



ISLAMIC REPUBLIC OF AFGHANISTAN
MINISTRY OF MINES AND PETROLEUM



TENDERS FOR CONSTRUCTION MATERIALS PRODUCTION
FACILITIES

PRE-QUALIFICATION QUESTIONNAIRE ("PQQ")

Project of Interest:	Construction Materials (Kalfgan District, Arabdara, Takhar)
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PRIVATE AND CONFIDENTIAL

Glossary of terms

Unless the context otherwise requires, the following words and expressions used within this PQQ shall have the following meanings:

Afghanistan	means the Islamic Republic of Afghanistan
Association	Means a prospective bidder that is a consortium, joint venture, special purpose vehicle or other arrangement, and/or that is intending to use Significant Sub-Contractors.
Association Member	Means each member or sponsor of an Association, including for the avoidance of doubt any intended Significant Sub-Contractors.
Applicable Laws	Means the laws and regulations of Afghanistan, including applicable international treaties, conventions, and bilateral investment treaties to which Afghanistan is a party, and shall for the avoidance of doubt include any consolidation or re-enactment, modification, amendment, extension or replacement of the same.
Authority Letter	Means a letter in the form required by the Ministry stating that signatory to the NDA is authorized to enter into such agreements on behalf of the prospective bidder.
Bid	Means the bid to be submitted by a Qualified Bidder to the Ministry and received on or before the bid submission deadline, as set out in the Request for Proposals.
Change in Composition	means (i) in relation to a prospective bidder which is a single entity, the subsequent creation of an Association; of (ii) in relation to a prospective bidder which is an Association, any addition, removal, replacement, change in role or responsibility or change in percentage participation of an Association Member, including any change from one to the other of a consortium, joint venture, special purpose vehicle or other arrangement.
Data Room	Means for the purposes of this PQQ, the physical data room containing hard copy information which is located at Ministry of Mines and Petroleum building in Kabul, Afghanistan and/or a virtual data room.
Evaluation Criteria	Means the criteria upon which Bids will be evaluated, as detailed in the RFP.
Government	Means the Government of Afghanistan, any ministry (including but not limited to the Ministry), department or subdivision thereof, and any entity wholly or partially controlled by any of them.
Group	Means the subsidiaries, holding companies and their subsidiaries of a prospective bidder.

IFRS	Means the international financial reporting standards adopted by the International Accounting Standard Board.
LSMU	is a ministry (MoMP) based unit, responsible for all large scale mining contracts, technical & financial analysis, tendering processes etc.
Mandatory Requirements	are as defined in Part A of this PQQ
Ministry	means the Ministry of Mines and Petroleum of Afghanistan
Ministry Website	means the Ministry website (www.mom.gov.af)
Non-Disclosure Agreement or NDA	means a non- disclosure agreement in the form required by the Ministry which must be executed and delivered with a supporting Authority Letter prior to the prospective bidder gaining access to the Data Room, and in any event not later than the submission date of the PQQ.
PQQ statement of compliance	Is as set out in Part of this PQQ
PQQ Submission Deadline	Means 12 noon (Kabul Local Time) on (21st May, 2019)
Preferred Bidder	Means a prospective bidder with whom negotiations for Project agreement may be entered into first.
Project	means the design, construction, financing, insurance, ownership, operation, maintenance and management of a construction materials production facility, the exploration, assessment and exploitation and transportation of quarry materials to be used for the production construction materials, the transformation of such quarry materials into construction and the sale of such construction materials into relation of the Takhar (Arabdara) prospect.
Project Agreement	Means the contract which is intended to be awarded upon completion of negotiations to the prospective bidder that submits a successful Bid for construction materials, Takhar (Arabdara) Project.
Qualified Bidder	Means a prospective bidder qualified by the Ministry following selection in accordance with paragraph 1.11 of this PQQ.
Request for Expressions of Interest	Means a notice published on (21 st April, 2019) by the Ministry inviting expressions of interest in undertaking construction materials, Takhar (Arabdara) project.

Request for Proposal or RFP	Means the document which comprises the bid package for the tender of construction materials, Takhar (Arabdara) Project.
Reserve Bidder	Means the prospective bidder with whom negotiations may take place should an agreement in relation to the Project Agreement not be reached with the Preferred Bidder.
Significant sub-Contractor	Means any sub-contractor appointed or to be appointed by the prospective bidder to undertake or perform a significant amount (whether as a percentage, by value or otherwise) of the prospective bidder's obligations under any of the Project Agreement or any license to be granted in connection with the Project. If the prospective bidder is uncertain as to whether a proposed sub-contractor is, or is intended to be, a Significant Sub-Contractor then the Ministry would encourage the prospective bidder to complete the PQQ on the presumption that such sub-contractor is a Significant Sub-contractor.

Save as expressed to be "business days", all references to "days" in this PQQ shall mean calendar days.

References to "including" means "including without limitation" (with related word being construed accordingly), "in particular" mean "in particular but without limitation", and other general words shall not be given a restrictive interpretation by reason of their being preceded or followed by words indicating a class of acts, matters or things.

INTRODUCTION

1.1 Purpose of this PQQ

As an organization that has expressed an interest in the Project being tendered, this PQQ assesses your professional and technical qualifications and competence which includes technical knowledge and experience, capability, capacity and organizational and financial standing to meet the requirements for the Project.

You are being asked to complete one PQQ for construction materials, Takhar (Arabdara) Project.

Following assessment of the completed PQQs from prospective bidders, the intention is to arrive at a list of Qualified Bidders who will be invited to submit Bids.

This PQQ is being provided on the same basis to all prospective bidders. All prospective bidders shall be treated fairly and without discrimination.

Prospective bidders should note that the Ministry may take into account information provided to the Ministry by the prospective bidders, whether as part of this PQQ or otherwise, that addresses a specific requirement in evaluating Bids, or information which is generally available in the public domain relating to the prospective bidder and which the Ministry believes may impact on the prospective bidder's suitability to undertake the Project.

Prospective bidders should also note that successful qualification does not, in itself mean that the prospective bidder shall automatically meet the Ministry's requirements for financial standing and technical ability for the Project at the Bid evaluation stage.

1.2 Structure of this PQQ

Prospective bidders must adhere to the format and fully comply with all of the requirements of this PQQ when answering the questions. Where questions cannot be answered fully, please provide relevant explanation and details. Please keep responses concise and adhere to any requirements stated as to the maximum length of the response.

1.3 Non-Disclosure Agreement and Authority Letter

To gain access to the Data Room, and in any event not later than with the submission of the PQQ, prospective bidders must complete and return the NDA and Authority letter. Where there is a Change in Composition between the time of submission of the NDA and the time of further NDA and Authority Letter Covering the newly constituted prospective bidder as soon as possible and in any event with the submission of the PQQ.

1.4 Further information relating to the Project

The Ministry may at its sole and absolute discretion is present at international mining conferences/conventions, hold roadshows and/or meeting at which further general information relating to the Project may be provided.

1.5 Clarifications and requests for further information relating to this PQQ

Prospective bidders may wish to raise clarifications or request further information on elements of this PQQ.

All information requests and clarifications relating to this PQQ shall be written in English and Dari or Pashto and submitted to ismc@momp.gov.af

Prospective bidders shall not contact any person within, or associated with, the Ministry or the Government in connection with any requests for additional information or clarifications relating to this PQQ, except in writing as set out above.

Such clarification and information requests shall receive written responses as soon as practicable and where the Ministry considers the clarification or information request would be of relevance to all prospective bidders, the question (either in full or a summary) and response may be distributed to all prospective bidders, preserving the anonymity of the requesting prospective bidders (either via the Data Room or on the Ministry Website) at any time clarifications or amendments to any information or documents including any information contained in this PQQ.

Prospective bidders should seek their own advice, whether legal, technical, financial or otherwise in relation to any clarification or information requests and any answers provided. Any answers, clarifications or information provided should be treated as confidential by prospective bidders.

1.6 Disclosure of information

All information received and any communications with prospective bidders shall, subject to the Applicable Laws, be treated in confidence. However, prospective bidders acknowledge and agree that:

- (a) all information provided to the Ministry in connection with this PQQ may be made available to any person who is assisting the Ministry in respect of the Project;
- (b) following qualification, the names of Qualified Bidders may be announced and published on the Ministry Website;
- (c) certain aspects of any meetings and site visits during the tender process may occur at the same time for all prospective bidders and therefore prospective bidders may ascertain the identities of other prospective bidders;
- (d) following evaluation, the names of Reserve and Preferred Bidders may be announced and published on the Ministry Website;
- (e) as set out in paragraph 1.5 above, information requests and responses may be distributed to all prospective bidders, preserving the anonymity of the requesting prospective bidder;
- (f) such information may be contained in the record and report to be prepared by the Ministry in accordance with the Applicable Laws, and
- (g) A copy of the Project Agreement and licenses and the name of the parties may be disclosed and published on the Ministry Website at the conclusion of the tender processes.

1.7 **Instructions for completion**

Prospective bidders should ensure all questions are answered accurately and as concisely as possible and, where a question is not relevant to the prospective bidder, this should be indicated with a suitable explanation. Prospective bidders must complete this PQQ electronically rather than by hand.

Where the prospective bidder is an Association, then:

- **a Part A Mandatory Requirement should only be ticked if all the Association Members comply with that Mandatory Requirement;**
- **the answers given to Part B (Questions 5 to 10 inclusive), Part C and Part D must include full information for each of the Association Members and must clearly identify which Association Member each part of the response relates to. The term “prospective bidder” in each of these questions shall be deemed to mean each Association Member; and**
- **each Association Member must ensure that it has reviewed the prospective bidder’s response to this PQQ, agrees that it is complete and accurate and each Association Member must provide a separate signed PQQ Statement of Compliance as part of the prospective bidder’s responses to this PQQ.**

The information supplied will be checked by the Ministry for completeness and compliance before responses are evaluated. The Ministry may, at its sole and absolute discretion, ask further queries and/or ask for further information to be provided.

Completed PQQs received from prospective bidders by the PQQ Submission Deadline will be considered in accordance with the procedures set out in paragraph 1.11 of this PQQ. In the event that none of the responses are deemed satisfactory, the Ministry reserves the right at its sole and absolute discretion to terminate the tender process.

Failure to make a satisfactory response, or supply documentation referred to in responses, or failure to furnish any other required information within the specified timescale may mean that a prospective bidder is disqualified and may not be invited to participate further in the tender processes.

Prospective bidders must ensure that all information attached to this PQQ or submitted in response to the questions in this PQQ, or in response to an information or confirmation request, is true and accurate. In the Ministry’s sole and absolute discretion, the submission of inaccurate, misleading, or misrepresentative information. As well as the omission of any information may lead to the disqualification of the prospective bidder, rejection of any associated bid, withdrawal of any offer to grant the Project Agreement, license or rescission of any agreements, including the Project Agreement and licenses, entered into between the Ministry and the disqualified prospective bidder.

1.8 **instructions for submission of the completed PQQ**

Your PQQ must be completed in English and Dari or Pashto and submitted:

- via email to lsmc@momp.gov.af
- In hard copy to Er. (Shamsulrahman Shaker), technical member of LSMU, Ministry of Mines and Petroleum, near Charayi Abdulhaq (Abdulhaq Square), Kabul, Afghanistan.

The PQQ must be submitted in accordance with the above so that **both** email copies of the completed PQQ **and** the hard copy are received no later than the PQQ Submission Deadline. **It is the prospective bidder's responsibility to make sure it has allowed sufficient time for the PQQ to arrive at the above address before the PQQ Submission Deadline (taking into account likely courier/delivery time).**

Please note that completed PQQs may be submitted at any time before the PQQ Submission Deadline, but any completed PQQs received after the PQQ Submission deadline may, at the Ministry's sole and absolute discretion, be rejected and in such instance the prospective bidder will be disqualified and not invited to participate further.

1.9 **Change in Composition to prospective bidders**

From the submission of the PQQ up to and including the date that the request for Proposal issued to qualified Bidders, prospective bidders may not make and the Ministry will not consider any Change in Composition. Thereafter any Change in composition will be subject to the terms of the Request for Proposal.

The Ministry would encourage all prospective bidders to seriously consider the composition of the bidding entity as early in the process as possible in order to avoid unnecessary change in Composition.

1.10 **prospective bidder contact point**

Prospective bidders must include a single point of contact in their organization for their response to the PQQ which shall initially be the person identified in Question 1 of Part B of this PQQ. The point of contact must be authorized to liaise with the Ministry on behalf of the prospective bidder. The Ministry will not be responsible for contacting the prospective bidder through any route other than the nominated contact. The prospective bidder must therefore promptly notify the Ministry in writing of any change to the nominated contact.

1.11 **Bidder selection**

The objective of the qualification process is to select prospective bidders who are qualified to submit Bids.

Prospective bidders must satisfy the Mandatory Requirements set out at Part A in order to be considered for qualification for the Project. Where the prospective bidder is an Association, then each Association Member must satisfy the Mandatory Requirements individually.

In addition, the Ministry may disqualify any prospective bidders who:

- (a) fail to comply with the requirements of this PQQ;
- (b) fail to complete properly and sign Part F of this PQQ,
- (c) fail to provide a satisfactory response to any questions in the PQQ or inadequately or incorrectly complete any question;
- (d) fail to submit a completed PQQ before the PQQ Submission Deadline; or

- (e) Change, drop, switch or replace any of the Association Members, or alter the structure of the proposed Association with which they responded to the PQQ, other than in relation to a Change in Composition that has been consented to by Ministry.

Prospective bidders who comply with the Mandatory Requirements set out in this PQQ shall be considered on the basis of responses to Part B to D of this PQQ. The Ministry is looking for responses to the PQQ which are full, complete and relevant to the Question being asked and which demonstrate a sound financial standing and technical ability in order to successfully undertake the Project. Evidence of successful development and operation of construction materials production facilities including the successful exploitation or successful transition to exploitation by other of quarry materials to be used for the production of construction materials shall be taken into account by the Ministry as part of its consideration of the technical ability of the prospective bidders.

The Ministry may seek independent financial, technical and market advice to validate information declared by prospective bidders and to assist in its evaluation. The Ministry reserves the right to conduct site visits to prospective bidders' existing construction materials production facility and/or facilities and/or ask for presentations as part of the PQQ process.

Evaluation of bids at the award stage will identify Preferred and Reserve Bidders using the Evaluation Criteria. **However, responses to the PQQ may also be considered by the Ministry when evaluation Bids.**

If the prospective bidder's qualifications change at any stage in the tender process after the submission of their response to this PQQ, the prospective bidder must promptly notify the Ministry of any and all such changes.

Prospective bidders should also note that, if successfully qualified, they shall be required to submit with their Bid a statement of compliance in which they confirm that to the best of their knowledge the information submitted in their response to this PQQ remains true and accurate in all material respects and will be asked to specify where this is no longer the case.

1.12 **Debriefing**

As required by the Applicable Laws the Ministry shall, upon request, communicate promptly to an unsuccessful prospective bidder the reason for its failure to qualify, at the expense of such bidder.

1.13 **Formalities**

The Ministry reserves the right to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate the process at any time.

None of the Ministry, the Government, or any of their respective directors, members, officers, employees, consultants, contractors or advisors warrants or represents the completeness or accuracy of this PQQ or supporting documentation nor accepts any liability (whether in contract or tort (including negligence), under statute or otherwise) with respect to the accuracy or completeness of this PQQ or supporting documentation or reasonableness of any assumptions.

No information contained in this PQQ or in any communication made between the Ministry, Government and any prospective bidder in connection with this PQQ shall be relied upon as constituting a contract, agreement or representation that any contract shall be offered in accordance with this PQQ.

All materials and documentation submitted to the Ministry in response to this PQQ or as part of this tender process shall become the sole property of the Ministry. Subject to the requirements of paragraph 1.6 of this PQQ, the Ministry reserves the right to use, in its sole discretion subject to Applicable Laws, all or part of any such information.

The Ministry will not reimburse any costs incurred by prospective bidders in connection with the preparation or submission of their responses to this PQQ, and by submitting their responses to this PQQ; prospective bidders acknowledge and agree that the Ministry and the Government will be discharged from any such liability to the fullest extent permitted by law.

1.14 No canvassing

Any improper approaching of, or any attempt to procure information from, any government official, public sector employee, or agent of the Ministry or Government including any consultant, contractors or advisers of the foregoing by any prospective bidder concerning this PQQ other than pursuant to paragraph 1.5 of this PQQ, is explicitly forbidden and may result in the disqualification of the prospective bidder. For the purposes of this paragraph ‘improper’ shall mean dishonest and/or against a law or a rule and/or which is outside of the ordinary course of reasonable professional conduct in respect of such matters.

1.15 No anticompetitive behavior

Prospective bidders shall not provide false information in order to influence the outcome of the bidding process, or offer or give bribes either directly or indirectly to a procurement official, or engage in collusion to monopolize bidding procedures and to establish bid elements at uncompetitive levels or do anything which prevents the promotion of a free, open and competitive bidding system.

Prospective bidders shall not, directly or indirectly, during the execution or award of the project or for a related activity, provide any gratuity, gift or any favor to any public official, employee or agent of the state or any other public agency or to any member of their families.

PART A – MANDATORY REQUIREMENTS

The following Mandatory Requirements must be met by each prospective bidder and, where the prospective bidder is an Association, each Association Member. The Ministry will not accept exceptions, conditions or reservations to the Mandatory Requirement.

The prospective bidder and, where the prospective bidder is an Association, each Association Member is required to complete a PQQ statement of Compliance in Part F this PQQ to confirm compliance with these Mandatory Requirements.

Please mark (with Yes/ No) the boxes next to the Mandatory Requirements below to indicate the prospective bidder and, where the prospective bidder is an Association, each Association Member's compliance with each respective requirement.

1	Bankruptcy The prospective bidder has not been declared bankrupt/insolvent.	
2	Professional conduct The prospective bidder and/or officers and directors of the prospective bidder have not been convicted by a valid conclusive judgment of an authorized court of any financial, economic or management offence for which it/he/she was sentenced to longer than ten years' imprisonment.	
3	High ranking officials No member of prospective bidder is a high ranking state official as stipulated in article 151 of the constitution of Afghanistan and section 1 and 2 of Paragraph (2) of article 16 of minerals law of Afghanistan.	
4	Withdrawal of Mineral Rights The prospective bidder has not been subject to the premature termination, cancellation or withdrawal of mineral rights prior to the expiry of the associated contract period.	
5	Statement of Compliance The Completed PQQ Statement(s) of Compliance has/have been returned with the PQQ.	

PART B TO D

Prospective bidders must answer all questions accurately and as concisely as possible and, where a question is not relevant to the prospective bidder, this should be indicated, with a suitable explanation.

Please note that at the start of each question, instructions are given as to the required format of the answer. If the instruction requires information to be attached, prospective bidders must cross refer the information back to the relevant question number. It is the prospective bidder's responsibility to ensure that the information referenced contain the required answer to the question.

As noted in paragraph 1.7 of this PQQ, where the prospective bidder is an association, then:

- **The answers given to Part B (questions 5 to 10 inclusive), Part C and Part D must include full information for each of the Association Members and must clearly identify which Association Member each part of the response relates to. The term “prospective bidder” in each of these questions shall be deemed to mean each Association Member; and**
- **Each Association Member must ensure that it has reviewed the prospective bidder's response to this PQQ, agrees that it is complete and accurate and each such entity must provide a separate signed PQQ Statement of Compliance as part of the prospective bidder's response to this PQQ.**

Part B – General information

1. *Please answer this question in the form below*

Name, address and website of the prospective bidder:

Name	
Address	
Website	

Name, position, office address, telephone number, fax number and e-mail address of the main contract of the prospective bidder:

Name	
Position	
Office address	
Telephone number	
Fax number	
E-mail	

2. *Please answer this question in the form below*

Indicate the current legal statuses of the prospective bidder by ticking the relevant box

Public limited company Consortium

Private limited company Partnership

Other (*please state in the box opposite*)

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If the prospective bidder is listed/ admitted on a stock exchange, please indicate the stock exchange and security ticker in the box opposite.

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3. *Please answer this question in the form below and attach the relevant documents*

Confirm whether the prospective bidder is an Association. If so, please provide details of the agreement (e.g. joint venture agreement) that established the Association, the percentage shareholding of its Association Members and, where applicable, any contractual guarantees or obligations of its Association Members.

Is the prospective bidder an Association?		If yes, confirm that the agreement that established the Association is enclosed (please tick)	
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Details of the agreement that established the Association (400 words or fewer)	
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Percentage shareholding of Association Members (if applicable)	Names of Association Members

Details of any contractual guarantees or obligations (if applicable) (400 words or fewer)	
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4. *Please answer this question in the form below*

To be completed by prospective bidders who answered Yes to question 3 only, please indicate in the table below which member of the Association will be responsible for which element(s) of the project?

Association Member	Which element(s) of the Project will the Association Member be responsible for?

5. Please answer this question in the form below.

Please provide the following information:

Full legal name of the company	
Registration number (if applicable)	
Date of registration (if applicable)	
Country in which the company was incorporated (if applicable)	
Registered office (if applicable)	
Address of principal place of business	
Name, address and nationality of each director, principal officer and authorized signatory (if applicable)	
Brief description of the company's primary business (400 words or fewer)	
Brief history of the company (400 words or fewer), including details of Group companies and any changes of structure and/or ownership over the last 5 years including details of significant pending developments, changes in financial structure or ownership, prospective take-over bids, buy-outs and closures etc. which are currently in the public domain	

6. *Please answer this question in the form below and attach the relevant documents*

Please provide a one-page chart illustrating the ownership and organizational structure of the prospective bidder including relations to any Group companies

Please tick to indicate that ownership and organizational structure is enclosed.

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Please also indicate whether any government has any shareholding in the prospective bidder or any Group companies of the prospective bidder and if so, the government of which country.

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7. *Please answer this question in the form below*

Does the prospective bidder have any potential conflicts of interest that may arise if selected to deliver the Project?

Potential conflicts of interest

If yes, please provide details (400 words or fewer for each Association Member)

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8. *Please answer this question in the form below*

Please list details of any local Afghan shareholder (irrespective of the size of their shareholding), partner, affiliate or sub-contractor of the prospective bidder which may be relevant to the delivery of the Project.

Names of local Afghan shareholders, partners, affiliates or sub-contractor

9. *Please answer this question in the form below*

Has the prospective bidder established any form of partnership (whether formal or otherwise), affiliation or business relationship with any member of the Government of Afghanistan at the date of the submission of this response to the PQQ? If yes, please provide details.

Identity of the member of the Government of Afghanistan	Details of the partnership, affiliation or business relationship between this individual and the prospective bidder

10. *Please answer this question in the form below*

Does any member of the prospective bidder's Group fail to meet any of the Mandatory Requirements, except for requirement 5? If yes, please provide details.

Identity of Group member and relationship to the prospective bidder	Details of the group member's failure to meet the Mandatory Requirements

PART C – FINANCIAL DETAILS

11. *Please attach relevant information which answers the question and select your responses below as applicable to show what is being attached.*

Account information – please provide a copy of the full report and audited accounts (including the information listed below) for the prospective bidder for the last three financial years. Prospective bidders which do not have three years of audited accounts should provide whatever audited accounts they may have.

If the accounts, you are submitting are for a year ended more than 10 months ago please also enclose the latest set of management accounts.

Profit and loss accounts

Balance sheet

Full accompanying notes

Auditor’s report

**Director’s report
(if available)**

**Set of management
Accounts**

12. *Please answer this question in the form below and, where applicable, attach any relevant information which answers the question.*

Please set out the following information for the prospective bidder for the last three financial years and disclose any material deviations from IFRS:

Financial year ended:			
<i>Units</i>	(000’s)	(000’s)	(000’s)
<i>Reporting currency</i>			
Revenue			
Operating profit			
Cash and cash equivalents			
Fixed assets			
Short and long term debt			
Net assets			

Please tick the box opposite if the most recent information set out in the table above is for a financial year end more than 10 months ago.

Material deviation from IFRS:

Any prospective bidder created for the purposes of this tender process or less than 10 months old should provide a statement of the prospective bidder’s sponsor entities detailing the sponsors’ audited income statement, profit & loss accounts and cash flows for the most recent year of trading and/or a statement of the prospective bidder’s anticipated cash flow forecast for the current year. The prospective bidder must also submit a statement which sets out the prospective bidder’s cash and available credit.

13. *Please answer this question in the form below*

Has the prospective bidder met all the terms of its banking facilities and loan agreements (if any) during the past year?

If no, please provide reasons (400 words or fewer for each Association Member)

14. *Please answer this question in the form below*

Has the prospective bidder met all its obligations to pay its employees and creditors (within any applicable credit terms) during the past financial year?

If no, please provide reasons (400 words or fewer for each Association Member)

15. *Please answer this question in the form below*

Has the prospective bidder in the last ten years had a receiving or administration order made against him, entered into an arrangement with creditors where it has suspended business activities, compounded with its creditors, or carried on business under a receiver, trustee or manager for the benefit of its creditors, or has any act been done to or by it, or any event occurred, which (under any applicable laws) has a similar effect to any of these acts or events?

If yes, please provide details (400 words or fewer for each Association Member)

16. *Please answer this question in the form below*

Has the prospective bidder or any of its officers or directors been the subject of a conviction by final judgment for corruption, fraud or money laundering?

If yes, please provide details (400 words or fewer for each Association Member)

17. *Please answer this question in the form below*

Has the prospective bidder in the last five years failed to fulfill obligations relating to the payment of taxes under applicable laws in any jurisdiction?

If yes, please provide details (400 words or fewer for each Association Member)

18. *Please answer this question in the form below*

Does the prospective bidder or any of its Group have any tax obligations to Afghanistan that as at the date of submission of the PQQ: (a) have become due and have not been paid; and/or (b) are the subject of an ongoing dispute or dialogue with the Government?

If yes, please provide details (400 words or fewer for each Association Member)

19. *Please answer this question in the form below*

Are there any actual, pending or threatened litigation, criminal or other legal proceedings against the prospective bidder or its Group?

Has the prospective bidder or its Group within the last five years been subject to any prosecution, infringement notices or other actions by any relevant agencies in respect of any breach or suspected breach of health and safety or environmental or equivalent legislation?

If answered yes to any of the above, please provide reasons (400 words or fewer for each Association Member)

20. *Please answer this question in the form below*

Please state the prospective bidder's approximate expenditure on each of:

Exploration, assessment and exploitation of quarry materials to be used for the production of construction materials	
Design and construction of construction materials production facilities	
Operation and maintenance of construction materials production facilities	

PART d – TECHNICAL ABILITY

21. *Please answer this question in the form below*

Please provide details of the number of staff currently involved directly in the provision of **exploration** activities of quarry materials to be used for the production of construction materials for the prospective bidder:

Permanent staff numbers	Temporary or third party staff numbers

If applicable, please also provide details of the number of staff currently involved directly in the provision of **exploitation** activities of quarry materials to be used for the production of construction materials for the prospective bidder:

Permanent staff numbers	Temporary or third party staff numbers

Please provide details of the number of staff currently involved directly in the provision of construction materials production activities (including the design, construction, operation and maintenance of construction materials production facilities) for the prospective bidder:

Permanent staff numbers	Temporary or third party staff numbers

22. *Please answer this question in the form below*

Please provide a summary description of construction materials production activities (including the design, construction, operation and maintenance of construction materials production facilities) that the prospective bidder has undertaken in the last five years including the provision of energy. Please include dates or periods over which the construction materials processing activities were performed, their extent and the details of the production levels achieved.

Please indicate where and to what extent the prospective bidder is seeking to rely on the experience or activities of people who are not employed by the prospective bidder as permanent members of staff.

Insert required details (800 words or fewer for each association Member)

23. *Please answer this question in the form below*

Please provide a summary description of the activities relating to exploration, assessment and exploitation of quarry materials to be used for the production of construction materials that the prospective bidder has undertaken in the last five years. Please include dates or periods over which such activities were performed, their extent and the details of such quarry materials being investigated.

Please indicate where and to what extent the prospective bidder is seeking to rely on the experience or activities of people who are not employed by the prospective bidder as permanent member of staff.

Insert required details (400 words or fewer for each Association Member)

24. *Please answer this question in the form below*

Please provide a summary description of the of the activities relating to exploitation of quarry materials to be used for the production of construction materials, and where appropriate exploitation and production activities that either (i) the prospective bidder has itself or as part of a consortium, joint venture, special purpose vehicle or other arrangement undertaken in the last five years; or (ii) the prospective bidder has not itself undertaken but has been undertaken by another entity following successful transition from exploration and assessment to exploitation and where the prospective bidder itself or as part of a consortium, joint venture, special purpose vehicle or other arrangement, has undertaken the quarry materials investigations, in the last five years. Please include dates or periods over which such activities were performed their extent and the details of such quarry materials being exploited.

Please indicate where and to what extent the prospective bidder is seeding to rely on the experience or activities of people who are not employed by the prospective bidder as permanent member of staff.

Insert required details (400 words or fewer for each Association Member)

25. *Please answer this question in the form below*

Please provide a summary description of any similar projects that the prospective bidder has undertaken in the last five years. Please include dates or periods over which the design, construction, operation and maintenance was undertaken and details of the project.

Please indicate where and to what extent the prospective bidder is seeking to rely on the experience or activities of people who are not employed by the prospective bidder as permanent members of staff.

Insert required details (400 words or fewer for each Association Member)

PART E – CHECKLIST OF ATTACHMENTS

Please ensure that the following attachments are included within your response:

Document	Applicable question
Completed non-disclosure Agreement and authority Letter (if not returned earlier)	Paragraph 1.3
Copy of agreement establishing the Association (if applicable)	Part B, Question 3
Ownership and organizational structure	Part B, Question 6
Financial report and audited accounts (and management accounts, if applicable)	Part C, Question 11
If applicable (newly formed prospective bidders only), a statement of sponsor entities detailing the sponsor's audited gross revenue, profit & loss account and cash flow for the most recent year of trading and/or a statement of the prospective bidder's anticipated cash flow forecast for the current year and statement which sets out the prospective bidder's cash and available credit	Part C, Question 12
Completed PQQ Statement of Compliance (and where the prospective bidder is and Association, a completed PQQ Statement of Compliance from each Association Member)	Part F

PART F – PQQ STATEMENT OF COMPLIANCE

We confirm that to the best of our knowledge, information and belief:

- (a) The completed PQQ complies fully with the requirements set out in the PQQ, including but not limited to the Mandatory Requirements set out in Part A of this PQQ;
- (b) All information provided in response to the PQQ is true and correct and we are not guilty of misrepresentation in providing any information required of us under this PQQ; and
- (c) There are no omissions in the information being provided in response to this PQQ.

Organization's name	
Signed	
Name of signatory	
Position	
Date	