

**URGENT**

Ref.: DA/2-4/2015/PQ/LB-6

Date: 26<sup>th</sup> April 2015

**Circular No. (6)**

**EPC CONTRACT: TENDER PREQUALIFICATION**

**INVITATION TO PRE-QUALIFY FOR MAJOR ENGINEERING, PROCUREMENT AND CONSTRUCTION WORKS OF THE NEW BULD LIQUID BERTHS TERMINAL IN PORT OF DUQM, SULTANATE OF OMAN**

Issuance of PQQ Documents: 5th Feb 2015.

Submission Date: Monday/4<sup>th</sup> May 2015

Dear Applicants,

Reference this PQ exercise.

S/N	Applicants' General Query on matter of JV and Entities/Incorporation	Response
1	Can formal JV establishment/incorporation be done by JV members after the Project award to the said JV?	<ol style="list-style-type: none"> <li>1. Per Instruction 3.2 Instructions to Applicants: 'Only companies and JV that are single corporate entities (bodies) can be pre-qualified'.</li> <li>2. However, although a JV (or any applicant) needs to be incorporated at the time of making their PQ submission, they <u>do not necessarily need to be (already) registered to do business in Oman at the time.</u></li> <li>3. As per 5.8 Form 8 – Declaration, Article 6, the Applicant must declare "If the Applicant is prequalified and is not then officially registered in Oman to do business, we <u>agree to obtain the required registration within 30 working days after contract award</u>".</li> <li>4. In short, <b>Applicants MUST be incorporated at time of PQ submission, but not necessarily registered to do business in Oman. And within 30 days of an award, the Successful Bidder Must also become Omani-registered, if not already so registered.</b></li> </ol>
2	Would it be acceptable to submit an integrated JV during the tender stage, if the bidder is qualified in the PQ?	As per Response 1 Point 1 above 'Only companies and JV's that are single corporate entities (bodies) can be pre-qualified'. As the prequalification requirements must be met at the time of submission of an Applicant's Response to the Prequalification Questionnaire an Applicant not already incorporated at time of Response is not qualified

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# الدقم Duqm

هيئة المنطقة الاقتصادية الخاصة  
Special Economic Zone Authority



Sultanate of Oman

سلطنة عُمان

to proceed to later stages of the tendering process and so cannot then incorporate at the Tender Stage.

3

We understand from Circular 5's response as "Only companies and joint venture that are single corporate bodies can be prequalified". However, next to the quoted sentence, in the same sentence, it is given that "Single purpose joint venture corporations established just for this project although not preferable can be qualified".

Please confirm.

Correct. However the requirements of the Prequalification Questionnaire must be met in full at the time of submission of an Applicant's Response to the Prequalification Questionnaire. This means that an Applicant wishing to prequalify as a 'Single purpose joint venture corporation established just for this project' must also be incorporated prior to the Prequalification Questionnaire closing date and submission of Applicant's Prequalification Questionnaire Response.

## Notes:

- 1- Bidders are advised that there shall be **No Further Queries.**
- 2- Submission of all PQQ Documents: **Mon/4<sup>th</sup> May 2015; 12.00pm**

Yours Sincerely,

SEZAD,

Tenders and Contracts Department

