

# QUALIFICATION CRITERIA AND REQUIREMENTS

It is the Employer's intention to base the contract related to Lot EPC-EM on the FIDIC Conditions of Contract for Plant and Design-Build (FIDIC Yellow).

Conditions to participate are enlisted hereafter.

## 1. EXCLUSION CRITERIA

The Tenderer, and in case of a consortium, each member of the consortium and each entity whose capacity or ability is relied on (\*), can be excluded from participation at the sole discretion of the Employer at any time during the procedure in case one of the following exclusion criteria is met:

	Exclusion criteria
1.	<ul style="list-style-type: none"> <li>- Participation in a criminal organisation as defined in article 324bis of the Belgian Criminal Code;</li> <li>- Corruption as defined in article 246 of the Criminal Code;</li> <li>- Fraud within the meaning of article 1 of the Convention on the protection of the European Communities' financial interests, as approved by act of 17 February 2002;</li> <li>- Money Laundering as set out in article 2 of the Act of 18 September 2017 on preventing use of the financial system for purposes of laundering money and terrorism financing.</li> </ul>
2.	<p>The Tenderer(*):</p> <ul style="list-style-type: none"> <li>- is bankrupt;</li> <li>- has been liquidated;</li> <li>- has been put into voluntary or compulsory administration;</li> <li>- has been granted a moratorium;</li> <li>- has compounded with creditors;</li> <li>- has stopped its activities; or</li> <li>- is in any other similar or comparable similar condition.</li> </ul>
3.	<p>The Tenderer(*) has filed for or is the subject of proceedings for a declaration of bankruptcy, or liquidation proceedings or judicial reorganisation proceedings, or is subject of similar or comparable proceedings pursuant to other national legislation.</p>
4.	<p>The Tenderer(*) has been condemned by a judgment which has the force of res judicata and the conviction affects its professional integrity.</p>
5.	<p>The Tenderer is found guilty of grave professional misconduct.</p>
6.	<p>The Tenderer(*) has not complied with all its obligations with regard to the payment of social insurance contributions.</p>

7.	The Tenderer (*) has not complied with its obligation to pay taxes in accordance with the applicable Belgian legislation or the statutory provisions of the country in which it is established.
8.	The Tenderer (*) is guilty of serious misrepresentation in supplying the information required.

The Tenderers shall provide the information requested by adding completed forms in a format that will be supplied by the Employer to their offers.

The Employer reserves the right to request a Tenderer to submit further evidence or exhibits concerning the exclusion criteria in case of doubt after the submission of the requested information.

## **2. SELECTION CRITERIA**

### **2.1 *Economic and financial capacity***

Tenderers shall provide information allowing the Employer to evaluate the economic status and the financial capacity of the Tenderer.

The required information is enlisted in the relevant form that will be supplied. In case of a consortium, this information shall be provided for each member of the consortium.

The Tenderer may rely on the capacity of other entities, where appropriate, but must in this case deliver an undertaking by those entities to make the necessary resources available to the Tenderer.

### **2.2 *Technical capacity***

All Tenderers must demonstrate that they dispose of sufficient resources and experience to undertake Lot EPC-EM of the Project.

The Tenderers must demonstrate that they have sufficient resources available, including but not limited to management capability, technical staff .

The expertise of the Project team will be evidenced by submitting CV's of the members of the Project Team if so requested by the Employer. All changes to the Project Team have to be approved by the Employer in writing, who is not obligated to provide its approval. The Employer expects the person who the Tenderer wishes to designate as Project manager, to be present at the individual clarification meetings.

### **2.3 *Experience and references***

Tenderers must demonstrate their experience and expertise. It is essential that an Tenderer can provide sufficient relevant and recent project references (similar nature and comparable size). This includes (but is not limited to):

- General Project Management (EPC) (excluding civil works):
  - o A minimum of one reference as general contractor concerning an installation that is similar to the installation, subject of the Project, and that was installed in the EU or the European Free Trade Association;
  - o The installation was completed after November 2009.
- Electro-mechanical equipment:
  - o A minimum of three references of waste sorting installations, preferably similar to the installation, subject of the Project, of which one reference is located in the EU or the European Free Trade Association (the Tenderer must demonstrate that it will be able to deliver this reference at the time the first tender is submitted);
  - o The installation was completed after November 2009.

The Tenderer shall provide information in the format as requested in the relevant format that will be supplied.

### **3. EVALUATION**

The Employer shall verify whether the information supplied by each Tenderer is complete and correct. Furthermore the Employer shall verify whether or not grounds exist to disqualify any Tenderer due to breach of relevant criteria.

In case incorrect, insufficient, incomplete or inadequate information is provided, the Employer may at its sole discretion decide to exclude that Tenderer from or still to include it in the procedure.

The Employer shall evaluate the information as provided by the Candidates. Insofar a sufficient number of Tenderers submit an offer, it is the intention to shortlist 3 Tenderers.