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Section 3: Evaluation and Qualification Criteria

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1. Evaluation

In addition to the criteria listed in ITB 35.2 (a)–(f), other relevant factors are as follows:

1.1 Adequacy of Technical Proposal

“Evaluation of the Bidder’s Technical Proposal will include an assessment of the Bidder’s technical capacity to mobilize key equipment and personnel for the contract consistent with its proposal regarding work methods, scheduling, and material sourcing in sufficient detail and fully in accordance with the requirements stipulated in Section 6 (Employer’s Requirements).

Noncompliance with equipment and personnel requirements described in Section 6 (Employer’s Requirements) shall not normally be a ground for bid rejection, and such noncompliance will be subject to clarification during bid evaluation and rectification prior to contract award.”

1.2 Completion Time

An alternative Completion Time, if permitted under ITB 13.2, will be evaluated as follows:

NOT APPLICABLE

1.3 Technical Alternatives

Technical alternatives, if permitted under ITB 13.4, will be evaluated as follows:

NOT APPLICABLE

1.4 Specialist Subcontractors

Only the specific experience of Specialist Subcontractors for key activities specified in criterion 2.4.2 Construction Experience in Key Activities will be considered. The experience of Specialist Subcontractors in contracts of similar size and nature, and their financial resources shall not be added to those of the Bidder for purposes of qualification of the Bidder.

1.5 Quantifiable Nonconformities and Omissions

Subject to ITB 14.2 and ITB 34.2, the evaluated cost of quantifiable nonconformities including omissions, is determined as follows:

Pursuant to ITB 30.3, the cost of all quantifiable nonmaterial nonconformities shall be evaluated, including omissions in Daywork where competitively priced but excluding omission of prices in the Bill of Quantities. The Employer will make its own assessment of the cost of any nonmaterial nonconformities and omissions for the purpose of ensuring fair comparison of bids.

1.6 Domestic Preference

If domestic preference shall apply under ITB 33.1, the procedure will be as follows as:

NOT APPLICABLE

1.7 Other Criteria

The Employer will take into account the quality of the Health and Safety COVID -19 Plan ('the Plan') attached to the Technical Proposal in its evaluation of the Adequacy of the Technical Proposal.

The bidder should demonstrate in the Plan the health and safety measures they will put in place on site in relation to COVID-19 prevention and controls, including but not limited to, PPE requirements, site set up, training, induction and mobilization of new personnel, equipment and plants cleaning and other hazard management measures while undertaking site work activities, site visitors health and safety protocols, as well as the approach to the monitoring and reporting of the Plan. The Plan should be fit for purpose for the particular construction works of this contract and be aligned with any relevant government regulations and guidelines on COVID-19 prevention and controls, as well as workplace safety requirements, or in the absence thereof, to international good practice guidelines of World Health Organization. 2020. Considerations for public health and social measures in the workplace in the context of COVID-19. Geneva. Available here: <https://www.who.int/publications-detail/considerations-for-public-health-and-social-measures-in-the-workplace-in-the-context-of-covid-19>. Also refer to ADB SDCC's advisory in relation to COVID-19 health and safety and international good practices.]

1.8 Multiple Contracts

NOT APPLICABLE

2. Qualification

2.1 Eligibility

| Criteria | Compliance Requirements | | | Documents |
|-------------|-------------------------|-----------------------|--------------|-------------------------|
| Requirement | Single Entity | Joint Venture | | Submission Requirements |
| | | All Partners Combined | Each Partner | |

2.1.1 Nationality

| | | | | | |
|---|-----------------------|-----------------------|-----------------------|----------------|---|
| Nationality in accordance with ITB 4.2. | Must meet requirement | Must meet requirement | Must meet requirement | Not applicable | Forms ELI – 1; ELI – 2 with attachments |
|---|-----------------------|-----------------------|-----------------------|----------------|---|

2.1.2 Conflict of Interest

| | | | | | |
|--|-----------------------|-----------------------|-----------------------|----------------|---------------|
| No conflicts of interest in accordance with ITB 4.3. | Must meet requirement | Must meet requirement | Must meet requirement | Not applicable | Letter of Bid |
|--|-----------------------|-----------------------|-----------------------|----------------|---------------|

2.1.3 ADB Eligibility

| | | | | | |
|--|-----------------------|-----------------------|-----------------------|----------------|---------------|
| Not having been declared ineligible by ADB, as described in ITB 4.4. | Must meet requirement | Must meet requirement | Must meet requirement | Not applicable | Letter of Bid |
|--|-----------------------|-----------------------|-----------------------|----------------|---------------|

2.1.4 Government-Owned Enterprise

| | | | | | |
|--|-----------------------|-----------------------|-----------------------|----------------|---|
| Bidder required to meet conditions of ITB 4.5. | Must meet requirement | Must meet requirement | Must meet requirement | Not applicable | Forms ELI - 1, ELI - 2 with attachments |
|--|-----------------------|-----------------------|-----------------------|----------------|---|

2.1.5 United Nations Eligibility

| | | | | | |
|--|-----------------------|-----------------------|-----------------------|----------------|---------------|
| Not having been excluded by an act of compliance with a United Nations Security Council resolution in accordance with ITB 4.8. | Must meet requirement | Must meet requirement | Must meet requirement | Not applicable | Letter of Bid |
|--|-----------------------|-----------------------|-----------------------|----------------|---------------|

2.2 Historical Contract Nonperformance

2.2.1 History of Nonperforming Contracts

| Criteria | Compliance Requirements | | | | Documents |
|---|-------------------------|-----------------------|------------------------------------|----------------|-------------------------|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| Nonperformance of a contract ^a did not occur as a result of contractor default since 1 January 2019. | Must meet requirement | Must meet requirement | Must meet requirement ^b | Not Applicable | Form CON-1 |

^a Nonperformance, as decided by the Employer, shall include all contracts where (a) nonperformance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Nonperformance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Nonperformance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted.

^b This requirement also applies to contracts executed by the Bidder as Joint Venture member.

2.2.2 Suspension Based on Execution of Bid-Securing Declaration

| Criteria | Compliance Requirements | | | | Documents |
|--|-------------------------|-----------------------|-----------------------|----------------|-------------------------|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| Not under suspension based on execution of a Bid-Securing Declaration pursuant to ITB 4.6. | Must meet requirement | Must meet requirement | Must meet requirement | Not applicable | Letter of Bid |

2.2.3 Pending Litigation and Arbitration

Pending litigation and arbitration criterion shall apply.

| Criteria | Compliance Requirements | | | | Documents |
|--|-------------------------|-----------------------|-----------------------|----------------|-------------------------|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| All pending litigation and arbitration, if any, shall be treated as resolved against the Bidder and so shall in total not represent more than 50% of the Bidder's net worth calculated as the difference between total assets and total liabilities for the last year (2021 year). | Must meet requirement | Not applicable | Must meet requirement | Not applicable | Form CON-1 |

2.3 Financial Situation

2.3.1 Historical Financial Performance

| Criteria | Compliance Requirements | | | | Documents |
|--|-------------------------|-----------------------|-----------------------|----------------|-------------------------------|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| Submission of audited financial statements or, if not required by the law of the Bidder's country, other financial statements acceptable to the Employer, for the last 3 (2019, 2020 and 2021) years to demonstrate the current soundness of the Bidder's financial position. For evaluation purposes, multiple financial ratios will be used to establish financial soundness of the bidder's position. | Must meet requirement | Not applicable | Must meet requirement | Not applicable | Form FIN - 1 with attachments |

2.3.2 Average Annual Construction Turnover

| Criteria | Compliance Requirements | | | | Documents |
|---|-------------------------|-----------------------|----------------------------------|----------------------------------|-------------------------|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| Minimum average annual construction turnover of GEL 6,500,000.00 calculated as total certified payments received for contracts in progress or completed, within the last three (3) years (2019, 2020, 2021). | Must meet requirement | Must meet requirement | Must meet 25% of the requirement | Must meet 50% of the requirement | Form FIN - 2 |

2.3.3 Financial Resources

| Criteria | Compliance Requirements | | | | Documents |
|--|-------------------------|-----------------------|-----------------------|-----------------------|-------------------------------|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| <p>For Single Entities</p> <p>The Bidder must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its current contract commitments defined in FIN - 4, meet or exceed the total requirement for the Subject Contract of GEL 800,000.00.</p> | Must meet requirement | Not applicable | Not applicable | Not applicable | Form FIN – 3 and Form FIN – 4 |
| <p>For Joint Ventures</p> <p>(1) One partner must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its own current contract commitments defined in FIN - 4, meet or exceed its required share of 50% from the total requirement for the Subject Contract.</p> <p>AND</p> | Not applicable | Not applicable | Not applicable | Must meet requirement | Form FIN – 3 and Form FIN – 4 |
| <p>(2) Each partner must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its own current contract commitments defined in FIN - 4, meet or exceed its required share of 25% from the total requirement for the Subject Contract.</p> <p>AND</p> | Not applicable | Not applicable | Must meet requirement | Not applicable | Form FIN – 3 and Form FIN – 4 |
| <p>(3) The Joint Venture must demonstrate that the combined financial resources of all partners defined in FIN - 3, less all the partners' total financial obligations for the current contract commitments defined in FIN - 4, meet or exceed the total requirement for the Subject Contract of GEL 800,000.00</p> | Not applicable | Must meet requirement | Not applicable | Not applicable | Form FIN – 3 and Form FIN – 4 |

2.4 Construction Experience

2.4.1 Contracts of Similar Size and Nature

| Criteria | Compliance Requirements | | | | Documents |
|--|-------------------------|-----------------------|----------------|-----------------------|-------------------------|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| Participation as a contractor, Joint Venture partner, or Subcontractor, in at least one contract that has been successfully or substantially completed within the last 5 years and that is similar to the proposed works, where the value of the Bidder's participation exceeds GEL 3,200,000 . The similarity of the Bidder's participation shall be considered if the single work contract includes: 1. Construction of Public Buildings or Institutional buildings; and 2. It include water supply, drainage, firefighting, landscaping. | Must meet requirement | Not applicable | Not applicable | Must meet requirement | Form EXP - 1 |

2.4.2 Construction Experience in Key Activities

(May be complied with by specialist subcontractors. The employer shall require evidence of the subcontracting agreement from the bidder. A specialist subcontractor is a specialist enterprise engaged for highly specialized processes, which the main contractor cannot provide.)

| Criteria | Compliance Requirements | | | | Documents |
|---|-------------------------|-------------------------------------|----------------|----------------|-------------------------|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| For the above or other contracts executed during the period stipulated in 2.4.1 above, a minimum construction experience in the following key activities: | must meet requirements | must meet requirements ¹ | not applicable | not applicable | Form EXP - 2 |
| Concrete work - at least 700 m ³ | | | | | Form EXP - 2 |

¹ In the case of a joint venture bidder, at least one of the partners must have the experience in the key activity if the bidder itself (not its subcontractor) will carry out the relevant activity.

| | | | | | |
|--|--|--|--|--|--------------|
| Installation of doors and windows- at least – 400 m ² | | | | | Form EXP - 2 |
| Floor covering - at least 1,400 m² | | | | | Form EXP - 2 |
| Walls/roofs painting – at least 3,000 m² | | | | | Form EXP - 2 |