

Invitation for Expression of Interest

Project	Support of Nature Protected Areas in the Ukraine”, BMZ No.:2011.6612.3 and 2013.6588.1
Tender	Civil engineering services for detailed design, contracting and author supervision for infrastructure construction in protected areas

1. Background

The objective of the SNPA - Project is to improve management and nature protection effectiveness of selected Protected Areas (PAs) in Ukraine as well as to increase or maintain at a high level the acceptance of PAs in local communities. The major project outputs are:

- Selected PAs have the necessary planning documents for their development;
- Selected PAs have the necessary infrastructure, equipment and personnel (according to the relevant planning documents);
- The local people around the selected PA accept the PA as well as the relevant regulations and restrictions and benefit from investments into socio-economic measures in the vicinity of Parks;
- The administration and management of the national PA system (MENR) is strengthened through investments in selected areas.

The project is delivered within the framework of the German Financial Cooperation (FC), financed by the German Ministry of Economic Cooperation and Development (BMZ) through KfW Development Bank. The Ministry of Ecology and Natural Resources (MENR) of Ukraine is responsible for the overall implementation and operation of the project. The project is delivered through an international consortium composed of AHT GROUP AG (lead), Danube-Carpathian Program of WWF International, Frankfurter Zoological Society and the Ukrainian Society for the Protection of Birds (USPB) acting as third authorized party in the name of MENR.

2. Description of construction activities

All selected PAs need building projects, referred herein as sub-projects of different kinds, extents and levels of difficulty. These sub-projects range from simple renovations over complex extensions to complete new constructions.

In general, all construction projects rank in the category of medium furnished administration buildings / visitor’s centers / exhibition buildings / visitor’s accommodation.

For all sub-projects the principles of ecologic and nature friendly building technologies are essential in planning works and in implementation. Ecologic building is the key aspect for all planners and specialists involved and shall be represented in all designs and technical solutions. This refers as well to nature friendly building materials and construction methods, as to high energy

efficient building concepts and innovative heating and energy supply systems. The energy efficiency standards of KfW must be considered as well.

In general, two different kind of building operations are distinguished, which apply to all sub-projects:

- Renovations
 - ✓ Energy efficient upgrading of the building shell (additional insulation, exchange of windows)
 - ✓ Verification of resistance (in particular for sub-projects extending existing structures)
 - ✓ New central heating systems
 - ✓ Eventually change of interior layout (dismantle / build new walls, doors, technical facilities, heaters)
- Extensions and / or new constructions from foundation to finish.

The first roughly estimated dimensions of the current sub-projects are given below (referring to Gross Floor Area - GFA):

Name of the sub-project	GFA	GFA
	Renovation m ²	Extension m ²
NNP Yavorivskiy admin + visitor's center	500	600
NR Gorgany admin building Nadvirna	850	530
NR Gorgany visitor's center + ranger station	0	1,000
CBR admin + research center	3,750	2,350
NNP Synevyr visitor's center	880	0
NNP Synevyr bear enclosure	300	0
NNP Synevyr carpentry Kolochava	440	0
Total / full project	6,720	4,480

Figure 1. Sub-projects' Gross Floor Area

As the sub-projects have different owners, different clients/legal entities, located in different counties, they must be developed individually with separate authorization documentations. However, architectural principles, eco-technologies, materials and technical installations as well as work specifications might be elaborated in parallel giving them a common identity in line with the ecological orientation of the overall project.

3. Services to be provided

The provider of civil engineering services shall ensure the successful planning and implementation of the construction activities financed by the SNPA project disposition fund. His main task is to ensure that principles of ecologically sound construction and the mobilisation of renewable materials, other resources and energy are respected - at the same time these solutions must be cost-efficient.

His intervention covers the entire life-cycle of construction sub-projects from preliminary planning to final reception as specified in the figure shown below.

The services required in each planning and implementation step are presented in detail in this chapter.

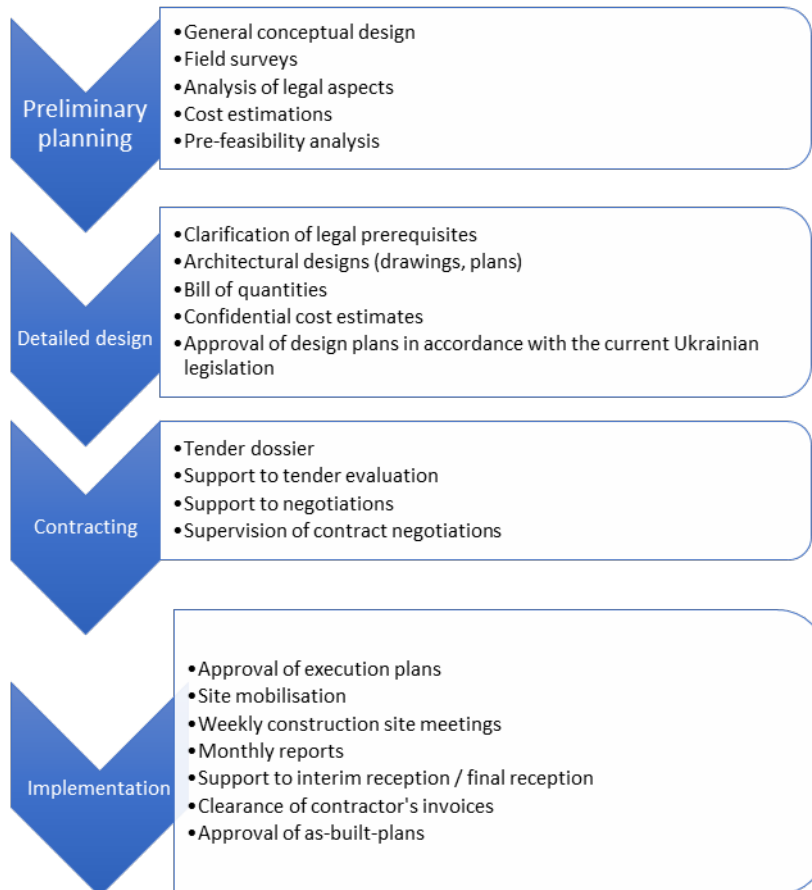


Figure 2. Sub-Project implementation cycle

4. Profile of the provider of civil engineering services

Prospective applicants need a solid track record of practical experience in the following fields:

- Preliminary and detailed design of buildings using ecologically sound approaches;
- Elaboration of tender documents including bills of quantities, confidential unit cost and budget estimates;
- Processes of building authorization in Ukraine, fulfilment of legal requirements for construction activities;
- First-hand experience in supervising renovation and/or extension of buildings in traditional design using concrete, wood and metal structures.

The service provider may be a Ukrainian or international legal entity or a consortium of private entrepreneurs (so called “physical person subject of entrepreneurial activity, registered as 3rd Group”) both with a representative office in Ukraine.

5. Documents to be submitted

Kindly inform the Procurement officer/Team leader by email (stefanyshyn@snpa.in.ua/ brombacher@snpa.in.ua) not later than 20 days prior to the deadline that you will submit prequalification documents.

The prequalification document shall be submitted in English and presented in the following sequence using the qualification forms given in Annex 1:

Covering Letter, comprising the firm's name, address, contact person, telephone, fax and email and if applicable mentions the association for this project.

Presentation of the civil engineering firm (maximum 10 pages), inclusive clear statement of type and ownership of the organization and key tasks of the firm.

Statements and declarations:

- Statement on affiliations of any kind with other firms which may present a conflict of interest in providing the envisaged services;
- In case of an association – the intended contractual arrangement with international and local firms, institutions or organizations, nominating the leading firm and including letters of intent of participating firms (in case of local partners a fax copy of such letter of intent is sufficient). The applicants are requested not to include in their Prequalification Documents any information on sub-contractors or other organizations not being member of the association. Such information will be ignored.
- Declaration of Undertaking: A declaration to observe the highest standard of ethics during execution of the contract. Applicants should be aware that any fraudulent or corrupt activities disqualify them immediately from participation in the selection process and will be subject to further legal investigation. A template of the declaration is given in the Annex. In case of associations, signed Declarations of Undertaking have to be submitted by all partner organizations.
- Certified statement of financial capacity of the lead consultant and all associated partners showing that the combined annual turnover of the lead consultant and all associated partners is on average more than 200,000 EUR in the last three years (statement on the financial capacity substantiated through balance sheet, statement of turnover or annual tax statement or profit and loss account for the years 2016-2018). In case of private entrepreneurs, the turnover of the lead consultant must meet at least forty percent (40%) of the requirement. The annual turnover should also be presented as overview table showing the annual turnover for each member of the consortium.
- List of 8 project references carried out in the format as given in the annex covering the last 10 years and related to the envisaged services presented in Chapter 3.
- Backstopping staff: Personnel tentatively foreseen for backstopping and home office support. The applicant should show that he has in his home office enough expertise to provide

technical guidance and advice to the in-country project team. The applicant should present up to three backstopping personnel with brief CVs (1-3 pages each).

List of Personnel structure of the firm/association:

Personnel working for the applicant in project-related fields. The list of key experts shall allow a profound judgement on the consultants' general ability to provide the required personnel having the specific knowledge and experience for the project in case of an offer. The list of key experts – presented in tabular form – should comprise information about education, professional sectoral experience, regional experience, years with firm, and experience in similar posts. No detailed CVs should be submitted. In addition to the applicant's own staff, external experts with long-standing work relationships with the applicant may be included. Personnel belonging to the firm or having long-term cooperation gets more points than personnel not being employed or with no or only brief working relationships. Up to 8 key experts should be presented in the list.

Interested civil engineering companies are requested to submit concise and clear, but substantial documents and to adhere to the above structure. Non-compliance with this invitation or faulty information shall lead to a deduction of points or non-qualification. Any surplus of information not specific to the material requested will be penalized.

6. Requests for Clarification

Requests for further information or clarification should be addressed to the following person:

Solomiya Stefanyshyn, National Procurement and Financial Officer

Support to Nature Protected Areas in Ukraine

Project Office:

Shevchenka Str., 70, apt. 1, Lviv, 79039 Ukraine

Email: stefanyshyn@snpa.in.ua

Phone (office): +380 032 2330423

An information visit and Pre-Bid Meeting is foreseen. The Pre-Bid Meeting will take place at 12:00 (GMT+3) on 11-06-2019 at SNPA office address: Shevchenka Str., 70, apt. 1, Lviv, 79039 Ukraine. All applicants are strongly encouraged to participate in the Pre-Bid Meeting.

7. Submission of Prequalification Document

The Prequalification Document shall be submitted to the Head Office of the SNPA Project in Liviv, Ukraine, at the above mentioned address until 28-06-2019 (3 p.m.).

The Prequalification Document shall be delivered as a printed original marked as such, with two copies marked as such and one electronic version on CD-ROM.

All Prequalification Documents received after that deadline will be rejected automatically without being evaluated.

8. Evaluation of Prequalification Documents

The evaluation procedure for the prequalification process will be guided by the latest version of the “Assignment of Consultants: Guidelines for the Assignment of Consultants in Financial Cooperation with Partner Countries” (see Annex). Only financially capable firms with the technical capability which have submitted the necessary statements and other information (see above chapter on “Documents to be Submitted”) satisfying the set conditions will be evaluated. Specific evaluation criteria and their individual weight are presented in the following table:

Criteria	Maximum Score
1. Evidence of relevant experience gained by consultants during the past ten years (<i>experience of the firm</i>)	45
1.1 Experience in handling similar projects (ecologically sound projects, works related to nature protection, restoration of old buildings and structures, use of local and renewable material, interior and exterior design).	30
1.2 Experience with donor-funded projects	15
2. Suitability for this specific project (<i>experience of the available experts</i>)	45
2.1 Assessment of available technical expertise specific to this project (refer to the applicant’s key personnel working in the same field)	30
2.2 Assessment of the applicant’s personnel structure in regard to the tasks expected (refer both to the general firm presentation and to the table of short-term experts; assess the complementarity of the partners in the case of associations)	15
3. Form of the application documents (<i>clear, complete, concise, project related</i>)	10
Total score	100

Figure 3. Prequalification evaluation criterias

9. Various issues

The civil engineering company will work for the Ministry of Ecology and Natural Resources, under the control of AHT GROUP AG which acts in the name of MENR as Contracting Authority in implementing the SNPA Project. Tenderers will not be admitted to the procedure, if the bidder, a member of a consortium, or a subcontractor has economic links to MENR and/or is a state-controlled company in the partner country that is not legally or economically independent. Staff of the Ministry or subordinated organizations/agencies must not be included as part of a consultant’s or consortium’s team.

The prequalification procedure will assess only the capacities of the association (lead firm and associated partner firms) and will ignore information on possible subcontractors and other cooperation partners not belonging to the association.

The preparation and submission of the Prequalification Document is the responsibility of the applicant and no relief or consideration can be given for errors and omissions. All costs for a site visit, obtaining information/data and preparation/submission of the Prequalification Document, meetings, negotiations, etc. in relation with the prequalification or the subsequent proposal shall be borne by the applicant.

After having completed the evaluation of the Prequalification Documents, a shortlist consisting of up to five highest ranked civil engineering companies or less scoring a minimum of 70 points will be established. It is intended to establish the shortlist not later than four weeks after the submission date of the Prequalification Documents and to invite the successful applicants to

submit technical and financial proposals. Firms not prequalified will be informed accordingly. Detailed results of the evaluation will not be disclosed.

Neither MENR nor AHT GROUP AG are bound to select any consultant.

After opening the Prequalification Documents until preparation of the shortlist of the qualified applicants, no communication of any type shall be entertained unless called for by PA or KfW.

Annexes:

1. Qualification form (template)
2. Declaration of Undertaking (template)
3. Assignment of Consultants: KfW Guidelines for the Assignment of Consultants

ANNEX I**Qualification form**

(This Form must be submitted only using the Service Provider's Official Letterhead)

Date: _____

Ref. Number: IT- 2018-4-services-civil engineering

AHT GROUP AG**Project: "Support of Nature Protected Areas in Ukraine"**

BMZ Project Numbers: 2011.6612.3 and 2013.6588.1. financed from the loan funds provided by the Government of the Federal Republic of Germany through KfW pursuant to the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Federal Republic of Germany on Financial Cooperation (allocation 2011, 2012 and 2013) dated 10.05.2015, implemented by AHT GROUP AG (the leading partner of the consortium in association with WWF International Danube-Carpathian Programme, Frankfurt Zoological Society (FZS), and Ukrainian Society for the Protection of Birds (USPB))

A. Qualifications of the Service Provider

BRIEF COMPANY PROFILE	
The Service Provider must describe and explain how and why they are the best entity that can deliver the requirements of AHT GROUP AG by indicating the following:	
Full registration name	
Year of foundation	
Legal status	
Legal address	
Actual address	
Bank information (bank address, account numbers, SWIFT, BIC, etc.)	
VAT payer status	

Contact person name	
Contact person email	
Contact person phone	
Company/Organization's core activities	
Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations (If any);	Please indicate here
Business Licenses – Registration Papers, Tax Payment Certification, etc	EDRPOU, ID tax number Copies of State registration and Tax registration should be attached
Latest Audited Financial Statement or Financial results (2016 -2018) ¹	Copies of income statement and balance sheet to indicate Its financial stability, liquidity, credit standing
Track Record performed within the last 3 years	Please indicate here the List of clients for similar projects as those required by AHT GROUP AG, indicating description of contract scope, contract duration, contract value, contact references;
Certificates and Accreditation	Please indicate here applicable
Please provide contact details of at least 3 previous partners for reference	
Other relevant information	Declaration of Undertaking

B. Economic and financial capacity²

¹ If audited Financial statements are not available the tenderer should provide the statements verified by the stamp of the State Fiscal Service

Please complete the following table of financial data³ based on your annual accounts and your latest projections. If annual accounts are not yet available for the current year or past year, please provide your latest estimates in the columns marked with **. Figures in all columns must be calculated on the same basis to allow a direct, year-on-year comparison to be made (or, if the basis has changed, an explanation of the change must be provided as a footnote to the table). Any clarification or explanation which is judged necessary may also be provided.

Financial data	2 years before last year⁴ 2016, Euro	Year before last year 2017, Euro	Last year 2018, Euro	Average⁵ Euro
Annual turnover ⁶ , excluding this contract				
Current Assets ⁷				
Current Liabilities ⁸				
Current ratio (current assets/current liabilities)				

C. Experience

² Natural persons have to prove their capacity in accordance with the selection criteria and by the appropriate means.

³ If this application is submitted by a consortium, the data in the table above must be the sum of the data in the corresponding tables in the declarations provided by the consortium members — see point 7 of this tender form. Consolidated data are not requested for financial ratios.

⁴ Last year=last accounting year for which the entity's accounts have been closed.

⁵ Amounts entered in the 'Average' column must be the mathematical average of the amounts entered in the three preceding columns of the same row.

⁶ The gross inflow of economic benefits (cash, receivables, other assets) arising from the ordinary operating activities of the enterprise (such as sales of goods, sales of services, interest, royalties, and dividends) during the year.

⁷ A balance sheet account that represents the value of all assets that are reasonably expected to be converted into cash within one year in the normal course of business. Current assets include cash, accounts receivable, inventory, marketable securities, prepaid expenses and other liquid assets that can be readily converted to cash.

⁸ A company's debts or obligations that are due within one year. Current liabilities appear on the company's balance sheet and include short term debt, accounts payable, accrued liabilities and other debts.

Please complete a table using the format below to summaries the **major relevant projects** executed over the past 3 years⁹ by the legal entity or entities making this tender. The number of references to be provided must not exceed **5** for the entire tender.

Ref # (maximum 5)	Project title		...		
Name of legal entity	Country	Overall value (EUR) ¹⁰	Proportion executed by legal entity (%)	Dates	Name of client
...
Detailed description related services provided					
...					

D. Staff

Please provide the following statistics on staff for the current year and the two previous years.

Annual Manpower	Year before past year, 2016		Past year, 2017		Current year, 2018		Period average	
	Overall	Relevant fields ¹¹	Overall	Relevant fields ¹¹	Overall	Relevant fields ¹¹	Overall	Relevant fields ¹¹
Permanent staff ¹²								
Other staff ¹³								
Total								
Permanent staff as a proportion of total staff (%)	%	%	%	%	%	%	%	%

⁹ In the case of framework contracts (without contractual value), only specific contracts corresponding to assignments implemented under such framework contracts will be considered.

¹⁰ Amounts actually paid, without the effect of inflation.

Areas of specialization

Please fill in the table below to indicate any areas of specialist knowledge related to this contract for each legal entity making this tender. State the type of area of specialization as the row heading and use the name of the legal entity as the column headings. Indicate the areas of specialist knowledge each legal entity has by placing a tick (✓) in the box corresponding to the specialization in which it has significant experience. **Maximum 10 specializations.**

	Leader	Member 2	Member 3	Etc.
Relevant specialization 1				
Relevant specialization 2				
Etc.				

E. Model for Curriculum Vitae

The comprehensive Curriculum Vitae of the definitely assigned personnel shall be presented in the form as shown below:

1. Proposed Position:
2. Family name:
3. First names:
4. Date of birth:
5. Nationality:
6. Education:

Institution:	
Date: from (month/year) to (month/year):	
Degree(s) or Diploma(s) obtained:	

7. Language skills mark 1 (worst) to 5 (best) for competence:

Language	Reading	Speaking	Writing

8. Membership of professional bodies:

- 9. Other skills:
- 10. Present position:
- 11. Years within the firm:
- 12. Key qualifications (relevant to the Project):
- 13. Specific country and regional experience:

Country	Date: from (month/year) to (month/year)

- 14. Professional experience record (Projects):

Date: from (mm/yyyy) to (mm/yyyy)	
Location	
Company	
Position	
Description	

Date: from (mm/yyyy) to (mm/yyyy)	
Location	
Company	
Position	
Description	

15. Others (e.g. publications):

We understand that if we fail to respond within the delay after receiving the notification of award, or if the information provided is proved false, the award may be considered null and void.

Yours faithfully,

Signature of authorized representative of the legal entity

Name and position of authorized representative of the legal entity

ANNEX 2

Declaration of Undertaking

Reference name of the Application / Bid / Contract: IT- 2018-4-services-civil engineering

To: AHT GROUP AG

Project: "Support of Nature Protected Areas in Ukraine"

BMZ Project Numbers: 2011.6612.3 and 2013.6588.1. financed from the loan funds provided by the Government of the Federal Republic of Germany through KfW pursuant to the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Federal Republic of Germany on Financial Cooperation (allocation 2011, 2012 and 2013) dated 10.05.2015, implemented by AHT GROUP AG (the leading partner of the consortium in association with WWF International Danube-Carpathian Programme, Frankfurt Zoological Society (FZS), and Ukrainian Society for the Protection of Birds (USPB)

1. We recognise and accept that KfW ("KfW") only finances projects of the Contracting Authority subject to its own conditions which are set out in the contractual agreements it has entered into with the Contracting Authority. As a matter of consequence, no legal relationship exists between KfW and our company, our joint venture or our subcontractors, suppliers or subconsultants. The Contracting Authority retains exclusive responsibility for the preparation and implementation of the procurement process and performance of the contract. The Contracting Authority means the Purchaser, the Employer, the Client or the Project Executing Agency as the case may be, for the procurement of goods, works, plants, consulting services or non-consulting services.
2. We hereby certify that neither we nor any of our board members or legal representatives nor any other member of our joint venture or – in the case of being awarded a contract - any of our subcontractors, suppliers or subconsultants are in any of the following situations:
 - 2.1) Being bankrupt, wound up or ceasing our activities, having our activities administered by the courts, having entered into receivership, reorganisation or being in any analogous situation arising from any similar procedure;
 - 2.2) Having been:
 - a. convicted, within the past five years by a court decision, which has the force of *res judicata* in the country where the Contract is implemented, of fraud, corruption or of any other offense committed during a procurement process or performance of a contract (*in the event of such conviction, the applicant or bidder shall attach to this Declaration of Undertaking supporting information showing that this conviction is not relevant in the context of this Contract and that adequate compliance measures have been taken in reaction*);
 - b. subject to an administrative sanction within the past five years by the European Union or by national authorities either in the country of the Contracting Authority or of KfW, for fraud, corruption or for any other offense committed during a procurement process or performance of a contract (*in the event of such sanction, the applicant or bidder shall attach to this Declaration of Undertaking supporting information showing that this sanction is not relevant in the context of this Contract and that adequate compliance measures have been taken in reaction*);

- c. convicted, within the past five years by a court decision, which has the force of *res judicata*, of fraud, corruption or of any other offense committed during the procurement process or performance of an KfW-financed contract;
- 2.3) Being listed for financial sanctions by the United Nations, the European Union and/or Germany for the purposes of fight-against-terrorist financing or threat to international peace and security. This criterion of exclusion is also applicable to legal persons, whose majority of shares are held or factually controlled by a listed natural or legal person;
- 2.4) Having been subject within the past five years to a contract termination fully settled against us for significant or persistent failure to comply with our contractual obligations during contract performance, unless this termination was challenged and dispute resolution is still pending or has not confirmed a full settlement against us;
- 2.5) Not having fulfilled our fiscal obligations regarding payments of taxes in accordance with the legal provisions of either the country where we are constituted or the Contracting Authority's country;
- 2.6) Being subject to an exclusion decision of the World Bank or any other international development financing institution and being listed on the website <http://www.worldbank.org/debarr> respectively the relevant list of any other international development financing institution (*in the event of such exclusion, the applicant or bidder shall attach to this Declaration of Undertaking supporting information showing that this exclusion is not relevant in the context of this Contract and that adequate compliance measures have been taken in reaction*);
- 2.7) Having created false documents or committed misrepresentation in documentation requested by the Contracting Authority as part of the procurement process of this Contract.
3. We hereby certify that neither we, nor any of the members of our joint venture or any of our subcontractors, suppliers or subconsultants are in any of the following situations of conflict of interest:
- 3.1) Being an affiliate controlled by the Contracting Authority or a shareholder controlling the Contracting Authority, unless the stemming conflict of interest has been brought to the attention of KfW and resolved to its satisfaction;
- 3.2) Having a business or family relationship with a Contracting Authority's staff involved in the procurement process or the supervision of the resulting Contract, unless the stemming conflict of interest has been brought to the attention of KfW and resolved to its satisfaction;
- 3.3) Being controlled by or controlling another bidder or consultant, or being under common control with another bidder or consultant, or receiving from or granting subsidies directly or indirectly to another bidder or consultant, having the same legal representative as another bidder or consultant, maintaining direct or indirect contacts with another bidder or consultant which allows us to have or give access to information contained in the respective applications, bids or proposals, influencing them or influencing decisions of the Contracting Authority;
- 3.4) Being engaged in a consulting services activity, which, by its nature, may be in conflict with the assignments that we would carry out for the Contracting Authority;
- 3.5) In the case of procurement of goods, works or plants:

- a. Having prepared or having been associated with a consultant who prepared specifications, drawings, calculations and other documentation to be used in the procurement process of this Contract;
 - b. Having been recruited (or being proposed to be recruited) ourselves or any of our affiliates, to carry out works supervision or inspection for this Contract;
4. If we are a state-owned entity, and compete in a procurement process, we certify that we have legal and financial autonomy and that we operate under commercial laws and regulations.
5. We undertake to bring to the attention of the Contracting Authority, which will inform KfW, any change in situation with regard to points 2 to 4 here above.
6. In the context of the procurement process and performance of the corresponding contract:
 - 6.1) We have not and we will not engage in any dishonest conduct (act or omission) deliberately intended to deceive others, to intentionally conceal items, to violate or vitiate someone's consent, to make them circumvent legal or regulatory requirements and/or to violate their internal rules in order to obtain illegitimate profit.
 - 6.2) We have not and we will not engage in any dishonest conduct (act or omission) contrary to our legal or regulatory obligations or our internal rules in order to obtain illegitimate profit;
 - 6.3) We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to (i) any Person who holds a legislative, executive, administrative or judicial mandate within the State of the Contracting Authority regardless of whether that Person was nominated or elected, regardless of the permanent or temporary, paid or unpaid nature of the position and regardless of the hierarchical level the Person occupies, (ii) any other Person who performs a public function, including for a State institution or a State-owned company, or who provides a public service, or (iii) any other person defined as a Public Officer by the national laws of the Contracting Authority's country, an undue advantage of any kind, for himself or for another Person or entity, for such Public Officer to act or refrain from acting in his official capacity;
 - 6.4) We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to any Person who occupies an executive position in a private sector entity or works for such an entity, regardless of the nature of his/her capacity, any undue advantage of any kind, for himself or another Person or entity for such Person to perform or refrain from performing any act in breach of its legal, contractual or professional obligations;
 - 6.5) We have not and we will not engage in any practice likely to influence the contract award process to the detriment of the Contracting Authority and, in particular, in any anti-competitive practice having for object or for effect to prevent, restrict or distort competition, namely by limiting access to the market or the free exercise of competition by other undertakings;
 - 6.6) Neither we nor any of the members of our joint venture or any of our subcontractors, suppliers or subconsultants shall acquire or supply any equipment nor operate in any sectors under an embargo of the United Nations, the European Union or Germany;
 - 6.7) We commit ourselves to comply with and ensure that our subcontractors, suppliers, in particular those for major supply items, or consultants comply with international environmental and labour standards, consistent with laws and regulations applicable in the country of implementation of the Contract and the fundamental conventions of the International Labour

Organisation¹¹ (ILO) and international environmental treaties. Moreover, we shall implement environmental and social risks mitigation measures when specified in the relevant environmental and social management plans provided by the Contracting Authority.

7. We, as well as all members of our joint venture and our subcontractors, suppliers or subconsultants will provide information and authorise KfW or an agent appointed by KfW to inspect on site accounts, records and other documents relating to the entire procurement and award process and – in the case of being awarded a contract – the execution of the contract and to have them audited by auditors or agents appointed by KfW.

Name: _____

In the capacity of:

Duly empowered to sign in the name and on behalf of¹²:

Signature:

Dated:

¹¹ In case ILO conventions have not been fully ratified or implemented in the Employer's country the Applicant / Bidder / Contractor shall, to the satisfaction of the Employer and KfW, propose and implement appropriate measures in the spirit of the said ILO conventions with respect to a) workers grievances on working conditions and terms of employment, b) child labour, c) forced labour, d) worker's organisations and e) non-discrimination.

¹² In case of joint venture, insert the name of the joint venture. The person who will sign the application, bid or proposal on behalf of the applicant, bidder or consultant shall attach a power of attorney from the applicant, bidder or consultant.

KFW Guidelines for the Assignment of Consultants