

**THE UNITED REPUBLIC OF TANZANIA  
MINISTRY OF FINANCE AND ECONOMIC AFFAIRS**



Tel: 2124634,  
Fax: 2124644,  
www.mca-t.go.tz

Development House,  
Kivukoni Front/Ohio Street,  
P. O. Box 8327,  
Dar es Salaam,  
Tanzania.



Ref: IFB MCAT/COM/0053

Date: 7<sup>th</sup> October, 2010

**IFB Amendment 1**

**To all Registered Firms for the Invitation for Bids MCAT/COM/0053  
For Procurement of Design and Build Contractor for 132 kV Overhead Line Works:  
Zanzibar Interconnector**

Amendment 1 of IFB MCAT/COM/0053 is issued to amend the following:

- A. Section I of the IFB - Instructions to Bidders
- B. Section IV of the IFB - Bidding Forms

A.	
ITB 4.4	<p>ITB 4.4 is amended as follows:</p> <p><b>Replace</b> “Government-owned entities in the Employer’s country shall be eligible only if they can establish that they (a) are legally and financially autonomous, (b) operate under commercial law, and (c) are not a dependent agency of the Employer.”</p> <p><b>With:</b> Government-Owned Enterprises (GOEs) are not eligible to compete for MCC-funded contracts. GOEs (i) may not be party to any MCC-funded contract for goods, works, or services procured through an open solicitation process, limited bidding, direct contracting, or sole source selection; and (ii) may not be pre-qualified or shortlisted for any MCC-funded contract anticipated to be procured through these means. This prohibition does not apply to Government-owned Force Account units owned by the Government of the MCA Entity’s country, or Government-owned educational institutions and research centers, any statistical, mapping or other technical entities not formed primarily for a commercial or business purpose, or where a waiver is granted by MCC in accordance with Part 7 of MCC’s Program Procurement Guidelines. All Bidders must certify their status as a part of their submission in the form entitled “<b>Government-Owned Enterprise Certification Form</b>” attached as Annex A of this Amendment.</p>

B.	
<b>Section IV - Bidding Forms</b>	The Bidding Form entitled "Bidder Information Sheet" and contained in Section iv (page 17) of the IFB is hereby removed and replaced with a new Bidding Form of the same name, which is attached as Annex B of this Amendment.
	The Bidding Form entitled "Joint Venture Information Sheet" and contained in Section iv (page 18) of the IFB is hereby removed and replaced with a new Bidding Form entitled "JV Information Sheet", which is attached as Annex C of this Amendment.

Sincerely



**M. S. Ngaida**  
**Procurement Director**

**Annex A to Amendment 1 of IFB: MCAT/COM/0053**

**For Procurement of Design and Build Contractor for 132 kV Overhead Line Works:  
Zanzibar Interconnector**

**Government-Owned Enterprise Certification Form**

Government-Owned Enterprises are not eligible to compete for MCC-funded contracts. Accordingly, GOEs (i) may not be party to any MCC-funded contract for goods, works, or services procured through an open solicitation process, limited bidding, direct contracting, or sole source selection; and (ii) may not be pre-qualified or shortlisted for any MCC-funded contract anticipated to be procured through these means.

This prohibition does not apply to Government-owned Force Account units owned by the Government of the MCA Entity's country, or Government-owned educational institutions and research centers, or any statistical, mapping or other technical entities not formed primarily for a commercial or business purpose, or where a waiver is granted by MCC in accordance with Part 7 of MCC's Program Procurement Guidelines. The full policy is available for your review on the Compact Procurement Guidelines page at the MCC Website ([www.mcc.gov](http://www.mcc.gov)). As part of the eligibility verification for this procurement, **please fill in the form below to indicate the status of your entity.**

For purposes of this form, the term "Government" means one or more governments, including any agency, instrumentality, subdivision or other unit of government at any level of jurisdiction (national or subnational).

- 1) Does a Government own a majority or controlling interest (whether by value or voting interest) of your shares or other ownership interest (whether directly or indirectly and whether through fiduciaries, agents or other means)?  
Yes  No
  
- 2) If your answer to question 1 was yes, are you a Government-owned:
  - a. Force Account unit Yes  No
  - b. Educational institution Yes  No
  - c. Research center Yes  No
  - d. Statistical entity Yes  No
  - e. Mapping entity Yes  No
  - f. Other technical entities not formed primarily for a commercial or business purpose  
Yes  No
  
- 3) Regardless of how you answered question 1, please answer the following:
  - a. Do you receive any subsidy or payment (including any form of subsidized credit) or any other form of assistance (financial or otherwise) from a Government? Yes  No   
If yes, describe: \_\_\_\_\_
  - b. Has a Government granted to you any special or exclusive legal or economic rights or benefits that may alter the competitiveness of your goods, works or services or otherwise influence your business decisions? Yes  No   
If yes, describe: \_\_\_\_\_
  - c. Does a Government have the ability to direct or decide any of the following with respect to you:

- i. any reorganization, merger, or dissolution of you or the formation or acquisition of any subsidiary or other affiliate by you Yes  No
- ii. any sale, lease, mortgage, pledge, or other transfer of any of your principal assets, whether tangible or intangible and whether or not in the ordinary course of business Yes  No
- iii. the closing, relocation, or substantial alteration of the production, operational, or other material activities of your business Yes  No
- iv. your execution, termination, or non-fulfillment of material contracts Yes  No
- v. the appointment or dismissal of your managers, directors, officers or senior personnel or otherwise participate in the management or control of your business Yes  No

4) Have you ever been Government-owned or controlled? Yes  No

5) If your answer to question 4 was yes, please answer the following questions

- a. How long were you Government-owned? \_\_\_\_\_
- b. When were you privatized? \_\_\_\_\_
- c. Do you receive any subsidy or payment (including any form of subsidized credit) or any other form of assistance (financial or otherwise) from a Government? Yes  No   
If yes, describe: \_\_\_\_\_
- d. Even though not majority or controlling, does a Government continue to hold any ownership interest or decision making authority in you or your affairs? Yes  No   
If yes, describe: \_\_\_\_\_
- e. Do you send any funds to a Government other than taxes and fees in the ordinary course of your business in percentages and amounts equivalent to other non-Government-owned enterprises in your country that are engaged in the same sector or industry? Yes  No   
If yes, describe: \_\_\_\_\_

Participants are advised that:

1. Prior to announcing the winning bidder or consultant or any list of pre-qualified bidders or shortlisted consultants for this procurement, the MCA Entity will verify the eligibility of such bidder(s) or consultant(s) with MCC. MCC will maintain a database (internally, through subscription services, or both) of known GOEs and each winning or pre-qualified bidder and winning or shortlisted consultant subject to this provision will be compared against the database and subject to such further due diligence as MCC may determine necessary under the circumstances.

2. Any misrepresentation by any entity submitting a bid or proposal for this procurement may be deemed a "fraudulent practice" for purposes of the MCC Program Procurement Guidelines and any other applicable MCC policy or guidance, including MCC's Policy on Preventing, Detecting and Remediating Fraud and Corruption in MCC Operations.

3. Any entity that is determined by MCC to have organized itself, subcontracted any part of its MCC-funded contract, or otherwise associated itself with any other entity for the purpose of, or with the actual or potential effect of, avoiding or otherwise subverting the provisions of the MCC Program Procurement Guidelines may be deemed to be a GOE for all purposes of those Guidelines.

4. Any reasonable accusation that any entity submitting a bid or proposal for this procurement is a GOE ineligible to submit a bid or proposal in accordance with the MCC Program Procurement Guidelines will be subject to review in a bid challenge in accordance with those Guidelines and the MCA Entity's Bid Challenge System.

**Authorized Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Annex B to Amendment 1 of IFB: MCAT/COM/0053**

**For Procurement of Design and Build Contractor for 132 kV Overhead Line Works:  
Zanzibar Interconnector**

**Bidder Information Sheet**

Each Bidder must fill in this form.

<b>Bidder's legal name</b>	
<b>In case of JV, legal name of each partner</b>	
<b>Bidder's country of constitution</b>	
<b>Bidder's year of constitution</b>	
<b>Bidder's legal address in country of constitution</b>	
<b>Bidder's authorized representative</b> (name, address, telephone numbers, fax numbers, e-mail address)	
<b>Attached are copies of the following original documents.</b>	
<input type="checkbox"/> 1. In case of single entity, articles of incorporation or constitution of the legal entity named above, in accordance with ITB 4.1 and 4.2.	
<input type="checkbox"/> 2. Authorization to represent the firm or JV named in above, in accordance with ITB 20.2.	
<input type="checkbox"/> 3. In case of JV, letter of intent to form JV or JV agreement, in accordance with ITB 4.1.	
<input type="checkbox"/> 4. Government-Owned Enterprise Certification Form (Attached as Annex A of Amendment 1 of IFB MCAT/COM/0053)	

**Annex C to Amendment 1 of IFB: MCAT/COM/0053**

**For Procurement of Design and Build Contractor for 132 kV Overhead Line Works:  
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**JV Information Sheet**

Each member of a JV or an association must fill in this form.

<b>JV / Specialist Subcontractor Information</b>	
<b>Bidder's legal name</b>	
<b>JV Partner's or Subcontractor's legal name</b>	
<b>JV Partner's or Subcontractor's country of constitution</b>	
<b>JV Partner's or Subcontractor's year of constitution</b>	
<b>JV Partner's or Subcontractor's legal address in country of constitution</b>	
<b>JV Partner's or Subcontractor's authorized representative information (name, address, telephone numbers, fax numbers, e-mail address)</b>	
<p align="center"><b>Attached are copies of the following original documents.</b></p> <p><input type="checkbox"/> 1. Articles of incorporation or constitution of the legal entity named above, in accordance with ITB 4.1 and 4.2.</p> <p><input type="checkbox"/> 2. Authorization to represent the firm named above, in accordance with ITB 20.2.</p> <p><input type="checkbox"/> 3. Government-Owned Enterprise Certification Form (Attached as Annex A of Amendment 1 of IFB MCAT/COM/0053)</p>	