



JORDAN PHOSPHATE MINES CO. PLC

**INSTRUCTIONS FOR PRE-QUALIFICATION
FOR Tender No. "T2023-28 All"**

**DEVELOPMENT AND EXECUTION OF HYBRID SOLAR OFF-GRID
POWER GENERATION PLANTS AT THE COMPANY MINES ON BOT
BASIS**

FOR REVIEW ONLY TO PARTICIPATE IN THE TENDER YOU HAVE TO BUY THE DOCUMENTS

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1. GENERAL

1.1. Introduction

The Jordan Phosphate Mine Company (JPMC), requests submission of pre-qualification documents from qualified companies and consortia of investors and developers for the development and execution of Hybrid Solar Off-Grid Power Generation Plants at the Company Mines on Build, Operate, and Transfer (BOT) Basis, the "Project"

The BOT duration is 20 years.

The purpose of the pre-qualification process is to pre-qualify companies and consortia with proven records of expertise required for developing and executing the Project and, consequently, the criteria for the pre-qualification, as set forth in the call for pre-qualification document, relates mainly to such companies' and consortia's capabilities and experience.

The Project will be implemented in one phase. The business model shall be Build - Operate-Transfer "BOT". The Developer will be required to provide i) Al-Shiedieh Mine, ii) Al-Hasa Mine and iii) Al-Abiad mine for year 2025 onwards with power to meet its current and future needs. The Project vision has been developed with the objective of delivering power from a Hybrid Solar OFF- GRID Power Generation Plants to JPMC Mines. This shall be achieved following:

1. Design, construct, operate, and transfer of a Hybrid Solar OFF-GRID Power Generation Plants as per the following:
 - a. At Shiedya Mine: 23- 25 GWH/Year in Ma'an Governorate.
 - b. At Alhasa Mine: 13-14 GWH/Year in Tafilah Governorate.
 - c. At Alabiad Mine: 6-7 GWH/Year Tafilah Governorate.
2. Design, construct and operate the interconnection facilities from the Power Generation Plants to JPMC Mines at above mentioned mines.

The Project is to be undertaken by a private sector company or consortium which will be granted necessary rights in relation to the Project. It is anticipated that the winning bidder will establish a special purpose company under Jordanian law for the implementation of the Project (the 'Project Company'), which shall undertake the implementation of the Project infrastructure, the management and execution of the infrastructure operations and maintenance and the planning, procurement, receipt, control and repayment of the Project financing. Furthermore, the Project Company will be responsible for arranging and securing all finance required for the project without any recourse to JPMC.

The Applicant Company shall be either a single company or number of companies (Consortium); only those firms or entities that can demonstrate world class experience in providing power generation and storage technologies, construction of hybrid power generation plants, and project financing should respond to this announcement.

"Applicant" means an entity to which an Invitation to Submit a Prequalification is issued.

"Employer" means Jordan Phosphate Mines Company "JPMC"

"Invitation to Submit a Prequalification" means the letter described as such from the Employer to the Applicant inviting it to submit documentation to support an application to prequalify for the proposed works.

"Instructions To Applicants" means this document including the annexes and Appendices.

"Application to Prequalify" means the documents submitted to the Employer by the Applicant.

This document has been specifically provided to describe the procedures to be followed until the Employer either informs any Applicant that they have pre-qualified or determines that an Applicant has failed to prequalify.

1.2. Cost of Submitting an Application to Prequalify

Each Applicant shall bear all costs incurred in the preparation and submission of the Application to Prequalify, including all actions mentioned or implied in this document. The Employer will not be responsible or liable for such costs, regardless of the conduct or outcome of the Application to Prequalify. **The Employer reserves the right to accept or reject any Application to Prequalify, or to annul the process and reject all Applications to Prequalify at any stage, without incurring liability to any Applicant and without being obliged to inform any Applicant of the reasons for the Employer's action.**

1.3. Submission Date for an Application to Prequalify

The submission date for the Application to Prequalify is as stated in the Invitation to Tender.

1.4. Domestic Product and Services

The Employer encourages the Applicant to utilize and procure to the maximum extent practicable (having particular regard to cost, specification, drawings, financial security, technical capability and ability to comply with the work Schedule) the equipment and materials produced in the Hashemite Kingdom of Jordan (HKJ).

The Applicant shall comply with all local laws, regulations, by-laws, instructions, and standards issued by Government of Jordan (GOJ), Associations, and Regulatory Bodies related to the utilization of local firms, contractors, and individuals.

2. PREQUALIFICATION DOCUMENTS

The documents comprising the Instructions to Applicants are:

- Instructions to Applicants (ITA)
- Appendix A Form of Application
- Annex A Site Coordinates
- Appendix B Application Forms

Including the Invitation.

3. COMMUNICATION

An Applicant requiring any clarification of the Instructions for Prequalification of Tenderers shall contact the Employer in writing or **via email at the Employer's address indicated in the Invitation to Submit a Prequalification**. The Employer will respond in writing or via email to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the Application to Prequalify.

The Employer shall forward copies of its response to all Applicants who have acquired the Instructions for Prequalification of Tenderers directly from the Employer including a description of the inquiry but without identifying its source. Should the Employer deem it necessary to amend the Prequalification Documents as a result of a clarification, it shall do so following the procedure below:

Any Addendum issued shall be part of the Prequalification Documents and shall be communicated in writing to all prospective Applicants who have obtained the Prequalification Documents from the Employer.

To give prospective Applicants reasonable time to take an Addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA

To assist in the evaluation of applications, the Employer may, at its discretion, ask any Applicant for a clarification of its Application to Prequalify which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing. If an Applicant does not provide clarifications of the information requested by the date and time set in the Employer's request for clarification, its application may be rejected.

4. CONFIDENTIALITY

All information supplied by the Employer in connection with the Invitation to Submit a Prequalification shall be treated as private and confidential and Applicants shall not, without the prior consent of the Employer, make use of such information for their own purpose or disclose such information to any person other than on a strictly confidential basis to those parties whom they need to consult for the purpose of preparing the Application to Prequalify.

Information relating to the Applications, their evaluation and result shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with this PQ document.

5. PREQUALIFICATION CRITERIA

To qualify for this Tender, the Applicant shall demonstrate to the Employer that it substantially satisfies the requirements regarding ranking, **experience, financial position, litigation history and Joint Venture requirements (if applicable)** specified as follows:

5.1. General Experience

The Applicant shall meet the following minimum criteria:

The evaluation of the applicants shall be on Pass/Fail Basis for all of the above criteria. Fail in one of the below criteria shall disqualify the applicant.

- The applicant should be ranked first grade from energy and minerals regulatory commission execution Engineering-Procurement-Construction-operation-maintenance and inspection of renewable energy.
- Successful experience as a developer in the execution of at least (2) projects of a nature and complexity comparable to the proposed project within the last (7) years (reference application form (4) & form (5));
- Applicants should be in continuous business operation for the last five (5) years or more. In cases of Joint venture, each joint venture member must meet the criteria application form (2)
- A minimum experience of (1) project in (i) design, supply, installation and Operation and Maintenance (O&M) of a Hybrid Solar power plants, with not less than 50 GWH/Year. Preference will be given to the applicant with reference in the middle east region
- The ability to complete the proposed works in relation to current contract

commitments/work in progress (reference application form (6));

- Demonstrate compliance with standard international practices (reference application form 9)), and
- At least (1) successful experience as a Developer/contractor in the execution of a BOT contract in the Middle East or Engineering-Procurement-Construction (EPC) contract in Middle East or Jordan.
- Demonstrate ability to pre-finance: Must have an average annual turnover of at least US\$ (5,000,000) for the last (3) years: (2020, 2021 and 2022
- Certified copy of valid business registration certificate with respective certified copy of respective Value-added tax (VAT) registration certificate, and other relevant financial and registration documents required for the Applicant to operate (Home of Origin).

5.2. Financial Position

The Applicant shall demonstrate (application form (7) supported by bank letters) that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means sufficient to meet the construction cash flow for the proposed works for a period of 24 months, estimated as not less than US\$5,000,000 equivalent, taking into account the Applicant's commitments for other contracts.

The audited balance sheets for the last (3) years (2020,2021,2022) shall be submitted and must demonstrate the robustness of the Applicants' financial position, showing long-term profitability. Where necessary, the Employer will make enquiries with the applicant's bankers.

5.3. Litigation History

The Applicant shall provide accurate information (application form (8)) on any current or past litigation or arbitration resulting from contracts completed or under execution by him over the last five years (starting 1st January 2018). A consistent history of awards against the applicant or any partner of a joint venture may result in failure of the application.

6. PREPARATION AND SUBMISSION OF THE APPLICATION TO PREQUALIFY

6.1. Form of Application and Application Forms

The Applicant shall prepare an Application to Prequalify using the forms furnished in Appendix A Form of Application and Appendix B Application Forms. These forms must be completed without any alteration to their format. All forms shall be signed by a person duly authorized to sign on behalf of the Applicant.

The Applicant shall nominate an authorized representative who shall have authority to

conduct all business for and on behalf of the Applicant and any and all its members, if the Applicant is a JV, during the prequalification process, bidding (in the event the Applicant submits a bid) and during contract execution (in the event the Applicant is awarded the Contract). Unless specified in the **PQ document**, there is no limit on the number of members in a JV/Consortium.

The Applicant shall submit with its Application a Power of Attorney authorizing the representative of the Applicant to submit the Application on behalf of the Applicant. If the Applicant is a JV, the Power of Attorney shall be provided by the Lead Member nominated in the JV Agreement or in the Declarations of Association. If the representative of the Applicant is the owner, member or director of the Applicant or the Applicant's Lead Member, a Power of Attorney shall not be necessary.

6.2. Submission of the Application to Prequalify

The Application to Prequalify and all communications between the Applicant and the Employer shall be in English. All supporting documents to the Application to Prequalify shall be written in English. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in English, in which case, for purposes of interpretation of the Application, the translation shall govern.

The Applicant shall prepare one original of the documents clearly marked "ORIGINAL". The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant.

The Applicant shall submit two copies of the signed original application, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies the original shall prevail.

The Applicant shall submit an electronic copy of the documents on a compact diskette.

The documents shall be readable using Adobe Reader version 6.0 or higher.

The Applicant shall enclose the original, the copies of the application and the compact diskette in a sealed envelope, that shall:

- Bear the name and address of the Applicant, and
- Be addressed to the Employer, as follows;

Jordan Phosphate Mines Co. Plc.
PO Box 30,
AL-Sharif AL-Radii St. (5),
Shemissani, Amman,
The Hashemite Kingdom of Jordan

For the attention of Local Purchasing Manager Eng. Mowafaq Abuhawileh
(+962-797117236).

- Bear the specific identification of this prequalification process.

The Employer will accept no responsibility for not processing any envelope that was not identified as required. The Employer may, at its discretion, extend the deadline for the submission of any Application to Prequalify by notifying the Applicants, in which case all rights and obligations of the Employer and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

Any application received by the Employer after the deadline for submission of applications will be rejected.

In submitting its Application to Prequalify, each Applicant warrants, represents and undertakes to the Employer that:

- all information, communicated (whether in writing or otherwise) to the Employer by the Applicant, its employees or agents in connection with or arising out of the Tenders are true, complete and accurate in all respects;
- it is of sound financial standing and has and will have sufficient premises, working capital, skilled personnel, vehicles, plant, Goods and materials and other resources available to carry out the Works, and
- It is familiar with applicable laws and regulations and has obtained all necessary consents, licenses and permissions to enable it to carry out the proposed works.

7. NOTIFICATION

The Employer will duly advise each Applicant in accordance with the Tender Documents.

8. OPENING OF APPLICATIONS

The Employer shall open all Applications at the date, time and place specified in the Notification for Invitation to Prequalify.

The Employer shall prepare a record of the opening of Applications, which shall include, as a minimum, the name of the Applicant and whether the Application has been received in time

9. RESPONSIVENESS OF APPLICATIONS

The Employer shall reject an Application that is not substantially responsive to the requirements of this prequalification document. An Application shall be considered as responsive if the following documents are submitted:

- Appendix A: Form of Application
- Financial Capability Statements and supporting documentation in accordance with ITA 5.2.

- Power(s) of Attorney authorizing the representative of the Applicant in accordance with ITA 6.1
- If the Applicant is an association (JV/Consortium), either proof of the existing association agreement or a declaration of association.

ANNEXE A – SITE COORDINATES

The following information summarizes the locations, of the project sites (the “Site”):

1. Eshidiya Mine Coordinates:

Point	X	Y
1	259329.995	927869.991
2	260019.971	927870.015
3	260020.002	927092.74
4	260391.281	927092.75
5	260391.299	926823.728
6	260171.306	926823.724
7	260171.326	926148.423
8	259224.678	926148.4
9	259224.641	927110.704
10	259180.04	927110.7
11	259180.025	927349.96
12	259330.021	927349.966
13	259329.995	927869.991

2. Al-Hasa Mine Coordinates:

Point	X	Y
1	248309.92	1047499.797
2	248744.1	1047509.484
3	248748.645	1048063.047
4	248587.53	1048055.922
5	248585.74	1047687.547
6	248321.77	1047691.109

3. Al-Abiad mine Coordinates:

Point	X	Y
1	248738.563	1027303.734
2	249208.578	1027009.984
3	249208.578	1026422.422
4	248474.172	1026363.672
5	248209.797	1026128.672
6	248004.156	1026716.234
7	247651.641	1026951.234
8	248738.563	1027303.734

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APPENDIX A:

FORM OF APPLICATION

[Letterhead of the Applicant, or lead partner of a joint venture, including full postal address, telephone no., fax no., telex no., and cable address]

Date:.....

To: [name and address of the Employer]

Sirs,

Being duly authorised to represent and act on behalf of (hereinafter "the Applicant"), and having reviewed and fully understood all the qualification information provided, the undersigned hereby apply to be qualified by yourselves as a tenderer for the following contract:

.....T2023/ 28 ALL.....

Attached to this letter are copies of original documents defining:

- (a) the Applicant's legal status;
- (b) its principal place of business; and
- (c) its place of incorporation (for Applicant which are corporations); or its place of registration (for Applicants which are partnerships or individually owned firms).

For applications by joint ventures, all information requested in the qualification information is to be provided for the joint venture, if it already exists, and for each party to the joint venture separately. The lead partner should be clearly identified. Each partner in the joint venture shall sign the letter.

You and your authorised representatives are hereby authorised to conduct any inquiries or investigations to verify the statements, documents and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Form of Application will also serve as authorisation for any individual or authorised representative of any institution referred to in the supporting information, to provide such information deemed necessary and as requested by yourselves to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.

You and your authorised representatives may contact the following persons for further information:

General and managerial inquiries

Contact 1	Telephone 1
Contact 2	Telephone 2

Personnel inquiries

Contact 1	Telephone 1
Contact 2	Telephone 2

Technical inquiries

Contact 1	Telephone 1
Contact 2	Telephone 2

Financial inquiries

Contact 1	Telephone 1
Contact 2	Telephone 2

Applications by joint ventures should provide on a separate sheet the requested information for each party to the application.

This application is made in the full understanding that you may reject or accept any application, cancel the tendering process, and reject all applications and you shall not be liable for any such actions and shall be under no obligations to inform the Applicant of the grounds for such action.

Applicants who are not joint ventures should delete paragraphs 1 and 2 and initial the deletions.

Signed	Signed
Name	Name
For and on behalf of (name of partner)	For and on behalf of (name of partner)

1 Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture or association. We also specify the financial commitment in terms of the percentage of the value of the contract, and the responsibilities for execution of the contract.

2. We confirm that the tender, as well as any resulting contract, will be:
 (a) signed so as to legally bind all partners, jointly and severally; and
 (b) submitted with a conformed joint venture agreement substantially in accordance with the joint venture details outlined in the submission under paragraph 1 above and providing joint and several liability of all partners in the event the contract is awarded to us.

The undersigned declare that the statements made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead partner of a joint venture)	For and on behalf of (name of partner)

APPENDIX B: APPLICATION FORMS

APPLICATION FORM (1)

GENERAL INFORMATION

All individual firms and each partner of a joint venture applying are requested to complete the information in this form.

Where the Applicant proposes to use subcontractors for critical components of the works, or for works in excess of [10 percent] of the value of the whole works, the following information should also be supplied for the subcontractor(s).

1.	Name of firm	
2.	Head office address	
3.	Telephone	Contact
4.	Fax	Telex
5.	Place of incorporation / registration	Year of incorporation / registration

APPLICATION FORM (2)

GENERAL EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

All individual firms and all partners of a joint venture are requested to complete the information in this form. The information supplied should be the annual turnover of the Applicant (or each member of a joint venture), in terms of the amounts billed to clients for each year for work in progress or completed, converted into US\$, at the rate of exchange at the end of the period reported.

Use a separate sheet for each partner of a joint venture.

Applicants are not required to enclose testimonials, certificates and publicity material with their applications.

Annual turnover data

Year	Turnover	US\$ equivalent
1.		
2.		
3.		
4.		
5.		

APPLICATION FORM (3)

JOINT VENTURE SUMMARY

Names of all partners of a joint venture

- 1 Lead partner
- 2 Partner
- 3 Partner
- 4 Partner
- 5 Partner
- 6 Partner

Partner	Form 2- page no.	Year 1	Year 2	Year 3	Year 4	Year 5
1. Lead partner						
2.Partner						
3.Partner						
4.Partner						
5.Partner						
6.Partner						
Totals						

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APPLICATION FORM (4)

PARTICULAR EXPERIENCE RECORD

Name of Applicant or partner of a joint venture

The Applicant shall be required to pass the specified requirements set forth in this form.

On a separate page, using the format of Form (5), the Applicant is requested to list all projects of a similar nature and complexity as the contract for which the Applicant wishes to qualify, and undertaken during the last 7 years. The partners of a proposed joint venture should provide details of similar contracts proportionate to their share in the joint venture. The value should be based on the currencies of the contracts converted into US\$, at the date of substantial completion, or for current contracts at the time of award. The information is to be summarized, using Form (5), for each contract completed or under execution by the Applicant or by each partner of a joint venture.

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APPLICATION FORM (6)

SUMMARY SHEET:

CURRENT CONTRACT COMMITMENTS /WORKS IN PROGRESS

Name of Applicant or partner of a joint venture

Applicants and each partner to an application should provide information on their current commitments under all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Name of contract	Value of outstanding work (current US\$ equivalent)	Estimated completion date
1.		
2.		
3.		
4.		
5.		
6.		

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APPLICATION FORM (7)

FINANCIAL CAPABILITY

Name of Applicant or partner of a joint venture

Applicants, including each partner of a joint venture, should provide financial information to demonstrate that they meet the requirements stated in the Instructions for Prequalification of Tenderers. Each Applicant or partner of a joint venture must complete this form. If necessary, use separate sheets to provide complete banker information. A copy of the audited balance sheets should be attached.

Banker	Name of banker	
	Address of banker	
	Telephone	Contact name and title
	Fax	Telex

Summarize assets and liabilities in US\$ equivalent (at the rates of exchange current at the end of each year) for the previous three years. Based upon known commitments, summarize projected assets and liabilities in US\$ equivalent for the next two years, unless the withholding of such information is justified by the Applicant to the satisfaction of the Employer.

Financial information in US\$ equivalent	Actual: previous five years					Projected: next two years	
	1.	2.	3.	4.	5.	6.	7.
1. Total assets							
2. Current assets							
3. Total liabilities							
4. Current liabilities							
5. Profits before taxes							
6. Profits after taxes							

Specify proposed sources of financing to meet the cash flow demands of the Project, net of current commitments specified in the Instructions for Prequalification of Tenderers.

Source of financing	Amount (Euro equivalent)
1.	
2.	
3.	
4.	

Attach audited financial statements for the last three years (for the individual Applicant and each partner of a joint venture).

Firms owned by individuals, and partnerships, may submit their balance sheets certified by an accountant, and supported by copies of tax returns, if audits are not required by the laws of their countries of origin.

APPLICATION FORM (8)

LITIGATION HISTORY

Name of Applicant or partner of a joint venture

Applicants, including each of the partners of a joint venture, should provide information on any history of litigation or arbitration resulting from contracts executed in the last 7 years or currently under execution (refer to Qualification Information Form). A separate sheet should be completed for each partner of a joint venture.

Year	Award FOR or AGAINST Applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value, Euro equivalent)

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APPLICATION FORM (9)

STANDARD INTERNATIONAL PRACTICES

Name of Applicants or partner of a joint venture

Applicants, including each of the partners of a joint venture, should provide a narrative supported by examples from contracts executed in the last 7 years or currently under execution relating to:

- Quality Assurance System
- Environmental Policies
- Health and safety Policies
- Design

A separate sheet should be completed for each partner of a joint venture.

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APPLICATION FORM (10)

DECLARATION

Jordan Phosphate Mines Co. Plc.
Address:

PO Box 30,
AL-Sharif AL-Radii St. (5),
Shemissani, Amman,
The Hashemite Kingdom of Jordan

Dear Sir/Madam,

Subject: Application for pre-qualification for Subject: XXXXXXXXXXXXX

I, [*insert name and title*], [*insert title*], do solemnly and sincerely declare that:

1. I am duly authorised by [*Insert name of Applicant*] (the Applicant) to make this declaration on its behalf.
2. I make this declaration on behalf of the Applicant.
3. Before the Applicant submitted its application, neither the Applicant, nor any of its employees or agents, had knowledge of the application by any other Applicant who submitted, or of any person, company, other body corporate or firm that proposed to submit, an application for pre-qualification in response to this Tender Announcement.
4. Before the Deadline for Application Submission of this pre-qualification process, neither the Applicant, nor any of its employees or agents, disclosed the Applicant's application to:
 - (i) Any other Applicant who submitted an application for pre-qualification in response to this Tender Announcement;
 - (ii) Any person, company, other body corporate or firm proposing to submit an application for pre-qualification in response to this Tender Announcement.
5. Neither the Applicant, nor any of its employees or agents, has provided information to:
 - (iii) Any other Applicant who has submitted an application for pre-qualification in response to this Tender Announcement;
 - (iv) Any person, company, other body corporate or firm proposing to submit an application for pre-qualification in response to this Tender Announcement; or
 - (v) Any other person, company, body corporate or firm for the purpose of

assisting in the preparation of an application for pre-qualification in response to this Tender Announcement.

6. The Applicant is genuinely competing to get short-listed.
7. Neither the Applicant, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding, other than as disclosed to JPMC in the application, that the successful Applicant for the short-listing shall pay any money to, or provide any other benefit or other financial advantage to, an industry association in respect of the Contract.
8. Neither the Applicant, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding that the successful Applicant for the short-list shall pay any money to, or provide any other benefit or other financial advantage to, any other Applicant who unsuccessfully applied for the short-list.
9. Neither the Applicant, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding that Applicants for the short-listing would include an identical or similar condition or qualification in their applications.

I acknowledge that this declaration is true and correct, and I make it in the belief that a person making a false declaration is liable to penalties.

DECLARED at [<i>insert place</i>] on [<i>insert date</i>] before me:

Signature of authorised witness

Name of authorised witness (capital letters)
Address of authorised witness

Witness' Occupation

Signature of declarant