:

Please add any further information that you consider to be relevant to the evaluation of your application for Prequalification. If you wish to attach additional documents, please list below.

Applicants should not enclose testimonials, certificates, and publicity materials with their Applications. Such documents will not be taken into account in the evaluation of the Prequalification documents and will be discarded.

Applicant's Official Representative

Signature : _____

Name : _____

Position: _____

Date: _____

Official Stamp: (If available

SECTION V – SCOPE OF CONTRACT

Section V –Scope of Contract (SOC) shall provide sufficient information to enable Applicants to understand clearly the project to be implemented, form the group to perform the contract, and efficiently and accurately prepare Applications that are realistic and competitive. The Employer also prepares the general information in separated sheets attached to the Prequalification Documents.

The Scope of Contract should be complete, precise and clear in order to avoid unnecessary requests for clarification from Applicants that may cause delays in the prequalification process. Depending on the nature of clarifications, the Employer may need to amend the Prequalification Document and eventually extend the deadline for submission of Applications.

The Employer shall assign appropriate, competent and experience staff to prepare the Scope of Contract such that the widest possible competition is permitted, while at the same time clearly specifying the required Standards of Field Organization and Personnel, Equipment, Methods, Workmanship and Implementation Schedule. A well prepared Scope of Contract ensures that a particular International Competitive Bidding (ICB) procedure shall meet the objectives of economy, efficiency, fairness and transparency.

Nature and Complexity of the Project			
Package II : Nagreg Flyover and Gebang Flyover			
I. General Description			
Nature of Project	Type	Flyover	
		Nagreg	Gebang
Length of Superstructure	M	224	385
II. Earthworks			
Soil Excavation	M ³	4,600	7,200
Soft Ground Treatment	Y/N	N	Y
III. Bridge Substructure			
Bored Piles (1500mm Ø)	L.M	288	428
Bored Piles (1800mm Ø)	L.M	180	146
Bored Piles (2500mm Ø)	L.M	221	395
IV. Bridge Superstructure			
Cast-in-situ Hollow Box Girder	Y/N	N	N
Cast-in-situ Trapezoidal Girder	Y/N	Y	Y
Trapezoidal Steel Girder	Y/N	Y	Y
V. Site Conditions			
Country Indonesia	Y/N	Y	Y
Urban City	Y/N	N	N
Province	Y/N	Y	Y
Major Utility Constraint/s	Y/N	Y	N
Spanning over railway / road	Y/N	N	Y
Spanning under railway / road	Y/N	N	N
Traffic Management problem	Y/N	Y	Y
Climate	Type	Tropical	Tropical
Rainfall (high, medium, low) (data for the last 10 years)	Type	Medium	High
Topography (hilly, flat, etc)	Type	Flat	Flat