

## Section II: Data Sheet

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## A. General

### 1. Scope of Procurement Process and Applicable Procurement Rules

1.1 The Client is: **Ministry of Road and Transport Development of Mongolia (MRTD)**

The Project is: **Ulaanbaatar-Darkhan Road Expansion Project**

1.2 The Procurement Process is conducted using the EBRD Client E-procurement portal, ("ECEPP") and subject to its terms and conditions of use.

Some references in ECEPP may differ from the definitions used in the Procurement Document. In all instances the definitions of the Procurement Document prevail.

Participants shall register with ECEPP in accordance with the terms and conditions of ECEPP use, as published on ECEPP. Only the Participants, who are registered and who have expressed an interest in the Procurement Process, shall be able to access the Procurement Document, receive clarifications, addenda and amendments and submit their proposals through ECEPP.

Further guidance on the use of ECEPP can be found in the Appendix to the Data Sheet.

1.3 The title of the Procurement Process is: **Additional works for harmonisation of Phase 1 and Phase 2**

The identification number of the Procurement Process is: **31313491**.

The number of contracts (lots) and titles of contracts, for which the Procurement Document are issued: **two (2), unless the lots are awarded to the same Participant in which case one contract will be awarded covering both lots**

**Lot 1: Construction of 5 cm asphalt concrete wearing course for 65.4 km of the Ulaanbaatar-Darkhan highway (Sections 1, 2 and 3A).**

**Lot 2: Construction of 5 cm asphalt concrete wearing course for 65.1 km of the Ulaanbaatar-Darkhan highway (Sections 3B, 4 and 5).**

1.4 The applicable version of the PPR is 15 May 2022

1.5 The applicable version of the EPPs is 4 October 2017

### 2. Source of Funds

2.1 The Borrower is: The Government of Mongolia represented by the Ministry of Finance (the "MoF") and the Ministry of Road and Transport Development (the "MRTD" or the "Client")

### 4. Eligible Participants

4.2 There are no eligibility restrictions.

4.5 A request for a change in the status of the prequalified Participant shall be received by the Client not later than *fourteen (14)* calendar days prior to the deadline for submission of proposals.

**5. Cost of Participation in Procurement Process**

5.2 No fees are charged for the provision of the Procurement Document to a Participant

**6. Language of Procurement Process**

6.1 The language of the Procurement Process is **English**

Due to the system requirements of ECEPP, certain data shall be entered by Participants in English language only, when prompted by the system.

## C. Preparation of Proposals

### 9. Clarification of Procurement Document, Site Visit, Clarification Meeting

9.1 All communication with the Client in respect of the Procurement Process, including requests for clarifications and responses shall be submitted through ECEPP.

All clarifications shall be sent and received using the relevant ECEPP Message Centre.

Requests for clarification shall be received by the Client no later than *fourteen (14)*, prior to the deadline for submission of proposals.

9.2 A clarification meeting will not take place.

9.6 A Site visit conducted by the Client will be organised.

The Site visit will take place in

Place: Sections 1-5 on the Ulaanbaatar-Darkhan Road.

Date, Time: To be communicated to tenderers through the ECEPP messaging system after publication of the tender.

Non-attendance at the Site visit **will not** be a cause for rejection of a Participant's proposal.

### 10. Documents Comprising Proposals

10.3 The Technical Documentation shall include the following:

- (i) the Base Programme, which shall include the order in which the Participant intends to carry out the works, including the anticipated timing of each stage of design (if any), procurement, manufacture of plant, delivery to the Site, construction, erection, commissioning, and testing, as appropriate.
- (ii) the Environmental, Social, Health and Safety plan for the Contract;
- (iii) the Quality Assurance Plan for the Contract;
- (iv) the procurement and logistics plan;
- (v) the list of the Participant's key personnel proposed for the Contract;
- (vi) the list of the Participant's major equipment;
- (vii) the list of planned subcontractors;
- (viii) the list of suppliers/vendors for major items materials and plants;
- (ix) the list of the bank(s) proposed for receiving payments and issuing the securities under the Contract;
- (x) the list of insurance company(ies) proposed for the provision of insurance policies under the Contract;
- (xi) supply details for bitumen;
- (xii) a draft traffic management plan showing intended diversions along the road based on work progress and logistics, as well as planned traffic safety measures.

10.4 The Financial Documentation shall include the following:

- (i) the Price Schedules;

- (ii) the Contract cash flow forecast based on *monthly* intervals, corresponding to the Base Programme, submitted with the Technical Documentation.

10.5 The Eligibility and Qualification Documentation shall include the following:

- (i) company charter(s);
- (ii) in the case of a proposal submitted by a JVCA, the JVCA agreement;
- (iii) registration (incorporation) documents;
- (iv) information of the ownership structure;
- (v) If a Participant refers to the experience and capability of the parent company in order to meet the qualification requirements, the Participant shall also provide:
  - (a) the parent company guarantee; and
  - (b) duly authorised power of attorney, indicating that the person(s) signing the parent company guarantee have the authority to do so;
- (vi) completed forms with enclosure of documentary evidence establishing the Participant's eligibility and qualification, furnished as per Section IV, Eligibility and Qualification Criteria;
- (vii) the authorisation allowing the Client to request verifications from the Participant's clients referred to in the completed forms, establishing the Participant's eligibility and qualification;
- (viii) the authorisation allowing the Client to request verifications from the Participant's bank(s);
- (ix) licences, certificates and permissions for the following activities: *Licence to construct asphalt paved road.*

Unless the applicable law requires the successful Participant to possess all the licences, certificates and permissions required above prior to signing a contract, and in case a Participant does not possess some of the required licences, permissions or certificates at the time of submission of its proposal, the Participant shall submit a written statement demonstrating that it will be in a position to obtain in due time the required licenses, certificates and permissions to ensure timely implementation of the Contract in accordance with the Base Programme submitted with its Technical Documentation.

If the Participant fails to demonstrate to the Client's satisfaction its ability to timely obtain such licenses, certificates, or permissions its proposal may be rejected.

## 12. Proposal Price and Discounts

12.1 The prices quoted by a Participant shall be: *fixed during the performance of the Contract*

The unit rates and prices, as well as the total proposal price shall include all duties, taxes, and other levies payable by the Contractor under the Contract, as of the date twenty eight (28) calendar days prior to the deadline for submission of proposals.

## 13. Currency of Proposals

13.1 The prices shall be quoted by a Participant entirely in **United States Dollars (USD)**.

## 14. Period of Validity of Proposals

14.1 The validity period of proposals shall be: **ninety (90) calendar days** from the date of the deadline for submission of proposals, as set out in ITP 19.1.

14.3 Where the Procurement Process is for a fixed price contract (not subject to price adjustment), if the proposal validity period is extended, the amounts payable to the successful Participant selected for award shall be adjusted by applying the appropriate factors for the period beyond the expiration of the initial proposal validity up to the time of notification of award or contract signing.

Such adjustments shall be calculated pro rata on the basis of an annual increase of the cost for the subject matter of the Contract, taking into account the currency of proposals and the countries of origin of the main inputs for the Contract, as appropriate.

## 15. Tender Security

15.1 A tender security *is* required. The Participant shall submit separate tender securities for each Lot separately. The Participant shall only submit a tender security for the Lot for which it is submitting a proposal.

15.3 The tender security amount and currency shall be:

**for Lot 1: one-hundred and fifty thousand United States Dollars (150,000 USD)**

**for Lot 2: one-hundred and fifty thousand United States Dollars (150,000 USD)**

or its equivalent in a freely convertible currency.

15.5 The Participant shall upload via ECEPP a scanned copy of the original tender security, as part of its electronic submission of the proposal in accordance with ITP 17.

In addition, the Participant shall upload a scanned copy of its postal/courier receipt as evidence that the original of the tender security has been dispatched to the Client. The uploaded postal/courier receipt shall clearly show the time and date of dispatch and the correct Client's address details.

The original tender security, identical to the scanned copy, shall be received by the Client not later than seven (7) calendar days following the deadline for submission of proposals.

15.6 The tender security shall be valid for **twenty-eight (28) calendar days** beyond the validity of the proposal.

## D. Submission and Opening of Proposals

### 17. Submission of Proposals

- 17.1 Participants shall submit their proposals electronically using ECEPP.

The proposal submission process is subject to the terms and conditions of ECEPP use in addition to the terms and conditions of the Procurement Document.

A Participant shall scan and upload on ECEPP all the documents required in accordance with ITP 10 and ITP 11, where appropriate.

Please note that no paper original or copies, except for the tender security, shall be submitted to the Client.

Proposals submitted by hand or by email shall not be considered.

### 18. Withdrawal and Modification of Proposals

- 18.1 A Participant may withdraw or modify its proposal after it has been submitted by using the functions available in ECEPP, providing such action is completed prior to the deadline for submission of proposals, stated in ITP 19.1.

The proposals that are withdrawn shall be registered in ECEPP as 'WITHDRAWN'. The Client will have no access to such proposals and no record will be kept of their price.

- 18.2 Any withdrawal or modification to the proposal shall be valid only if they are made by an authorised person via ECEPP, as provided for in ITP 18.1.

### 19. Deadline for Submission of Proposals

- 19.1 The Participants shall submit their proposals electronically via ECEPP no later than the deadline for submission of proposals, at the time and date stated in ECEPP.

The Client, the Bank or ECEPP provider do not bear any responsibility for the failure of a Participant to submit its proposal on time for any reason whatsoever.

### 21. Proposal Opening

- 21.1 Proposal opening will be undertaken automatically in ECEPP for all proposals, which are submitted by the deadline for submission of proposals, as set out in ITP 19.1.

- 21.2 ECEPP will automatically generate a record of the proposal opening.

The record will include the following information:

- (i) the names of Participants;
- (ii) the addresses of Participants;
- (iii) the proposal prices, including discounts, if any, respective currencies, and prices for alternatives, if applicable, and respective currencies; and
- (iv) the presence (or absence) of a tender security, if required pursuant to ITP 15.

Please note that exclusively for the purposes of the ECEPP system data reconciliation, all prices in the record will be shown in EURO equivalent in addition to the price and

currency of the proposals. This statistical information will have no effect on the proposals or their evaluation.

The record of the proposal opening will be automatically sent by ECEPP to all Participants, who submitted proposals.

- 21.3 Alternatives or information submitted by a Participant with its proposal via ECEPP prior to the deadline for submission of proposals stated in ITP 19.1, may be considered during the evaluation of proposals, regardless whether they were mentioned in the record of the proposal opening generated by ECEPP in accordance with ITP 21.2.



## F. Contract Signing

### 35. Notification of the Outcome of Proposal Evaluation

35.1 The notification shall state:

- (a) the title of the Procurement Process;
- (b) the title of the Contract;
- (c) the names of the Participants, who submitted proposals;
- (d) the proposal prices, as recorded at the proposal opening;
- (e) the evaluated prices of each proposal;
- (f) the names of the Participants, whose proposals have been rejected; and
- (g) the name of the Participant, whose proposal has been determined to be the most economically advantageous, and to whom the Client consequently proposes to award the Contract; and
- (h) the expected Contract price and duration of the Contract.

In addition to the above information, the Client shall provide each unsuccessful Participant individually with

- (i) the particulars of the calculation of their respective evaluated proposal price, as well as any further relevant information; or
- (ii) detailed reasons for the rejection of their proposal, as appropriate.

The notification shall also provide instructions on how to request a debriefing.

35.4 If the Client intends to hold a contract finalisation meeting, an invitation for the meeting shall be sent by the Client to the successful Participant via ECEPP or by email using the email address provided in the Participant's proposal.