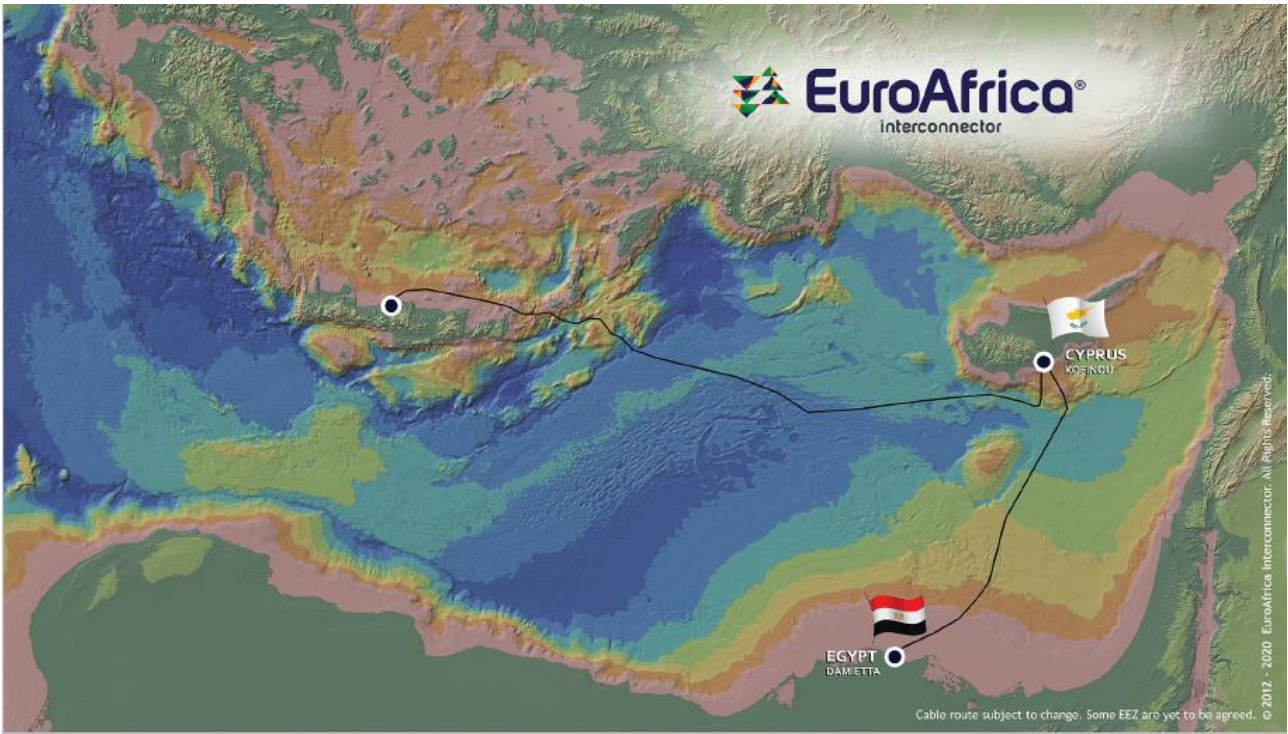


Invitation to Submit Request to Participate in Negotiated Procedure with Prior Call for Competition



*For the Tender with Title
"Engineering, Procurement, Construction and Installation of
the VSC Converter Station for the EuroAfrica Interconnector"*

Tender No. 162573-2020

Final Date for the Submission of Requests to Participate:
07 May 2020 at 13:00 CET

*A Contract Notice has been published in the Official Journal of the European
Union on 06 April 2020 with Publication No. 2020/S 068-162573*

جسر الصداقة والازدهار

EUROAFRICA INTERCONNECTOR LIMITED

Corporate Headquarters, Quantum House, 25 Philippou Str., 2363 Ayios Dometios, P.O.Box 22493, 1522 Nicosia - Cyprus, Tel. +357 22792100, Fax +357 22792110

www.euroafrica-interconnector.com

TABLE OF CONTENTS

Invitation to Submit Request to Participate	1
Definitions in this Document.....	1
Article 1: Tender Information.....	5
1. Details of the Contracting Entity	5
2. Responsible Contact Person of the Contracting Entity	5
3. Tender Procedure	5
4. Tender Stages.....	5
5. Deadline for the Submission and Opening of Requests to Participate	6
6. Language.....	6
7. Submission of Comments, Questions and Recommendations.....	6
8. Guarantees	6
9. Estimated Value of the Contract	6
10. Award Criteria.....	7
Article 2: Object, Place, Description and Essential Characteristics of the Project	7
1. Object of the Contract	7
2. Description of the Project	7
3. Place of Execution of the Contract	7
Article 3: Eligibility and Requirements for Participation.....	7
1. Eligibility for Participation.....	7
2. Participation Proportion for Consortia	7
3. Legal Form for Consortia	8
4. Unique Participation Requirement	8
5. Subcontractors	8
6. Legal Requirements	8
7. Consortia Requirements	10
8. Other Entities	10
9. Economic and Financial Requirements.....	10
10. Disposal of Resources	11
11. Cumulativeness of the Economic and Financial Requirements	11
Article 4: Technical and Professional Ability.....	11
1. Technical and Professional Requirements	11
2. Cumulativeness of the Technical and Professional Requirements	11
3. Quality Assurance Certification Requirements	11
4. Relying on other Entities.....	12
5. Maximum Number of Tenderers	12
Article 5: Format and Submission of Requests to Participate	12
1. Deadline for Submission of Requests to Participate	12
2. Submission of Requests to Participate	12
3. Submission after the Deadline	13
4. Participation Credentials Sub-folder	13
5. Supporting Documents	15
6. Clarifications on the Supporting Documents	15
7. Manner, Order, Numbering and Format of the Requests to Participate.....	15

8.	Cover Page Requirements	15
9.	Irregular Corrections	15
10.	Documents to be Submitted	15
11.	Other Formats	16
12.	Forms / Declarations Requirements	16
13.	Modification or withdrawal of Requests to Participate	16
14.	Amendments after the Submission Deadline	16
15.	Withdrawal after the Submission Deadline	16
Article 6: Procedure for the Pre-qualification of Candidates		16
1.	Opening and Evaluation Committee	16
2.	Opening of the Requests to Participate	17
3.	Numbering of the Requests to Participate	17
4.	Validation of the Cover Page and the Request to Participate Form	17
5.	Verification of Submitted Documents	17
6.	Rejection of Requests to Participate	17
7.	Qualification of Candidates	17
8.	Notification of Qualified Candidates	17
9.	Cancellation / Notification of Unsuccessful Candidates	17
10.	Disqualified Candidates	18
11.	Cancellation of the Tender Procedure	18
12.	Claims for Cancellation	18
13.	Suspension	18
Article 7: Legal Framework		18
1.	Legal Framework	18
Article 8: General Rules		18
1.	Eligibility for Participation	18
2.	Applicable Laws, Acts and Regulations	18
3.	Insignificant Deviations	19
4.	Attempt to Influence the Procedure	19
5.	Exclusion from Participation	19
6.	Appeals Procedure	19
7.	Data Protection	20
Appendix I: Forms		21
Appendix II: Contract Notice		30

INVITATION TO SUBMIT REQUEST TO PARTICIPATE

EuroAfrica Interconnector Limited invites all Economic Operators to submit a Request to Participate in a “Negotiated Procedure with Prior Call for Competition” for the award of the contract with object:

**“Engineering, Procurement, Construction and Installation
of the VSC Converter Station for the EuroAfrica Interconnector”**

The tender procedure will reflect the principles of Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 for “Negotiated Procedures with Prior Call for Competition” and of the applicable legislation of the Republic of Cyprus. A Contract Notice for the above-mentioned tender has been published on Tenders Electronic Daily (TED) of the Official Journal of the European Union on 06 April 2020 with Publication No. 2020/S 068-162573 (short version 162573-2020).

EuroAfrica Interconnector Limited is the project promoter of the EuroAfrica Interconnector project that will link the electrical systems of Egypt and Cyprus, creating a reliable energy bridge between the continents of Africa and Europe.

This Invitation provides supplementary information to the Contract Notice published on TED that can be found in Appendix II of this Invitation and further clarifies the requirements for participation and the information to be submitted by the Economic Operators with their Requests to Participate.

The total Estimated Value of the Contract is two hundred and seventy million euro (EUR 270.000.000,00). This amount does not include Value Added Tax (VAT) and it does not constitute the upper bid limit.

DEFINITIONS IN THIS DOCUMENT

In this Invitation, the words with capital letters shall have the following meaning. Definitions can be used in singular or plural.

AWARD DECISION

The decision issued by the Contracting Entity, whereby the Contract is awarded to the selected Tenderer.

AWARD STAGE

The second stage of the tender procedure, where qualified Candidates will be invited to negotiate and submit a Tender.

CANDIDATE

Any Interested Economic Operator who submits a Request to Participate.

CLARIFICATION

Clarification on the submitted certificates and/or alternative credentials, or even completion of information which are missing due to the failure of submit the required certificates, provided that they were held by the tenderer before the date of submission of tenders. During the evaluation process the Contracting Entity may request such clarification.

CONTRACT

The contract between the Contracting Entity and the Contractor, which is the subject of this tender procedure and which is concluded after the announcement of the Award Decision.

CONTRACT NOTICE

The contract notice published in the Official Journal of the European Union on 06 April 2020 with Publication No. 2020/S 068-162573 (short version 162573-2020).

CONTRACT SCOPE

The provision of the engineering, procurement, construction and installation of the VSC Converter Station in Egypt for the EuroAfrica Interconnector falling under category 31682540 of the CPV classification, as will be identified in detail in the Tender Documents.

CONTRACTING ENTITY

EuroAfrica Interconnector Limited
Corporate Headquarters
Quantum House: 25, Philippou Street
CY-2363 Ayios Dometios
Nicosia, Cyprus
T: +357 22 792 100
www.euroafrica-interconnector.com

CONTRACTOR

The Tenderer to be selected to enter into a Contract with the Contracting Entity, in the manner, under the terms and in accordance with the procedure that will be described in the Tender Documents.

ECONOMIC OPERATOR

Any natural or legal persons (governed by public or private law) or consortia of natural and/or legal persons.

ESTIMATED VALUE

The potential cost of the Contract, estimated by the Contracting Entity, exclusive of VAT, including any form of options and any renewals of the Contract, as explicitly set out in the Tender Documents.

INTERESTED ECONOMIC OPERATOR

Any Economic Operator who is registered in the System.

INVITATION

This document, namely the “Invitation to Submit Request to Participate in Negotiated Procedure with Prior Call for Competition” for the tender with title “Engineering, Procurement, Construction and Installation of the VSC Converter Station for the EuroAfrica Interconnector” including its Annexes and which may be downloaded from www.euroafrica-interconnector.com/procurement.

PRE-QUALIFICATION STAGE

The first stage of the tender procedure, where Economic Operators are invited to submit a Request to Participate in order to qualify to the second stage – the Award Stage.

REPRESENTATIVE

The person representing the Candidate, in the circumstances and manner provided for in the Invitation.

REQUEST TO PARTICIPATE

The folder containing the required documents to be submitted by the Interested Economic Operator, as described in the Invitation, in order to be evaluated for qualification to the Award Stage of the tender process.

SYSTEM

The electronic platform for communication and the submission of Requests to Participate. The Economic Operators shall request access to the System used for this Pre-qualification Stage via e-mail to the responsible contact person of the Contracting Entity. See detailed instructions in in Article 5(2).

TENDER

The written proposal for the implementation of the Contract Scope, including commercial, technical and further documents, prepared and submitted by the Tenderer in the manner and under the terms described in the Tender Documents.

TENDER DOCUMENTS

The documents relating to the Award Stage and which will be provided to the qualified Candidates.

TENDERER

Any qualified Candidate, who has submitted a Tender.

Article 1: Tender Information

1. Details of the Contracting Entity

EuroAfrica Interconnector Limited

Address: Corporate Headquarters
Quantum House: 25, Philippou Street
CY-2363 Ayios Dometios
Nicosia, Cyprus

T: +357 22 792 100

www.euroafrica-interconnector.com

2. Responsible Contact Person of the Contracting Entity

Marios Efthyvoulou
Procurement Director

T: +357 22 792 100

E-mail: mefthyvoulou@euroafrica-interconnector.com

All communication shall have as Subject: **“Engineering, Procurement, Construction and Installation of the VSC Converter Station for the EuroAfrica Interconnector”**

3. Tender Procedure

For the purposes of awarding this Contract, the Contracting Entity has issued a Contract Notice for a “Negotiated Procedure with Prior Call for Competition”, reflecting the principles of Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 and of the applicable legislation of the Republic of Cyprus.

4. Tender Stages

The tender procedure will take place in two stages:

- a. Pre-qualification Stage: Invitation to all Economic Operators to submit a Request to Participate in order to qualify to the Award Stage of the process. The evaluation of Candidates will be performed according to the process and selection criteria described in this Invitation.
- b. Award Stage: Invitation to all qualified Candidates to negotiate and submit a Tender. Details of the Tender evaluation and negotiation process will be provided in the Procurement Documents that will be provided to the qualified Candidates only. The Contracting Entity reserves the right to organize the Award Stage in one or more rounds.

5. **Deadline for the Submission and Opening of Requests to Participate**

The deadline for the submission of Requests to Participate is Thursday, 07 May 2020 at 13:00 CET.

6. **Language**

The language used in this tender procedure is the English language. Unless the Contracting Entity indicates otherwise, all the documents that the Interested Economic Operators submit to the Contracting Entity, including the Requests to Participate, must be drawn up in English.

Official documents to be submitted by the Interested Economic Operators that are not available in English must be submitted in the original language accompanied by a translation. The Candidates are responsible for possible errors in the translation.

7. **Submission of Comments, Questions and Recommendations**

Interested Economic Operators may submit any clarification requests, recommendations, comments and/or remarks regarding the terms of the Invitation via the System, at the latest by Friday, 27 April 2020 at 13:00 CET.

As long as any clarification requests, recommendations, comments and/or remarks are requested in accordance with the above, the Contracting Entity intends to respond no later than seven (7) calendar days before the final date for submission of the Request to Participate. If necessary, the deadline for receipt of completed Requests to Participate will be extended.

The relevant decisions of the Contracting Entity, which shall be considered as an integral part of this Invitation, will be notified by way of supplementary documents to the Interested Economic Operators and Candidates via the System. Other than such written communication between the Economic Operators and the Contracting Entity, no other communication or interpretation of the terms of the Invitation by any party shall be binding on the Contracting Entity. No amendments shall be made to the Request to Participate documentation by the Candidates.

8. **Guarantees**

Submission of guarantees is not required during the Pre-qualification Stage. The participation guarantee required during the Award Stage, as well as any other guarantees that will be required during the tender process and/or from the awarded Tenderer/Contractor will be defined in the Tender Documents that will be provided to qualified Candidates.

9. **Estimated Value of the Contract**

The total Estimated Value of the Contract for the execution of the Contract Scope is six hundred and fifty million euro (EUR 270.000.000,00). This amount does not include VAT and it does not constitute the upper bid limit.

10. Award Criteria

Price is not the only award criterion and all criteria will be defined in the Tender Documents that will be provided to qualified Candidates.

Article 2: Object, Place, Description and Essential Characteristics of the Project

1. Object of the Contract

The object of the contract is “Engineering, Procurement, Construction and Installation of the VSC Converter Station for the EuroAfrica Interconnector”.

2. Description of the Project

EuroAfrica Interconnector is a VSC-HVDC scheme which will connect Egypt with Cyprus. It will allow the bidirectional transfer of 1000MW (Stage 1) between converter stations. The envisaged voltage level will be ± 400 kV or more.

This Tender encompasses the Engineering, Procurement, Construction and Installation of the VSC Converter Station in Egypt for the EuroAfrica Interconnector.

3. Place of Execution of the Contract

The place of execution of the Contract(s) shall be Cyprus and Egypt.

Article 3: Eligibility and Requirements for Participation

1. Eligibility for Participation

Eligible for participation in the present tender procedure are all Economic Operators meeting the legal, financial, technical and other requirements provided in this Invitation.

2. Participation Proportion for Consortia

Economic Operators who are consortia of natural and/or legal persons may jointly participate in the present tender procedure, under the condition that the participation proportion of each person of the consortium is clearly stated in the Request to Participate.

3. Legal Form for Consortia

Consortia are not obliged to take a specific legal form in order to participate in the tender procedure. However, if applicable, the awarded Consortium will be requested to take a specific legal form before the signing of the Contract. Interested Economic Operators should note that the Awarded Tenderer may be required to enter into an Interface Agreement with the Awarded Tenderers of the other procurement procedures related to the implementation of the EuroAfrica Interconnector as these are defined in Article 2(2).

4. Unique Participation Requirement

Every natural or legal person (governed by public or private law) may participate in the tender procedure either individually or in one consortium only.

It is noted that any natural or legal person (governed by public or private law) may not, under any circumstances, participate in more than one Requests to Participate for the same tender procedure.

5. Subcontractors

To implement the Contract Scope, the Candidates may use subcontractors. It is understood that in the event the Interested Economic Operator intends to subcontract to third parties and any proposed subcontractors any share of the Contract, the Interested Economic Operator, in preparing his Request to Participate, has been informed whether the same subcontractor participates in any way whatsoever in another Request to Participate in the same tender procedure.

Qualified Candidates will have to indicate in their Tenders the specific part of the contract that they intend to subcontract to third parties and any proposed subcontractors. This indication shall be without prejudice to the question of the Tenderer's liability.

6. Legal Requirements

To participate in the tender procedure, Candidates must meet the following requirements concerning their personal situation:

- a. They must not have been found guilty, convicted by final judgement and neither have admitted:
 - participation in a criminal organisation (as defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime),

- corruption (as defined in Article 3 of the Convention of the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA),
- fraud (within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities of 27/11/1995),
- terrorist offences or offences linked to terrorism (as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism) or inciting, aiding or abetting an offence as defined in Article 4 of the aforementioned Decision,
- money laundering or terrorist financing, (as defined in Article 2 of the national laws for the Prevention and Suppression of Money Laundering and Terrorist financing (laws of 2007 - 2016)),
- child labour and other forms of trafficking in human beings (in accordance with Article 2 of the Law 60(I) of 2014 of the Republic of Cyprus on the Prevention, Fighting against Trafficking in and Exploitation of Human Beings and Protection of Victims).

It is noted that the obligation of the Contracting Entity to exclude Economic Operators from the procurement procedure is also applicable if the person found guilty, convicted by final judgement or having admitted any of the above, is a member of an administrative, management or supervisory body of the Economic Operator or has powers of representation, decision or control therein.

- b. They must not be in breach of their obligations relating to the payment of taxes or social security contributions as at the closing date for the submission of Tenders, where these have been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of the Republic of Cyprus or with those of the country where they are established.

It is noted that the Contracting Entity can exclude an Economic Operator from participation in the procurement procedure where it can demonstrate by any appropriate means that the Economic Operator is in breach of its obligations relating to the payment of taxes or social security contributions.

- c. They must not be bankrupt or the subject of insolvency or winding-up proceedings, their assets must not have administered by a liquidator or by the court, they must not be in an arrangement with creditors, their business activities must not be suspended, and they must not be in any analogous situation arising from a similar procedure under the applicable national laws and regulations of the Republic of Cyprus.

- d. They must not be guilty of grave professional misconduct including, but not limited to, violations of competition rules or of intellectual property rights, which renders them unreliable and their integrity questionable, as this can be demonstrated by the Contracting Entity by appropriate means.
- e. They must not have entered into agreements with other Economic Operators aimed at distorting competition, where the Contracting Entity has reasonably plausible indications to conclude so.
- f. They must not have a conflict of interest that cannot be effectively remedied without excluding them from participation in the tender procedure.
- g. They must not have distorted the competition from the prior involvement in the preparation of the procurement procedure, unless this can be effectively remedied without excluding them from participation in the tender procedure.
- h. They must not have shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity or a prior concession contract which led to early termination of that prior contract, damages or other comparable sanctions.
- i. They must not be guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, must not have withheld such information or are not able to submit the supporting documents required.

7. Consortia Requirements

It is understood that if the Candidate is a consortium of natural and/or legal persons, the requirements of Article 3(6) must be met by all consortium members.

8. Other Entities

The same requirements of Article 3(6) must be met by the entities whose capacities the Candidate is invoking, within the meaning of Articles 3(10) and 4(4).

9. Economic and Financial Requirements

To participate in the tender procedure, Candidates must meet the following requirement concerning their economic and financial standing:

Their average annual turnover for the last three (3) financial years must be at least equal to one hundred million euro (EUR 100.000.000,00).

10. Disposal of Resources

A Candidate may rely on the capacities of other entities, regardless of the legal nature of the links it has with them, in order to fulfil the requirements of Article 3(9). In such a case, he must be able to prove to the Contracting Entity that he shall have at his disposal the resources necessary including, but not limited to, by delivery of an adequate commitment by those entities to that effect.

It is noted that where a Candidate relies on the capacities of other entities with regards to criteria relating to economic and financial standing, the Contracting Entity may require that the Candidate and those entities be jointly liable for the execution of the Contract.

11. Cumulativeness of the Economic and Financial Requirements

It is understood that if the Candidate is a consortium of natural and/or legal persons, it is sufficient for the requirements of Article 3(9) to be met cumulatively by the consortium members.

Article 4: Technical and Professional Ability

1. Technical and Professional Requirements

To participate in the tender procedure, Candidates must meet the following requirements concerning their technical and professional ability:

They must have successfully completed at least two VSC HVDC converter stations in different interconnection projects, rated at or above 500 MVA and at or above ± 200 kV DC since 2014. The term 'completion' shall mean that the implementation of the related HVDC interconnector projects are at least 60% complete in terms of the amount disbursed with respect to the total value of the projects, as of the date of submission of the Request to Participate.

2. Cumulativeness of the Technical and Professional Requirements

It is understood that if the Candidate is a consortium of natural and/or legal persons, it is sufficient for the requirements of Article 4(1) to be met cumulatively by the consortium members.

3. Quality Assurance Certification Requirements

Candidates should be certified in accordance with the CYS EN ISO 9000 series of Cyprus standards, by a recognised Institute or Organisation, for the provision of works and services

similar to those put out to tender, or hold some other equivalent certification issued by Organisations having their registered office in Member States of the European Union, or other proof of the existence of equivalent quality assurance measures for the works and services that they provide. It is understood that if the Candidate is a consortium of natural and/or legal persons, this requirement must be met by all consortium members.

4. Relying on other Entities

A Candidate may rely on the capacities of other entities, regardless of the legal nature of the links it has with them, in order to fulfil the requirements of Article 4(1). In such a case, he must be able to prove to the Contracting Entity that he shall have at his disposal the resources necessary including, but not limited to, by delivery of an adequate commitment by those entities to that effect.

5. Maximum Number of Tenderers

All Candidates who qualify will be invited to participate in the next stage of the process, i.e. the Award Stage.

Article 5: Format and Submission of Requests to Participate

1. Deadline for Submission of Requests to Participate

Interested Economic Operators must submit their Requests to Participate no later than the deadline for the submission of Requests to Participate specified in Article 1(5).

2. Submission of Requests to Participate

The Invitation to Submit Request to Participate is available for unrestricted and full direct access, free of charge, at www.euroafrica-interconnector.com/procurement.

Requests to Participate should be submitted via the System on or before the date specified for the submission of Requests to Participate in Article 1(5). The Economic Operators that wish to submit a Request to Participate must request access to the System used for this tender procedure by sending an e-mail to the responsible contact person of the Contracting Entity as defined in Article 1(2), mentioning the name of the Economic Operator, address, VAT number, contact name, e-mail and telephone of the contact person. In case the Economic Operators is a consortium of natural and/or legal persons, the leader of the consortium shall be indicated, and the above information shall be provided for each member of the consortium.

Information to access the System will be provided by return of an e-mail. Applicants are advised to request this access as soon as possible as granting access to the System requires at least two (2) working days.

3. Submission after the Deadline

The responsibility for timely reception of Requests to Participate rests with the Economic Operators. Requests to Participate that have not been received by the deadline specified in Article 1(5) shall be excluded.

4. Participation Credentials Sub-folder

The Request to Participate folder in the Pre-qualification Stage should contain the "Participation Credentials" sub-folder. This sub-folder contains the legalisation documents establishing the right of the Interested Economic Operator to participate in the tender procedure pursuant to Articles 3 and 4 and, in particular, comprises the following:

- a. For certifying the eligibility for participation in accordance with Article 3(1)-(5), the following:
 - If the Candidate is a legal person, proof of its establishment.
 - If the Candidate is a consortium of natural and/or legal persons, the above supporting documents should be submitted for each legal person participating in the consortium. A Cooperation Agreement, signed by all participants in the consortium, should also be submitted, stating:
 - i. The intention of each participant to participate in the consortium;
 - ii. The participation proportion of each member in the consortium;
 - iii. The consortium member to act as the leader of the consortium; and
 - iv. The person appointed as Representative of the consortium.
- b. For certifying the Candidate's Personal Situation, the EuroAfrica-ESPD (European Single Procurement Document) duly completed and signed. Further information regarding the EuroAfrica-ESPD Form are provided in Appendix I of this Invitation (Form 2).
- c. For certifying the Economic and Financial Standing of the Candidate which is required based on Article 3(9),(10),(11), the relevant table, a template for which is provided in Appendix I of this Invitation (Form 3), duly completed and accompanied by copies or extracts of the audited financial statements for the last three (3) financial years, where the Candidate is obliged to publish audited financial statements (where the publication of

audited financial statements is required under the company laws of the country where the Candidate is established) or a Statement of the respective required financial data where the latter is not obliged to publish audited financial statements.

- d. For certifying the technical and professional ability of the Candidate in accordance with Article 4, the following:
- i. A list of contracts, showing that the participation requirements specified in Article 4(1) are met, which should be in the format of the template provided in Appendix I of this Invitation (Form 4).
 - ii. Information documenting the successful implementation of the contracts of Article 4(1) as follows:
 - If the employer is a public entity, a relevant certificate issued by the competent public authority.
 - If the employer is a private entity, a certificate from that private entity or, failing this, a simple declaration by the Candidate in which the data of the contact person at the entity where the contract was executed must be given.
 - iii. A certificate issued by an independent organisation, attesting the compliance of the Candidate with a quality assurance standard based on the CYS EN ISO 9000 series of Cyprus standards, or other equivalent certifications issued by bodies established in other Member States of the European Union, or other evidence of equivalent quality assurance measures.
- e. If the Candidate relies on the capacities of other entities, submission of the following supporting documents is required:
- i. Declarations by these entities, whereby they shall guarantee to the Contracting Entity that, should the Candidate be appointed Contractor, they shall place at its disposal the necessary resources as appropriate (Form 6).
 - ii. The declaration of Article 5(4)(b).

It is understood that in such a case, the supporting documents of Article 5(4)(c) and (d) should also include the documents concerning these entities, depending on the resources made available.

- f. Certification regarding the protection of employees, in the format of the template provided in Appendix I of this Invitation (Form 5).

Interested Economic Operators may obtain information on the obligations deriving from the provisions of the legislation on the protection of the employees and on working

conditions currently in force in the Republic of Cyprus and applicable to the place of execution of the Contract Scope as specified in Article 2(3), from the Website of the Department of Labour Inspection of the Republic of Cyprus (www.mlsi.gov.cy/dli). Interest Economic Operators are responsible to obtain the relevant information applicable to the other places of execution of the Contract Scope as specified in Article 2(3).

5. Supporting Documents

Candidates must submit scanned documents of the originals of the supporting documents required or photocopies thereof.

6. Clarifications on the Supporting Documents

The Contracting Entity may request Clarifications from Candidates. In this case, the Candidates are obliged, under penalty of disqualification, to supply such missing information within five (5) working days from the day on which they are requested to do so.

7. Manner, Order, Numbering and Format of the Requests to Participate

The Requests to Participate must be drawn up in the language specified in Article 1(6) and in the manner, order, numbering and format determined in the present Invitation and be submitted via the System.

8. Cover Page Requirements

The cover page of the Request to Participate must be clearly marked with the following:

- The words "REQUEST TO PARTICIPATE" in block capitals.
- The full title of the Contracting Entity.
- The reference number of the tender procedure.
- The title of the tender procedure.
- The closing date for the submission of Requests to Participate.
- The sender's contact information

9. Irregular Corrections

The Requests to Participate must not bear any irregular corrections (erasures, deletions, additions etc.). If there are corrections, additions etc., these should be initialled by the Candidate or its Representative.

10. Documents to be Submitted

The Request to Participate contains all documents as follows:

- a. The cover page as defined in Article 5(8).

- b. The Request to Participate Form, fully completed and signed by the Candidate or its Representative, in the format of the template provided in Appendix I of this Invitation (Form 1).
- c. "Participation Credentials" sub-folder, containing the legalisation documents and all other necessary supporting documents for participation in the tender procedure.

Every page of the submitted documents must be initialled by the Candidate or its Representative.

11. Other Formats

Any other format used to draw up the Requests to Participate shall not be acceptable and such Requests shall be rejected as inadmissible.

12. Forms / Declarations Requirements

All requested Forms / Declarations should be signed by an authorised person.

13. Modification or withdrawal of Requests to Participate

Candidates may modify or withdraw their Requests to Participate via the System before the closing date for the submission of Requests to Participate.

14. Amendments after the Submission Deadline

With the exception of the provisions of Article 5(6), no clarification, modification or rejection by the Candidates of a term or item of the Requests to Participate shall be allowed after the closing date for their submission.

15. Withdrawal after the Submission Deadline

Candidates do not have the right to withdraw their Requests to Participate or any part thereof after the closing date for the submission of Requests to Participate. If a Request to Participate or any part thereof is withdrawn after this date, the Candidate is declared as default and is deprived of all of its rights to submit a Tender in response to the present tender procedure.

Article 6: Procedure for the Pre-qualification of Candidates

1. Opening and Evaluation Committee

The Contracting Entity establishes an Opening/Evaluation Committee which, within the powers granted to it, undertakes and handles matters concerning the verification of the Requests to Participate.

2. Opening of the Requests to Participate

Opening of the Requests to Participate submitted within the specified time limit, shall be carried out by authorised persons only.

3. Numbering of the Requests to Participate

The Opening/Evaluation Committee shall number the Requests to Participate and shall enter them in a special form.

4. Validation of the Cover Page and the Request to Participate Form

The Opening/Evaluation Committee shall open the "Request to Participate" folder and shall check the correctness and completeness of the cover page and of the Request to Participate Form (Form 1).

5. Verification of Submitted Documents

After the opening of the "Participation Credentials" sub-folder, the Opening/Evaluation Committee shall verify the correctness and completeness of the submitted supporting documents and the fulfilment of the requirements for participation, as per the specific provisions of Articles 3 and 4 and shall enter the results of this verification in a special form.

6. Rejection of Requests to Participate

If the verification procedure establishes that there are Requests to Participate which do not meet the requirements for participation as required by this Invitation, then the Contracting Entity, through its Opening/Evaluation Committee, shall reject these Requests to Participate.

7. Qualification of Candidates

The Candidates who, after the verification of Article 6(5), are found to meet the requirements for participation, shall qualify to participate in the next stage of the tender procedure, namely the Award Stage.

8. Notification of Qualified Candidates

The Contracting Entity shall inform the qualified Candidates of the results of the Pre-qualification Stage of the tender procedure and shall invite them to participate in the Award Stage of the tender procedure.

9. Cancellation / Notification of Unsuccessful Candidates

The Contracting Entity shall inform all Interested Economic Operators and Candidates, in the event that the tender procedure is cancelled. In all other cases the Contracting Entity shall notify the unsuccessful Candidates of the decision taken and of the reasons for it.

10. Disqualified Candidates

The Contracting Entity shall notify to every disqualified Candidate who submits a relevant application the reasons for which its Request to Participate was rejected.

11. Cancellation of the Tender Procedure

The tender procedure may be cancelled at any stage and for any justified reason(s) judged by the Contracting Entity. The submission of a Request to Participate or a Tender shall not create any obligation for the Contracting Entity to complete the process.

12. Claims for Cancellation

The Interested Economic Operators / Candidates do not maintain and shall waive any claim against the Contracting Entity on account of a cancellation according to Article 6(11) based on Article 8(6) of this Invitation.

13. Suspension

The Contracting Entity reserves the right to suspend the procedure at any time.

Article 7: Legal Framework

1. Legal Framework

The tender procedure will reflect the principles of Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 and of the applicable legislation of the Republic of Cyprus.

Article 8: General Rules

1. Eligibility for Participation

Participation in the tender procedure is open to all Economic Operators meeting the legal, financial, technical and other requirements provided for in this Invitation.

2. Applicable Laws, Acts and Regulations

By submitting their Requests to Participate, Candidates are assumed to be familiar with all relevant laws, acts and regulations of the Republic of Cyprus which affect, either directly or indirectly, the tender procedure and the Contract. Moreover, Candidates are assumed to be familiar with all relevant laws, acts and regulations of the places of execution of the Contract as specified in Article 2(3), which affect, either directly or indirectly the execution of the Contract Scope and the project as described in Article 2(2).

3. Insignificant Deviations

The Contracting Entity will consider as acceptable those Requests to Participate which comply with all terms and conditions of the Invitation and may also accept any Request to Participate with insignificant deviations based on its judgment and discretion. Insignificant deviations are considered to be differences that do not affect the scope of the Contract's object or the quality of its execution, do not substantially restrict the rights of the Contracting Entity or the obligations of the Contractor and do not affect the principle of equal treatment of Candidates and Tenderers.

4. Attempt to Influence the Procedure

Any attempt by or on behalf of a Candidate to influence in any way whatsoever the judgement of the Contracting Entity or of the Opening/Evaluation Committee in the discharge of their duties in connection with the tender procedure or result, shall result in the rejection of its Request to Participate.

5. Exclusion from Participation

Candidates who have obtained or taken in their possession, without legal authority and at their own initiative, information or documents of a secret nature in connection to the tender procedure, shall be excluded from participation.

6. Appeals Procedure

Every Economic Operator being interested in the conclusion of a contract with Contracting Entity shall be entitled to contest, by lodging an appeal, any enforceable act of the Contracting Entity related to the tender procedure which he considers as affecting his interests in an unlawful manner.

Every appeal, in accordance with the aforementioned, shall be lodged in writing against EuroAfrica Interconnector Limited, and should be received within 15 calendar days from the next day of the notification of the appealed decision, at the address mentioned in Article 1(1), and examined by the responsible Appeals Committee assigned by the Contracting Entity,

which after examining the appeal, shall, as soon as possible, issue a justified decision that will be provided in writing to the party lodging the appeal.

If such time limit elapses inactive, it shall be inferred that the appeal has been dismissed.

7. Data Protection

EuroAfrica is committed to protecting and respecting your privacy. When processing personal data, EuroAfrica will always comply with its obligations under applicable data protection legislation.

For more detailed information on how we treat your personal data, see www.euroafrica-interconnector.com/Procurement/Privacy-Policy.

EuroAfrica is committed to maintain and respect all relevant and applicable privacy legislation.

APPENDIX I: FORMS

Form 1: Template for the Request to Participate

REQUEST TO PARTICIPATE

To: <name of Contracting Entity>

Subject: <Tender procedure title>.

Tender Procedure No.:

Closing Date and Time for the Submission of Requests to Participate:

After examining the Invitation to Submit Request to Participate in the tender procedure <tender procedure title>, which is conducted in accordance with the negotiated process, and after developing a full understanding of the contents of the Invitation, we the undersigned submit our Request to Participate in the above tender procedure and undertake to submit a complete Tender for execution of the Contract Scope if, after the conclusion of the first stage of the tender procedure, we are judged admissible, we are included in the list of prequalified candidates and we are sent the respective invitation to participate in the Award Stage.

Signature of Candidate or of Candidate's Representative:

Name of Signatory:

Identity Card / Passport No. of Signatory:

Capacity of Signatory:

Details of the Candidate¹

Name of Candidate:

Registered Name (if different):

Country of establishment:

Address:

Address for Communication (if different):

Contact Person:

VAT Register No. (Country of VAT Register)

Date Commenced Business:

E-Mail:

Tel:

Fax:

Witness (Name, Signature and Address)

.....
.....
.....

Note 1: In the case of a consortium of natural and/or legal persons, the details for the consortium and the details of each consortium member must be given.

Note 2: All blank fields must be completed by the Candidate or by the Candidate's Representative.

Form 2: EuroAfrica-ESPD (European Single Procurement Document)

To download the EuroAfrica European Single Procurement Document in pdf and xml formats go to:

<https://euroafrica-interconnector.com/procurement-files/EuroAfrica-ESPD.zip>

To fill-in the ESPD on-line you can use the following link:

<https://ec.europa.eu/tools/espdc>

Form 3: Template for the Documentation of the Candidate's Economic and Financial Standing

DOCUMENTATION OF THE CANDIDATE'S ECONOMIC AND FINANCIAL STANDING

(Please complete the following financial data tables based on your annual financial statements for the last three years, using the previous year as the last reference year. If the Candidate is a consortium, Table A is completed with the aggregate data for all the members of the consortium and Table B is completed for each consortium member separately. If the Candidate is only one person, only Table A is completed).

(The figures given in all columns must be calculated on the same basis, to allow direct year-on-year comparisons to be made (or, if the basis has changed, an explanation of the change must be provided as a footnote to the Table). If the last reference year accounts are not verified, please provide a supporting letter from your accountant to verify the projected turnover and operating results for the year).

Table A

Financial data	<Year>	<Year>	<Year>	Average
Annual turnover (in EURO)				

Table B

Name of Consortium member:

Financial data	<Year>	<Year>	<Year>	Average
Annual turnover (in EURO)				

General Note: The Candidate may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. If the Candidate makes use of this facility, then the above tables should also include the data for such third parties (one or more).

Form 4: Template for the Documentation of the Candidate’s Technical and Professional Ability

DOCUMENTATION OF THE CANDIDATE’S TECHNICAL AND PROFESSIONAL ABILITY

1. Experience of the Candidate: Add as many reference projects to satisfy each criterion.

1.1. Have you completed at least two VSC HVDC convertor stations in different interconnection projects, rated at or above 500 MVA and at or above ± 200 kV DC since 2014? The term ‘completion’ shall mean that the implementation of the related HVDC interconnector projects are at least 60% complete in terms of the amount disbursed with respect to the total value of the projects, as of the date of submission of the Request to Participate.

Yes No

1.2. For each reference project, please provide the information requested in the “Reference Project Form” that can be found on the next page (one per reference project).

2. SPECIALISATION FIELDS

(If the Candidate is a consortium, then the table below must be completed, using the names of these specialisations as the row headings and indicating the specialisation field of the consortium Leader and of each individual member. If the Candidate is a single person, then its experience is entered in the “Leader” column).

	Leader	Member 1 (name)	Member 2 (name)	etc.
Relevant service 1				
Relevant service 2				
etc.				

General Note: The Candidate may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. If the Candidate makes use of this facility, then the above tables should also include the data for such third parties (one or more).

Reference Project Form

- Reference Project No.
- Project Name
- Client(s) – including a contact name and telephone number
- Place(s) of implementation
- Contract Value
- Other consortium members*
- Key sub-contractors and their roles*
- Share of Contract carried out by the Entity
- Start/End dates -Completion Rate
- Voltage level
- Power level
- Location(s)
- Certificate(s) of successful implementation of the Contract or, failing that, a simple declaration by the applicant
- Detailed description of the project
-
-
- Detailed description of your scope
-
-
- Detailed description of the provided equipment/services
-
-

* if applicable

Form 5: Template for the Certification Regarding the Protection of Employees

CERTIFICATION REGARDING THE PROTECTION OF EMPLOYEES

To: <name of Contracting Entity>

Subject: <Tender procedure title>.

Tender Procedure No.:

Closing Date and Time for the Submission of Requests to Participate:

I solemnly certify that in preparing my tender, I shall take into consideration the obligations deriving from the provisions of the legislation on the protection of the employees and on working conditions currently in force in the places of execution of the Contract as specified in Article 2(3), and applicable to the place of execution of the Contract Scope.

Signature:

.....

Name of Signatory:

.....

Identity Card / Passport No. of Signatory:

.....

Capacity of Signatory:

.....

Form 6: Template for the Declaration of Other Entities

DECLARATION OF OTHER ENTITIES

To: <name of Contracting Entity>

Subject: <Tender procedure title>.

Tender Procedure No.:

Closing Date and Time for the Submission of Requests to Participate:

*Regarding the above subject, we <Name of Entity> guarantee you that in case the contract is awarded to <Name of successful economic operator>, we will place at his disposal the necessary resources in relation to <description of input in the Contract>. **

Yours sincerely,

Signature of the Entity:

Name of Signatory:

Identity Card / Passport No. of Signatory:

Capacity of Signatory:

*The resources that will be at the disposal of the successful economic operator for the execution of the Contract should be explicitly set and analysed.

APPENDIX II: CONTRACT NOTICE

This notice in TED website: <https://ted.europa.eu/udl?uri=TED:NOTICE:162573-2020:TEXT:EN:HTML>

**Cyprus-Nicosia: Substation equipment
2020/S 068-162573**

Contract notice – utilities

Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1) Name and addresses

Official name: EuroAfrica Interconnector Ltd
Postal address: Quantum House, 25 Philippou Street, Ayios Dometios
Town: Nicosia
NUTS code: CY0
Postal code: 2363
Country: Cyprus
Contact person: Marios Efthyvoulou
E-mail: mefthyvoulou@euroafrica-interconnector.com
Telephone: +357 22792100

Internet address(es):

Main address: www.euroafrica-interconnector.com

I.2) Information about joint procurement

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at:
www.euroafrica-interconnector.com/procurement
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted electronically via: www.ariba.com

I.6) Main activity

Electricity

Section II: Object

II.1) Scope of the procurement

II.1.1) Title:

Engineering, Procurement, Construction and Installation of the VSC Converter Station for the EuroAfrica Interconnector

II.1.2) Main CPV code

31682540

II.1.3) Type of contract

Supplies

II.1.4) Short description:

EuroAfrica Interconnector is a VSC-HVDC scheme which will connect Egypt with Cyprus. It will allow the bidirectional transfer of 1 000 MW (Stage 1) between converter stations. The envisaged voltage level will be ± 400 kV or more.

This Tender encompasses the engineering, procurement, construction and installation of the VSC Converter Station in Egypt for the EuroAfrica Interconnector.

II.1.5) **Estimated total value**

Value excluding VAT: 270 000 000.00 EUR

II.1.6) **Information about lots**

This contract is divided into lots: no

II.2) **Description**

II.2.1) **Title:**

II.2.2) **Additional CPV code(s)**

II.2.3) **Place of performance**

NUTS code: CY0

NUTS code: 00

Main site or place of performance:

Egypt and Cyprus.

II.2.4) **Description of the procurement:**

EuroAfrica Interconnector is a VSC-HVDC scheme which will connect Cyprus and Egypt.

This tender procedure encompasses the engineering, procurement, construction and installation of the VSC Converter Station in Egypt.

Tenders are requested for purchase.

II.2.5) **Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) **Estimated value**

Value excluding VAT: 270 000 000.00 EUR

II.2.7) **Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 36

This contract is subject to renewal: no

II.2.9) **Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 1

Objective criteria for choosing the limited number of candidates:

The number of tenderers will not be limited to a maximum.

All qualified candidates satisfying the objective criteria will be invited to participate in the award stage of this negotiated procedure.

To qualify for participation in the award stage, objective criteria/requirements for the personal situation, the economic and financial standing and the technical and professional ability of the candidates must be satisfied.

Details for the qualification requirements are provided in the 'Invitation to Participate in Negotiated Process with prior Call for Competition' for the contract with title 'Engineering, Procurement, Construction and Installation of the VSC Converter Station for the EuroAfrica Interconnector' that can be found at www.euroafrica-interconnector.com/procurement.

Economic operators must request access to the system used for this pre-qualification phase via email in order to submit a 'Request to Participate' in the process. Detailed information is available in the 'Invitation

to Participate in Negotiated Process with prior Call for Competition' for the contract with title 'Engineering, Procurement, Construction and Installation of the VSC Converter Station for the EuroAfrica Interconnector' that can be found at www.euroafrica-interconnector.com/procurement.

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: yes

Description of options:

Details regarding options will be provided to qualified candidates in the tender documents.

II.2.12) **Information about electronic catalogues**

II.2.13) **Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds: no

II.2.14) **Additional information**

Section III: Legal, economic, financial and technical information

III.1) **Conditions for participation**

III.1.1) **Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

Criteria as stated in the 'Invitation to Participate in Negotiated Process with prior Call for Competition' for the contract with title 'Engineering, Procurement, Construction and Installation of the VSC Converter Station for the EuroAfrica Interconnector' that can be found at www.euroafrica-interconnector.com/procurement

III.1.2) **Economic and financial standing**

Selection criteria as stated in the procurement documents

III.1.3) **Technical and professional ability**

Selection criteria as stated in the procurement documents

III.1.4) **Objective rules and criteria for participation**

List and brief description of rules and criteria:

The objective rules and criteria for participation are described in the 'Invitation to Participate in Negotiated Process with prior Call for Competition' for the contract with title 'Engineering, Procurement, Construction and Installation of the VSC Converter Station for the EuroAfrica Interconnector' that can be found at www.euroafrica-interconnector.com/procurement.

It is noted that the contracting entity does not intend to limit the number of participants/tenderers to a maximum number and all qualified candidates will be invited to the award stage of the process.

The contracting entity reserves the right to perform inspections of a candidate's premises and/or work sites in order to verify the information given under this pre-qualification stage.

III.1.5) **Information about reserved contracts**

III.1.6) **Deposits and guarantees required:**

Submission of deposits and/or guarantees is not required during the pre-qualification stage. The participation guarantee required during the award stage as well as any other guarantees/deposits that will be required during the tender process and/or from the awarded tenderer/contractor will be defined in the tender documents that will be provided to qualified candidates.

III.1.7) **Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:**

Details will be provided in the tender documents that will be provided to qualified candidates.

III.1.8) Legal form to be taken by the group of economic operators to whom the contract is to be awarded:

Consortia are not obliged to take a specific legal form in order to participate in the tender procedure. However, if applicable, the awarded consortium may be requested to take a specific legal form before the signing of the contract.

Interested economic operators should note that the awarded tenderer of any lot may be required to enter into an interface agreement with the awarded tenderers of the other Lots and/or the awarded tenderers/contractors of the other procurement procedures related with the implementation of the EuroAfrica Interconnector.

III.2) Conditions related to the contract

III.2.2) Contract performance conditions:

III.2.3) Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated procedure with prior call for competition

IV.1.3) Information about a framework agreement or a dynamic purchasing system

IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

IV.1.6) Information about electronic auction

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

IV.2.2) Time limit for receipt of tenders or requests to participate

Date: 07/05/2020

Local time: 14:00

IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4) Languages in which tenders or requests to participate may be submitted:

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

IV.2.7) Conditions for opening of tenders

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: no

VI.2) Information about electronic workflows

VI.3) Additional information:

VI.4) Procedures for review

VI.4.1) Review body

Official name: Appeals Committee

Postal address: Quantum House 25 Philippou Street Ayios Dometios

Town: Nicosia
Postal code: 2363
Country: Cyprus
E-mail: appeals@euroafrica-interconnector.com
Telephone: +357 22792100

VI.4.2) **Body responsible for mediation procedures**

VI.4.3) **Review procedure**

Precise information on deadline(s) for review procedures:

Every economic operator being interested in the conclusion of a contract with the contracting entity shall be entitled to contest, by lodging an appeal, any enforceable act of the contracting entity related to the tender procedure which they consider as affecting their interests in an unlawful manner.

Every appeal, in accordance with the aforementioned, shall be lodged in writing against EuroAfrica Interconnector Ltd and should be received within 15 calendar days from the next day of the notification of the appealed decision at the address mentioned in Section VI.4.1) and examined by the responsible appeals committee assigned by the contracting entity, who after examining the appeal, shall, as soon as possible, issue a justified decision that will be provided in writing to the party lodging the appeal.

If such time limit elapses inactive, it shall be inferred that the appeal has been dismissed.

VI.4.4) **Service from which information about the review procedure may be obtained**

VI.5) **Date of dispatch of this notice:**

02/04/2020