

State of Palestine The Ministry of Public Works and Housing Build, Operate and Transfere

Qualifying investors and submitting proposals for implementation

Wade Al Nar Alternative Route Road(BOT)

MPWH/BOT/2022/003EOI

Name of Project: Financing, Construction, Maintenance, and Operation of Wade Al Nar Alternative Route Road (BOT)

- Under the framework of public private partnership, Ministry of Public Works and Housing request an EOI to pre-qualify investors (local or international) to construct Wadi Al Nar alternative rout road.
- The Project aims to prove a safe and effective road network.
- Documents can be obtained, either by hand from the attached address starting from Sunday 06/02/2022, or by downloading it from the international website **dgmarket**.
- A list of qualified applicants who fulfill the qualification requirements will be prepared. The qualified applicants will be provided with the full documents to submit their technical and financial offers, the winning and qualified investor will be selected to implement the project.
- Project Description: Construct an alternative road with a length of 5.8 km, average right of way 60 m, starts from the Al-Sawahrah Al-Sharqiya area to Beit Sahour entrance (Beit Sahour Bridge). The road consists of four lanes separated by a median island, four tunnels and three bridges. The projects include the construction of retaining walls with a length of 2,700 m, and 20 m height, in addition to cuts and backfills with a height of 30 m. The original street currently tens of thousands of vehicles uses daily, especially trucks, this number is expected to increase more than triple times until 2040.
- The Services of the investor shall consist of:
 - 1. Project financing
 - 2. Construction the alternative road according to the approved design by Ministry of Public Works and Housing
 - 3. Maintenance and rehabilitation works
 - 4. Operation of the project and collection of tolls

5. Transferring the responsibility of the road after (a period of not less than 15 years) to Ministry of Public Works and Housing.

- Ministry of Public Works and Housing invites interested applicants to submit their offers.
- The request is open to all investors who meet the criteria, according to EOI document.
- The Applicant shall submit only one offer, either in its own name or as a member of a Joint Venture (JV). If an Applicant (including any JV member) submits or participates in more than one offer, those offers shall be all rejected.

- If the Applicant is a JV, the expression of interest shall include:
- a copy of the JV Agreement, or
- a letter of intent, signed by all members
- For any technical information, contact the address below
- Preliminary meeting will be held on Tuesday, February 22, 2022, at 11:00 am (local time) at the address below.
- Submission Date : Expressions of interest must be Submitted no later than 12 :00 pm (local time) on Wednesday 09/03/2022 either in a sealed envelope ((two hard copies and one original) to the address below OR by email nghaboush@gmail.com

Address:

The Ministry of Public Works and Housing General Administration of Roads Attn: Eng. Nihad Al-Hroub cell phone : 00970594277566 fax : 009702298789 e-mail : nghaboush@gmail.com **Expression of Interest**

STATE OF PALESTINE



MINISTRY OF PUBLIC WORKS AND HOUSING Qualifying investors and submitting proposals for implementation

Wade Al Nar Alternative Route Road (BOT) MPWH/BOT/2022/003EOI <u>Financing, Construction, Maintenance, and</u> <u>Operation of Wade Al Nar Alternative Route</u>

> <u>Road</u> (BOT)

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1 GENERAL

1.1 Introduction

1.1.1 The Project Call for Expressions of Interest

Under the framework of public - private partnership, Ministry of Public Works and Housing request an EOI to pre-qualify investors (local or international) to construct Wadi Al Nar alternative rout road.

Project Description: Construct an alternative road with a length of 5.8 km, average right of way 60 m, starts from the Al-Sawahrah Al-Sharqiya area to Beit Sahour entrance (Beit Sahour Bridge).

The road consists of four lanes separated by a median island, four underpass and three fly over. The projects include the construction of retaining walls with a length of 2,700 m, and 20 m height, in addition to cuts and backfills with a height of 30 m. The original street currently tens of thousands of vehicles uses daily, especially trucks, this number is expected to increase more than triple times until 2040.

The scope of work under the proposed contract includes:

- Funding for the whole project
- Construction
- post construction maintenance and land restoration
- operation of the project and collecting tolls
- Transfer of the project after (Time not less than 15 years)

The design drawings, documents and related studies were prepared by Ministry of Public Works and Housing (MPWH); the applicant shall familiarize himself with the legal and local environment of the work.

Note that this is a brief overview of the proposed contract and the scope of work. More details will be included in the Request for Proposal (RFP) document that will be provided to the developers who will be invited to submit tenders as a result of this EOI process.

1.2 The Expression of Interest Process

The objective of the EOI process is to identify and pre-select developers that are interested in entering into the proposed request for proposal (RFP) and have suitable capacity, capability and experience.

EOI will be evaluated on the basis of the evaluation criteria.

The Evaluation Committee will identify the applicants that best satisfy the evaluation criteria and will determine which of the applicants will be eligible to submit tenders and Request for Proposal (RFP).

Under this EOI, MPWH will not be liable for any costs incurred by applicants through participation in the EOI process.

1.3 Request for Proposals

MPWH has adopted a two-stage process (collectively referred to as the "Bidding Process") for selection of the bidder for award of the Project. The first stage (the "Qualification Stage") of the process involves qualification (the "Qualification") of interested parties/ joint ventures who make an Application in accordance with the provisions of this EOI (the "Applicant"), which expression shall, unless repugnant to the context, include the Members of the joint venture). The RFP document will be updated based on EOI information. At the end of this stage, MPWH expects to announce suitable pre-qualified Applicants who shall be eligible for participation in the second stage of the Bidding Process (the "Bid Stage") comprising Request for Proposal (the "Request for Proposal" or "RFP").

In the Bid Stage, the Bidders will be called upon to submit their financial offers (the "Bids") in accordance with the RFP and other documents to be provided by MPWH (collectively the "Bidding Documents"). The Bidding Documents for the Project will be provided to every Bidder on payment of (50 thousand US dollars). The Bid shall be valid for a period of not less than 120 days from the date specified in the submission of bids form (the "Bid Due Date"). In terms of the RFP, a Bidder will be required to deposit, along with its Bid, a bid security of (500 thousand US dollars) (the "Bid Security"), refundable no later than 60 (sixty) days from the Bid Due Date, except in the case of the selected Bidder whose Bid Security shall be retained till it has provided a Performance Security under the BOT Concession Agreement. The Bidders will have an option to provide Bid Security either in the form of a demand draft or a bank guarantee acceptable to MPWH. In case of the bank guarantee, the validity period of the bank guarantee shall not be less than 180 (one hundred and eighty) days from the Bid Due Date, inclusive of a claim period of 60 (sixty) days, and may be extended as may be mutually agreed between MPWH and the Bidder from time to time. The Bid shall be summarily rejected if it is not accompanied by the Bid Security

1.4 Contact Person

Refer all requests for information about this EOI process to the following Contact Person:

Name	Saeed Abu Zaid
Telephone number	00970592979098
Cell number	00970592979098
e-mail address	sabozaid@mpwh.pna.ps

1.5 Indicative Table

An indicative timetable for the EOI process is as follows:

Expressions of Interest Pre-Bid Meeting Venue:	Tuesday, February 22, 2022, at 11:00 am (local time)
Expressions of Interest close	Submitted no later than 12 :00 pm (local time) on Wednesday 09/03/2022
Evaluation completed	14/04/2022
Selected applicants notified	21/04/2022
Request for Proposal (RFP) documents issued	2/05/2022
Tenders close	3/07/2022
Contract awarded	1/09/2022
All work under the contract completed	1/09/2024

2 FURTHER INFORMATION

2.1 Addenda to this Request for EOI

MPWH may issue an instruction amending the Request for EOI, as a result of an applicant's request for clarification or any other reason. Any such instruction will be issued in writing in the form of an Addendum, which becomes part of this Request for EOI. Written Addenda issued by the MPWH are the only recognised explanations of, or amendments to, the Request for EOI documents.

Any applicant that did not obtain the Request for EOI documents directly from MPWH should advise the Contact Person before submitting an application, to ensure that they have received all Addenda and allowed for any changed requirements.

2.2 Briefing for Potential Applicants

A briefing session will be held at the time and place as per Section 1.4 of this document. It is not mandatory for applicants to attend the briefing.

An applicant may be represented at the briefing by a maximum of two people. Confirm attendance with the Contact Person by noon (12:00 O'clock) on the business day before the briefing.

Written questions about the Request for EOI may be submitted before the briefing and applicants may ask questions at the briefing. If a question cannot be answered at the briefing, a written response will be provided as soon as possible afterwards.

A written record of all questions asked at or before the briefing, and all answers given, will be provided to applicants in the form of an Addendum.

2.3 Disclaimer

MPWH is not committed contractually in any way to those applicants whose applications are accepted. The issue of this Request for EOI does not commit or otherwise oblige MPWH to proceed with any part or steps of the process.

Whilst the information contained in this Request for EOI has been formulated with all due care, MPWH does not warrant or represent that the information is free from errors or omissions. The information is made available on the understanding that MPWH and its respective employees and agents, shall have no liability (including liability by reason of negligence) for any loss, damage, cost or expense incurred or arising by reason of any person using or relying on the information and whether caused by reason of any error, omission or misrepresentation in the information or otherwise.

3 EVALUATION CRITERIA

3.1 Mandatory Evaluation Criteria

Applicants are required to demonstrate that they meet mandatory requirements in respect of the following evaluation criteria:

- Financial capacity
- Qualification and experience of the proposed professional team and subcontracting models
- capabilities for operating the project; operation plan and methodology shall be attached with the application
- Applying new technologies for the implementation of the road structures (e.g. tunnels; retaining walls, bridges...)
- Track record of like structures constructed and maintained in the past
- Track record of like structures operated in the past or being operated
- References from previous clients
- Viability of the proposed project funding model
- Environmental management
- Quality management
- Project Management Methodology

The requirements for these mandatory criteria are set out below.

3.1.1 Legal Entity

An applicant must be a legal entity that is recognised and acceptable to MPWH (an official registration certificate of the company issued from the source country shall be attached to the EOI).

Any applicant that is an unincorporated business such as a sole trader, partnership or business name must identify the legal entity that would enter into the proposed contract.

Acceptance of an applicant will not extend to any associated or subsidiary entity owned or controlled by the applicant.

If an applicant is related to other potential participants in the EOI process, the applicant must provide sufficient information relating to the proposed probity arrangements to satisfy MPWH that any probity or competitiveness risks are eliminated. Depending upon the information provided, the applicant may be required to:

- provide clarification or further information;
- establish and comply with internal governance arrangements and procedures that address MPWH's concerns about probity and competitiveness; and
- Provide certification of compliance with all such arrangements and procedures.

It is important to submit all relevant information applicable to the entity to demonstrate compliance with this criterion.

3.1.2 Financial Capacity

An applicant must have appropriate financial capacity. Where the applicant is a subsidiary company and does not have sufficient financial capability in its own right, the EOI may be submitted in the name of the holding and subsidiary companies jointly and severally, providing the holding company meets these financial requirements.

The main criteria considered in the financial assessment of applicants include:

• The investors shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to finance the project.

• The investors must submit audited balance sheets or, if not required by the laws of the applicants country, other financial statements acceptable to MPWH, for the last 5 (five) years (2017,2018, 2019, 2020and 2021) years shall be submitted and must demonstrate the current soundness of the applicants financial position and indicate its prospective long-term profitability.

• Net worth capital at least 20 million Dollar, In case of a Joint Venture, the net worth capital of the lead member should be equal or exceed 15 million Dollar.

- The applicants must have current ratio > 1
- Profitability ratio must be> 0
- Any other significant detrimental financial characteristics.

Deviations below these criteria will not necessarily prevent MPWH from considering any application

Successful applicants may be requested to provide additional financial information for assessment at the next stage.

Submit all relevant information to demonstrate compliance with this criterion.

Additional supporting information shall be included in an Appendix, provided the information is adequately referenced.

3.1.3 Quality Management

Applicants must demonstrate the capacity to plan and manage systematically the quality of work and are required to provide evidence of how they have implemented the management of quality on projects.

Applicants are required to provide evidence of implementation of their certified QMS on previous projects, including demonstrated capacity to plan and manage systematically the quality of work in accordance.

The applicant must also confirm that it is willing to undergo and act upon audits carried out by MPWH.

Applicants must submit relevant information to demonstrate compliance with this criterion.

Additional supporting information shall be included in an Appendix, provided the information is adequately referenced.

3.2 Project Specific Evaluation Criteria

Applicants are required to respond to the following evaluation criteria by submitting the information required by the applicable Returnable Schedules:

The Evaluation Committee will evaluate each criterion on the basis of information submitted. Evaluation will reflect the relative importance of each criterion to the project and MPWH.

Additional supporting information shall be included in an Appendix, provided the information is adequately referenced.

3.2.1 Applicant's Experience and Capability

This criterion relates to the applicant's:

- demonstrated successful recent experience in delivering projects of similar size, type, value and complexity;
- demonstrated achievement of satisfactory work quality within required time frames;
- demonstrated achievement of satisfactory operation and management of similar projects
- Demonstrated commitment to cooperative contracting relationships.

Verification of the applicant's successful experience and performance may be obtained from formal performance reports and representatives of client organisations.

Additional supporting information shall be included in an Appendix, provided the information is adequately referenced.

3.2.2 Understanding of Project Requirements

This criterion relates to the applicant's understanding of the work and proposed approach to likely issues and includes:

- risk identification and risk management strategies;
- adequacy of the design to meet project objectives;
- proposed innovations that will add value to the project for MPWH;
- proposed operation and management capabilities
- proposed relationship management and communication strategies;
- proposals for meeting sustainability objectives; and
- Proposed construction, maintenance and operation methodologies for critical activities, including the availability and suitability of key items of plant and equipment.

Additional supporting information shall be included in an Appendix, provided the information is adequately referenced.

3.2.3 Program

This criterion relates to the applicant's ability to meet the indicative project program.

- proposed delivery program;
- the applicant's own anticipated commitments on other works;
- How will the applicant address and resolve anticipated as well as unexpected resourcing issues or potential conflicts.

To respond to this criterion, submit the relevant information.

Additional supporting information shall be included in an Appendix, provided the information is adequately referenced.

4 SUBMISSION OF EOI APPLICATIONS

4.1 Documents to be submitted

Applicants must lodge, by the time and date stated on the cover of this EOI or in the invitation and submits requirements under this project brief.

Document from interested parties with a track-record of extensive and relevant experience in the construction and similar projects under a PPP type delivery model.

Parties that submit an EOI will be notified of the RFP stage and, where applicable, requested to obtain the RFP documents upon payment of a non-refundable fee of

10,000US Dollar or any equivalent amount in any convertible currency. The method of payment will be cleared and detailed on RFP invitation

4.2 Lodgement Methods

4.2.1 Electronic Applications

Applicants are encouraged to lodge applications through the MPWH's email at:

sabozaid@mpwh.pna.ps

An application that cannot be evaluated because it is incomplete or electronically corrupted may be passed over.

4.2.2 Hard Copy Applications (Optional)

Applications may be lodged in the physical tender box at:

Ramallah-almasyoun-M.darwishRotary-Ministries Compound Ministry of Public Works and Housing , 2nd floor General Administration of Roads Attn: Eng. Nihad Al-Hroub Email: fghabosh@mpwh.pna.ps Cell phone: 00970594277566 Fax : 009702298789

Applications lodged in hard copy through a physical tender box must:

- include one original and two printed copy of the submissions;
- Be enclosed in a sealed package such as an envelope and marked with the EOI number and name.

4.3 Late Applications

Late applications will not be accepted. Any application that is not received in full by the closing time and date shall not be considered.

Where an application is received by post after the closing time and date, the applicant may need to satisfy MPWH that all the required information was posted or lodged at a Post Office or other recognised delivery agency at a time that should reasonably have allowed delivery before the closing time and date.

Applications sent by email and not completely received by the closing time and date shall not be considered.

4.4 Applicants to inform themselves

Applicants shall be deemed to have:

- examined the invitation documents and any other information made available in writing by the MPWH to applicants for the purpose of responding to the invitation;
- examined all information relevant to the risks, contingencies, and other circumstances having an effect on their EOI application and which is obtainable by the making of reasonable enquiries; and
- Satisfied themselves as to the correctness and sufficiency of their EOI applications and that their responses cover the EOI conditions and all matters and things necessary for the due and proper performance and completion of the work described in the invitation documents.

Should an applicant find any discrepancy, error or omission in the EOI, the applicant shall notify the Contact Officer in writing on or before the closing date and closing time.

5 AFTER EOI APPLICATIONS CLOSE

5.1 Evaluation of Applications

The Evaluation Committee will evaluate each application in accordance with the evaluation criteria set out in this Request for EOI.

The evaluation will be based on information provided with the application. Any information required by the EOI which is omitted, illegible or unintelligible may be treated as failing to fulfil the relevant requirement.

The Evaluation Committee may request some or all applicants to provide additional information to clarify aspects of their applications, either in writing or during post-tender interviews. If a written response is requested, it must be provided within 48 hours after the request is received.

The Evaluation Committee may make enquires to establish the past performance of applicants in respect of similar work.

All information submitted in the application or obtained subsequently by the Evaluation Committee will be treated as confidential.

5.2 Mandatory Evaluation Criteria

Legal Entity

A search may be undertaken to verify that an applicant is a genuine registered company or business.

Applicants may be required to provide evidence of the legal entity submitting the EOI by providing a copy of an official document such as:

- Company registration and names of office bearers issued at source.
- A statement confirming the legal entity, signed by a practicing solicitor.

All Applicants must be Tax Compliant

Financial Capacity

To assist in confirming that an applicant has adequate financial capacity, the Evaluation Committee may:

- request further information from the applicant;
- hold discussions with relevant personnel representing the applicant;
- hold discussions with referees, including clients of the applicant; and/or
- Obtain a financial assessment from an independent financial assessor.

5.3 **Project Specific Evaluation Criteria**

Applications will be evaluated in terms of the project specific evaluation criteria listed in this EoI. The past performance of applicants will be assessed using information obtained from contact persons from client organisations.

Client contact persons may be interviewed by telephone or asked to complete a written survey confirming the applicant's past performance.

5.4 Outcome of the EOI process

The decision to accept an application, with or without conditions, is at the sole discretion of MPWH. MPWH will not be liable for any costs or damages incurred by applicants through exercising this discretion.

Applications may be considered even if their applications do not conform strictly to all requirements of the EOI. Note that accepting applications does not constitute entering into a contract for the proposed work.

Applicants will be advised in writing whether their applications to be considered or not.

The Contact Person will arrange a debriefing for any unsuccessful applicant. An unsuccessful applicant will not be provided with information specifically comparing its application with those of other applicants. No rating data will be provided.

5.5 Changes in Circumstances

Applicants must advise the Contact Person immediately in writing of any material change to the information contained in the EOI application, including any substantial change in their ownership or their financial or technical capacity. Copies of relevant documents must be submitted with the advice. For successful applicants, this requirement applies until a contract is awarded as a result of any subsequent tendering process.

5.6 Publicity

Accepted applicants must not advertise or publish their acceptance notification in any form without the prior written consent of MPWH, until they are formally invited to tender for the proposed project.

5.7 Protection of Privacy

The applicant warrants that information provided in the application is accurate, up to date and complete, and that nominated individuals authorise its collection and are aware:

- that the information is being collected for the purpose of evaluating EOI applications and may be made available to MPWH and its agents for that purpose;
- of any consequences for the individual if the information (or any part of it) is not provided;
- if the supply of information by the individual is required by law or is voluntary; and
- Of the existence of any right to access or correct the information.

5.8 Exchange of Information between Government Agencies

By submitting an EOI application, the applicant authorises MPWH to gather, monitor, assess, information about the applicant's financial position and its performance in respect of any contract that may be ultimately awarded. Such information may be used by those agencies or authorities in considering whether to offer the applicant future opportunities for work.

APPLICANT'S ADDITONAL TECHNICAL AND FINANCIAL INFORMATION

Applicants shall provide detailed information in the Application to allow for it to be evaluated. Failure to provide sufficient information may result in the Application being rejected without further consideration. Notwithstanding all the required information stated in this EoI; applicant is to submit the following data as part of his application.

Additional supporting information shall be included in an Appendix, provided the information is adequately referenced.

RESPONSE FORM

Ministry of Public Works and Housing

Ministry of Public Works and Housing (MPWH)/ AlMasyoun

Ramallah / Palestine

We (block letters)	
ADDRESS:	

Telephone Number:	 Fax:	
Email (if any):		

Financing, Construction, Maintenance, and Operation of Wade Al Nar Alternative Route Road (BOT) Project

We agree that we are bound by, and will comply with this Expression of Interest and its associated schedules, attachments, all in accordance with the Terms of Reference contained in this Expression of Interest signed and completed. We agree that there shall be no cost payable by MPWH towards the preparation or application of this Application irrespective of its outcome.

Dated this:	day of	20	
Signature of authorized Applicant:			
Name of authorized signatory (BL	OCK LETTERS):		
Position:			
Address:			

Information Sought

EOIs shall be completed in English (not to exceed ten (10) A4 pages) and contain the following information together with a covering letter of interest prepared on headed letter paper and signed by one or several authorized signatory(ies):

Name of company: Company overview (including brief company history): Legal status: Address and Point of Contact (to include emails and phone numbers): Key Activities: Reasons for interest in the "Project" History of Involvement in Similar Projects (Regionally and internationally): Comments on the Project (2000 words max): 5. What is your expectation regarding the tenor period 6. Please indicate your proposed high-level approach to financing the project, such as capital structure, local or international financial institutions. Mandatory Additional Documents to be Provided Anti-corruption and Confidentiality Declaration
EOI Acknowledgement Form
Valid copy of the Commercial Registration.

Forms

Check List of documents to be submitted by the investor in the expression of interest:

NO.	Туре	Yes /NO
1	Company registration certificate	
2	Financial Status Audited balance sheets	
3	3 JV agreement or Letter of intent	
4	Company Experience (with Evidence)	

Company Similar Experience:

Assignments information	Company Role	
	Assignment Name/ Description / Capacity	
	Duration of Implementation	
	Project Description	

