**PART B - FORM OF PREQUALIFICATION APPLICATION**

[*To be completed by the prospective Bidder*]

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Re:** Concession forMontenegro Airports Project

**To:**  Tender Commission for Awarding the Concession for Montenegro Airports

Miss Milica Mićunović, Tender Commission Secretary

Rimski trg 46

81000 Podgorica

Montenegro

Dear Sir/Madam,

Pursuant to the Request for Qualification dated **[⏺]**, [*Name of Prospective Bidder*] hereby submits the present Prequalification Application and requests to be considered for prequalification for the Project.

*[Complete if the Prospective Bidder has two or more Members*:

The Financial Member is: [Insert name of the Company]

The Airport Operator Member is: [Insert name of the Company]

[Other Member, if any]]

[*Name of Prospective Bidder*], [and each Member of the Prospective Bidder] hereby:

1. represents and warrants that:

##### as of the date of this Prequalification Application all of the information submitted in this Prequalification Application, including the enclosed forms and documents, is complete and accurate in all respects and not misleading;

##### it has sufficient legal capacity and authority to participate in the Bid Process; and

##### it agrees to comply with all the bid rules governing the Bid Process; and

1. acknowledges:

##### all rights of the Ministry under the Request for Qualification including all rights to: (i) suspend, cancel, modify or extend the Bid Process at any time; (ii) reject any Prequalification Application; (iii) modify all dates set or projected in the Request for Qualification; (iv) request additional information reasonably required to assess the Prequalification Application; and (v) amend the prequalification procedures and rules or make clarifications thereof;

##### the disclaimer to the Request for Qualification; and

##### the exclusive application of the laws of Montenegro with respect to the Request for Qualification and the Bid Process.

Attached herewith to this Prequalification Application are the following documents, as appropriate:

1. Authorized Representative Power of Attorney (**Annex 1)**;
2. Prospective Bidder Power of Attorney (**Annex 2**);
3. Organization Chart (**Annex 3**);
4. Constitutional Documents (**Annex 4**);
5. Evidence of Fulfilment of the Mandatory Eligibility Conditions (**Annex 5**) contained in a Mandatory Eligibility Conditions Envelope;
6. Evidence of Compliance with Technical Criterion n°1 (**Annex 6**);
7. Evidence of Compliance with Technical Criterion n°2 (**Annex 7**);
8. Evidence of Compliance with Technical Criterion n° 3 and Technical Criterion n°4 (**0**); and
9. Evidence of Compliance with Financial Capability Requirement (**Annex 9)**.

[*Name of Prospective Bidder*] hereby designates [⏺] as its authorized representative to receive notices in respect of the Request for Qualification and the Bid Process at the following address, telephone and facsimile numbers:

[*Authorized Representative’s address, telephone, facsimile numbers and email*]

*[signature]*

In the capacity of [*position*]

Authorized to sign this Prequalification Application for *[Name of Prospective Bidder]*

1. Authorized Representative Power of Attorney[[1]](#footnote-2)

On this [*day*] day of [*month and year*]

Before me, the Notary in this office [*name of Notary/office*]

The undersigned:

[Mr. /Ms.] [*name of legal/authorized representative*]

Duly authorized, in his/her capacity as [*capacity*] of [*name of Prospective Bidder*]

Nationality: **[⏺]**

Holder of Passport or ID no. **[⏺]** issued by **[⏺]** dated **[⏺]**

Residing at **[⏺]**

hereafter the **Grantor,**

Hereby:

1. appoints [Mr./Ms.] *[name of representative]* in [his/her] capacity as \_\_\_\_\_\_\_\_\_\_\_ of *[name of Prospective Bidder]*(hereafter the "**Attorney**"), to:

1. execute under hand, or under seal, and deliver to the competent authorities all the documents listed in paragraph (d) below;
2. deliver and receive any document or instrument in relation to the documents listed in paragraph (d) below;
3. do all things necessary and incidental in respect of the matters set out herein including to do, execute and perform any other deed or act ought to be done executed or performed to perfect or otherwise give effect to the documents listed in paragraph (d) below; and
4. the documents concerned by this power of attorney being the following:

ALL DOCUMENTS IN RESPECT OF THE PREQUALIFICATION APPLICATION AND THE BID PROCESS FOR AWARDING CONCESSION FOR THE MONTENEGRO AIRPORTS PROJECT, AS MORE FULLY DESCRIBED IN THE REQUEST FOR QUALIFICATION DATED **[⏺]**, AND CLARIFICATIONS AND OTHER COMMUNICATIONS WITH THE MINISTRY OF TRANSPORT AND MARITIME AFFAIRS OF MONTENEGRO IN RESPECT OF THE AFORESAID PROJECT

2. authorizes the Attorney to appoint others for all or part of the powers delegated by the present power of attorney.

IN WITNESS WHEREOF the Grantor has executed this Power of Attorney *[under seal]* on the date set out above.

|  |  |
| --- | --- |
| *[SEAL]* | *[Signature]* |
|  |  |

*[Name / Title of Grantor representative]*

1. Prospective Bidder Power of Attorney[[2]](#footnote-3)

On this [*day*] day of [*month and year*]

Before me, the Notary in this office [*name of Notary/office*]

The undersigned:

[Mr. /Ms.] [*name of legal/authorized representative*]

Duly authorized, in his/her capacity as [*capacity*] of [*name of Member*]

Nationality: **[⏺]**

Holder of Passport or ID no. **[⏺]** issued by **[⏺]** dated **[⏺]**

Residing at **[⏺]**

hereafter the **Grantor,**

Hereby appoints *[Prospective Bidder, including corporate details]*and its authorized representative (hereafter the "**Attorney**"), to:

1. represent and bind the Grantor in respect to the Prequalification Application and the Bid Process (both terms as defined in the Request for Qualification referred to in paragraph (e) below);
2. execute under hand, or under seal, and deliver to the competent authorities all the documents listed in paragraph (e) below;
3. deliver and receive any document or instrument in relation to the documents listed in paragraph (e) below;
4. do all things necessary and incidental in respect of the matters set out herein including to do, execute and perform any other deed or act ought to be done executed or performed to perfect or otherwise give effect to the documents listed in paragraph (e) below; and
5. the documents concerned by this power of attorney being the following:

ALL DOCUMENTS IN RESPECT OF THE PREQUALIFICATION APPLICATION AND THE BID PROCESS FOR AWARDING CONCESSION FOR THE MONTENEGRO AIRPORTS PROJECT, AS MORE FULLY DESCRIBED IN THE REQUEST FOR QUALIFICATION DATED **[⏺]**, AND CLARIFICATIONS AND OTHER COMMUNICATIONS WITH THE MINISTRY OF TRANSPORT AND MARITIME AFFAIRS OF MONTENEGRO IN RESPECT OF THE AFORESAID PROJECT.

IN WITNESS WHEREOF the Grantor has executed this Power of Attorney *[under seal]* on the date set out above.

|  |  |
| --- | --- |
| *[SEAL]* | *[Signature]* |
|  |  |

*[Name / Title of Grantor representative]*

1. Organization Chart

[*To be provided by the prospective Bidder*]

1. Constitutional Documents[[3]](#footnote-4)

[*To be provided by the prospective Bidder]*

1. Mandatory Eligibility Conditions Envelope

*[A Prospective Bidder (or in case of a Consortium, each Member) is required to submit evidence pertaining to Mandatory Eligibility conditions as detailed in 4.5. and Clause 3 of Schedule 3 (Prequalification Criteria and Mandatory Eligibility Conditions).*

*With respect to Clause 3 items (i) – (iii) of Schedule 3 (Prequalification Criteria and Mandatory Eligibility Conditions), evidence shall be provided in the manner outlined in Clause 4.5. of the Request for Qualification.*

*With respect to Clause 3 item (iv) of Schedule 3 (Prequalification Criteria and Mandatory Eligibility Conditions), evidence shall be provided in the form of a statement.]*

2. Evidence of Compliance with Technical Criterion n°1

[The operation experience shall be provided in a table presented as follows]

* The Prospective Bidder hereby confirms that [it/ /its Airport Operator Member] has the following relevant experience:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Name of the Operator** | **Prospective Bidder's (Airport Operator Member) Role and Relationship with the Operator**[[4]](#footnote-5) | **Location / Site** | **Project Type and Annual Traffic (international passengers per year)** | **Operation Period** | **Brief Description of Technical and Operational Experience, Scope of Undertakings**[[5]](#footnote-6) | **Contact for Reference** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| [add rows if necessary] |  |  |  |  |  |  |

1. Evidence of Compliance with Technical Criterion n°2

[The construction experience shall be set out in a table presented as follows]

* The Prospective Bidder hereby confirms that [it has/its Members have] the following relevant experience:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Name of Constructor** | **Prospective Bidder's Member Role**[[6]](#footnote-7) | **Location / Site** | **Project Type** | **Project Value (in EUR)** | **Date Signed** | **Date Completed** | **Brief Description[[7]](#footnote-8)** | **Contact for Reference** |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| [add rows if necessary] |  |  |  |  |  |  |  |  |
|  | | | | *Total Value =* |  | | | |

1. Evidence of Compliance with Technical Criterion n°3 and Technical Criterion n°4

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Re:** Montenegro Airports Project

**To:**  Tender Commission for Awarding the Concession for Montenegro Airports

Miss Milica Mićunović, Tender Commission Secretary

Rimski trg 46

81000 Podgorica

Montenegro

We hereby refer to the request for qualification document issued by the Ministry of Transport and Maritime Affairs of Montenegro on **[⏺]** (the "**Request for Qualification**"). Capitalized terms defined in the Request for Qualification and used but not otherwise defined in this letter shall have the same meaning given to them in the Request for Qualification.

[*Name of Prospective Bidder/]* hereby confirms to the Ministry of Transport and Maritime Affairs of Montenegro that, as of the date of this letter, its [Member/Airport Operator Member]:

1. holds an operator license for the operation of any other airport on its own account, and not by virtue of an acquisition (agreement on business and technical cooperation or sale and purchase); and
2. has quality in the delivery of services to passengers, airport development, development of nonaeronautical matters, contribution to the availability of such country by virtue of having appropriate certificates.

Yours Sincerely,

[Authorized Signature

Name and Title Signatory

Name of Firm

Address]

1. Evidence of Compliance with Financial Capability Requirements

[The financial capability experience shall be set out in a table presented as follows:]

1. **Financial Criterion n°1**

If the Prospective Bidder has a single Member:

|  |  |  |
| --- | --- | --- |
| **FINANCIAL YEAR** | **Assets** | **Liabilities** |
| Financial Year 1 |  |  |
| Financial Year 2 |  |  |
| Financial Year 3 |  |  |
| Financial Year 4 |  |  |
| Financial Year 5 |  |  |

If the Prospective Bidder has two or more Members:

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **FINANCIAL YEAR** | **ASSETS OF EACH MEMBER** | | | | **AGGREGATE ASSETS[[8]](#footnote-9)** | **LIABILITIES OF EACH MEMBER** | | | | **AGGREGATE ASSETS[[9]](#footnote-10)** |
|  | **Financial Member** | **Airport Operator Member** |  | [add other Member] |  | **Financial Member** | **Airport Operator Member** |  | [add other Member] |  |
| Financial Year 1 |  |  |  |  |  |  |  |  |  |  |
| Financial Year 2 |  |  |  |  |  |  |  |  |  |  |
| Financial Year 3 |  |  |  |  |  |  |  |  |  |  |
| Financial Year 4 |  |  |  |  |  |  |  |  |  |  |
| Financial Year 5 |  |  |  |  |  |  |  |  |  |  |
| Total for Five Financial Years |  |  |  |  |  |  |  |  |  |  |

1. **Financial Criterion n°2**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Company Name[[10]](#footnote-11)** | **Prospective Bidder's (Financial) Member's Role** | **Location / Site** | **Project Type and Capacity** | **Amount of Financing (in EUR)** | **Name of Lender/Financing Entity** | **Date** | **Evidence Provided and Contact for Reference** |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| [add rows if necessary] |  |  |  |  |  |  |  |
|  | | | | *Total =* |  | | |

1. **Financial Criterion n°3**

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Re:** Montenegro Airports Project

**To:**  Tender Commission for Awarding the Concession for Montenegro Airports

Miss Milica Mićunović, Tender Commission Secretary

Rimski trg 46

81000 Podgorica

Montenegro

We hereby refer to the request for qualification document issued by the Ministry of Transport and Maritime Affairs of Montenegro on **[⏺]** (the "**Request for Qualification**"). Capitalized terms defined in the Request for Qualification and used but not otherwise defined in this letter shall have the same meaning given to them in the Request for Qualification.

[*Name of Prospective Bidder]* hereby confirms to the Government of Montenegro that the Airport Operator Member will own at least ten percent (10%) in the consortium[[11]](#footnote-12).

Yours Sincerely,

[Authorized Signature

Name and Title Signatory

Name of Firm

Address]

1. If executed outside of Montenegro, such certified/notarised document may be subject to legalisation/apostille depending on the country of origin. [↑](#footnote-ref-2)
2. If executed outside of Montenegro, such certified/notarised document may be subject to legalisation/apostille depending on the country of origin. [↑](#footnote-ref-3)
3. If certified copy is executed outside of Montenegro, such certified/notarised document may be subject to legalisation/apostille depending on the country of origin. [↑](#footnote-ref-4)
4. If the Prospective Bidder (or Airport Operator Member, if the Prospective Bidder has two or more Members) operates the airport through a joint venture or consortium, it should indicate its financial or equity participation in the project as a percentage of the total participation of members. If operation is carried out through an Affiliate, please provide supporting documentary evidence of such Affiliate including the Members’ agreement. [↑](#footnote-ref-5)
5. The Prospective Bidder shall provide the description of technical and operational activities at the airports under management and/or operation of its Member (or Airport Operator Member, if the Prospective Bidder has two or more Members)and shall provide documentary proof as required under Item 7 of Part A of **Schedule 4** (*Form and Content of Prequalification Application*). [↑](#footnote-ref-6)
6. If Name of the Constructor is different from the name of the Prospective Bidder (or Prospective Bidder’s Member if the Prospective Bidder is a Consortium), please indicate relationship with the Prospective Bidder (or Prospective Bidder’s Member). Prospective Bidder that presents evidence of indirect construction experience (i.e. supervision of subcontracted construction) shall also provide names and contact details of the construction companies employed for each project listed. The Prospective Bidder (or Prospective Bidder’s Member) that participated in a joint venture or consortium for a project should indicate its financial or equity participation in the project as a percentage of the total participation of members. [↑](#footnote-ref-7)
7. Supported by documentary evidence, as required under Item 7 of Part A of **Schedule 4** (*Form and Content of Prequalification Application*). [↑](#footnote-ref-8)
8. = sum of the amounts of Assets of all Members [↑](#footnote-ref-9)
9. = sum of the amounts of Liabilities of all Members [↑](#footnote-ref-10)
10. If Company Name is different from your name, please indicate relationship with your company. [↑](#footnote-ref-11)
11. The Airport Operator Member will be required to possess a minimum of 10% of shares in the Project SPV, in accordance with the Concession Agreement. [↑](#footnote-ref-12)