

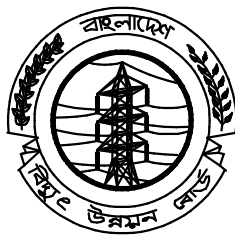
# **BANGLADESH POWER DEVELOPMENT BOARD**

## **PRE-QUALIFICATION DOCUMENT**

**FOR**

**IMPLEMENTATION OF A 300 - 450 MW DUAL FUEL (FURNACE OIL/GAS)  
COMBINED CYCLE POWER PROJECT ON A BUILD OWN OPERATE BASIS  
AT MEGHNAGHAT, NARYANGANJ, BANGLADESH**

**JANUARY 2010**



## PRE-QUALIFICATION DOCUMENT

### SECTION I

#### NOTICE AND INVITATION

#### NOTICE OF THE PRE-QUALIFICATION OF BIDDERS TO SUBMIT PROPOSALS FOR IMPLEMENTATION OF A 300 - 450 MW DUAL FUEL (FURNACE OIL/GAS) COMBINED CYCLE POWER PROJECT ON A BUILD OWN OPERATE BASIS AT MEGHNAGHAT, NARYANGANJ, BANGLADESH

Invitation Ref. No. ....Date:.....

Having been authorized by the Government of the People's Republic of Bangladesh ("GOB"), Bangladesh Power Development Board (BPDB) intends to select a potential sponsor (the "Project Sponsor") to develop a dual fuel (furnace oil/gas) 300-450 MW combined-cycle power plant at Meghnaghat, Naryanganj (the "Project") on a site that will be owned by the Bangladesh Power Development Board (BPDB). The Project will be implemented on "build, own and operate" basis for a period of 22 years.

The Project Sponsor will be selected through an international competitive bidding process from a pool of applicants (the "Applicants") who meet the criteria set forth in this Pre-Qualification Document. The selected Project Sponsor will be required to arrange the necessary financing and to execute the key project documents for the Project.

BPDB seeks to pre-qualify interested power project developers who have previous international experience in implementing power generation projects, and invites interested developers to submit Qualification Statements in accordance with the criteria set forth in the Pre-Qualification Document. Only Applicants whose Qualification Statements demonstrate that they meet all of the criteria set forth in this Pre-Qualification Document will be invited to submit bids for the Project. The Pre-Qualification Document will be available at the BPDB website: <http://www.bpdb.gov.bd>.

Applicants should submit to BPDB their Qualification Statements during normal business hours, together with a non-refundable processing fee of US\$ 500 (or Bangladesh Taka 35,000) in the form of an international bank draft encashable at any scheduled bank in Bangladesh or in the form of a local bank draft, made payable to "Secretary, Bangladesh Power Development Board", at or before 1200 hours Bangladesh standard time on 23 March, 2010 (the "Pre-Qualification Closing Date"). Any requests for additional information and/or questions concerning this Pre-Qualification Document shall be submitted in writing not later than 15 Business Days before the

Pre-Qualification Closing Date and all completed Qualification Statements shall be submitted not later than the Pre-Qualification Closing Date, in each case in writing to:

Secretary

Bangladesh Power Development Board

WAPDA Building (1<sup>ST</sup> Floor),

Motijheel C/A,

DHAKA, 1000.

Facsimile: : 880-2-9564765, 880-2-9551344.

Tel. No. : 8802-9554209, 9567350

## SECTION II

### PRE-QUALIFICATION OF BIDDERS TO SUBMIT PROPOSALS FOR IMPLEMENTATION OF A 300 - 450 MW DUAL FUEL (FURNACE OIL/GAS) COMBINED-CYCLE POWER STATION AT MEGHNAGHAT, NARYANGANJ, BANGLADESH ON A BUILD OWN OPERATE BASIS

#### A. DEFINITIONS

For purposes of this Prequalification Document, the following capitalized terms shall have the following meanings:

“**Applicant**” means any single entity or consortium of entities submitting a Qualification Statement with the intent to be pre-qualified as a Bidder and potentially as the Project Sponsor.

“**BAS**” means Bangladesh Accounting Standards.

“**Bidder**” means each Applicant that is determined to satisfy the qualification criteria in this Pre-qualification Document and is pre-qualified by BPDB and, subject to the requirements in the Request For Proposals for the Project, will be permitted to submit a Proposal.

“**BPDB**” means the Bangladesh Power Development Board, a body established by the Government of the People’s Republic of Bangladesh.

“**Business Day**” means a day on which banks and government offices are open for business in Dhaka, People’s Republic of Bangladesh.

“**Commercial Operations Date**” means the date falling one day after the day on which the Project is commissioned to operate on a commercial basis.

“**Current Assets**” means, in relation to a given entity, the number indicated as “current assets” on such entity’s most recent balance sheet prepared in accordance with IAS or BAS.

“**Current Liabilities**” means, in relation to a given entity, the number indicated as “current liabilities” on such entity’s most recent balance sheet prepared in accordance with IAS or BAS.

“**Current Ratio**” means, in relation to any given entity, the result obtained by dividing its Current Assets by Current Liabilities.

“**IAS**” means International Accounting Standards.

“**Lead Member**” means, in relation to a consortium Applicant, the member of such consortium who fulfills the criteria set forth in Section 1.2.1 of Section II-H.

“**Material Adverse Dispute**” is defined in Section 4.1 of Section II-H.

“**MW**” means megawatt.

“**Net Worth**” means, in relation to any entity, such entity’s Total Assets minus its Total Liabilities.

“**Operating Member**” means, in relation to a consortium Applicant, the member of such consortium who fulfills the criteria set forth in Section 1.2.2 of Section II-H.

“**Pre-Qualification Closing Date**” means 1200 Hours BST (Bangladesh Standard Time) on 23 March, 2010.

**“Pre-Qualified Applicant”** means an Applicant who is determined to meet the qualification criteria outlined in Section II-H of this Pre-Qualification Document.

**“Project”** means the 300 - 450 MW dual fuel (furnace oil/gas) combined-cycle power plant and support facilities located at Meghnaghat, Naryanganj, Bangladesh, which are to be designed, financed, constructed, owned, operated and maintained by the Project Company.

**“Project Agreements”** means, collectively, the Implementation Agreement (including the Government Guarantee) (IA), Power Purchase Agreement (PPA), Land Lease Agreement (LLA), and all other agreements entered into directly between the Government of Bangladesh, Bangladesh Power Development Board (BPDB) or their respective legal successors, other public sector entities and the Project Company.

**“Project Company”** means a company duly incorporated under the laws of Bangladesh by the Project Sponsor, which will execute the Project Agreements for the Project.

**“Project Sponsor”** means the Pre-Qualified Applicant who, based on the Proposals submitted in response to the Request for Proposals, has been selected by BPDB to be the developer of the Project.

**“Proposal”** means the proposal, including the technical and financial proposals, submitted by the Bidder and on which the determination of the Bidder to be designated by BPDB as the Project Sponsor shall be made.

**“Qualification Statement”** means a statement containing all of the information requested in Section II-H, which shall be submitted in the form attached hereto as Annex A-2.

**“Request For Proposals”** means the document to be provided by BPDB to the Bidders (pre-qualified Applicants) which shall specify the requirements for, and the date by which, Proposals for the Project must be submitted by the Bidders.

**“Total Assets”** means, in relation to any entity, the total consolidated assets of such entity and its subsidiaries measured in accordance with IAS or BAS for such entity’s most recent financial year.

**“Total Liabilities”** means, in relation to any entity, the total consolidated liabilities of such entity and its subsidiaries measured in accordance with IAS or BAS for such entity’s most recent financial year.

## **B. PROJECT BACKGROUND**

1. The Government of The People’s Republic of Bangladesh (“GOB”) has adopted a strategy for the development of the power sector which envisages private participation in the sector. As part of that strategy, the Government decided that some new generation capacity will be installed and operated by the private sector. The Project Sponsor will be selected through competitive solicitation.
2. Following adoption of the Private Sector Power Generation Policy (“PSPGP”) in 1996, the first Independent Power Producer (“IPP”) became operational in 1998. Since then, contribution from IPPs has reached around 1500 MW, which is almost one third of total available generation capacity.
3. In line with this strategy, GOB has decided to implement a new greenfield 300-450 MW dual fuel (furnace oil/gas) combined-cycle power plant, on Build, Own and Operate (“BOO”) basis at Meghnaghat, Naryanganj, and will sign a 22-year Implementation Agreement (“IA”) supporting the project. BPDB will sign a Power Purchase Agreement (“PPA”) as power purchaser and a Land Lease Agreement (“LLA”) as owner of the land.

4. The project site location for this new IPP is in the center of Bangladesh, approximately 28 km from Dhaka, adjacent to Meghnaghat Phase-I Power Station. The site is on the Meghna River. The area is developed land owned by BPDB. BPDB will lease the site to the Project Company for a period equal to the term of the Power Purchase Agreement (together with any agreed extensions thereto). Adequate water for cooling system is available at the site. While there is presently no existing transmission facility for the evacuation of power from the planned power station, plans have been made to expand the 400-kV system to Dhaka, which will put 400 kV in the vicinity of the Meghnaghat, Naryanganj site.
5. To evacuate power from the plant, a new 400 kV transmission line will be constructed. The Power Grid Company of Bangladesh (“PGCB”) currently has plans for a 400 kV transmission line to connect the Meghnaghat power station, which line will be completed in advance of the scheduled Commercial Operations Date for the power station.
6. The selected Project Sponsor will be required to arrange the necessary financing and to execute the key project documents for the Project by dates specified in the Request For Proposals.

### **C. PROJECT DEVELOPMENT PROCESS**

1. BPDB intends to select the Project Sponsor to develop the Project on a Build-Own-Operate basis. The Project Sponsor will be responsible for financing, designing, constructing, owning, operating and maintaining the Project. The process for the development of the Project, including selection of the Project Sponsor, shall include the following elements:
  - 1.1 Applicants will be pre-qualified on the basis of the prequalification criteria set forth herein. Applicants must submit indication of interest in the form of Annex A-1, and a completed Qualification Statement in the form of Annex A-2.
  - 1.2 All Qualification Statements will be evaluated in accordance with the criteria outlined in Section II-H. Pre-Qualified Applicants will be requested to submit technical, commercial and financial proposals for the exclusive right to develop the Project. The Project Sponsor will be selected based upon the proposals received.
  - 1.3 The Project Company will sign the Implementation Agreement (IA), Power Purchase Agreement (PPA), Land Lease Agreement (LLA), and other relevant agreements not later than dates specified in the request For Proposals.
  - 1.4 The Project Sponsor will be responsible for the arrangement of the financing for the Project. The Project Sponsor will be required to commit a minimum equity investment in the Project of 20% of the total capital cost for the Project and, in any event, sufficient equity to satisfy the requirements of the Project lenders.

**D. SCOPE OF WORK**

1. The Project Company will be responsible for design, selection and procurement of necessary equipment and materials, construction, commissioning, testing, operation, and maintenance of the 300 - 450 MW power generating facility at its own risk.
2. The Project Company will be required to arrange the necessary financing, execute the Project Agreements, construct the power station, provide plant operations, fuel supply and overall project management as required to develop, construct and operate the Project for the term of the Power Purchase Agreement. The Project Company shall also obtain necessary permits for importation of materials and equipment, construction of the Project and for the Project's operations in accordance with the laws of Bangladesh.
3. The Project Company shall also perform the following tasks:
  - 3.1 Study and implement mitigation measures for the Project to comply with Bangladesh environmental laws and regulations, and the Asian Development Bank and World Bank environmental guidelines.
  - 3.2 Meet the pre-agreed commitments for the Project at the end of the contractual period as contained in the Project Agreements.

**E. PHYSICAL FACILITIES OF THE PROJECT**

1. The Project consists of a complete dual fuel (furnace oil/gas) combined-cycle power generation facility between 300 MW to 450 MW of net capacity at ambient site conditions with all the required support facilities which, among others, would include the following:
  - 1.1 complete dual fuel (furnace oil/gas) Generation Units with a total net power generation capacity of between 300 MW and 450 MW in combined-cycle operation at ambient site conditions, which is expected to operate as a base-load plant based on economic dispatch with availability factor of not less than 90% (unless specified otherwise in the Request For Proposals).
  - 1.2 all required site support facilities, including, but not be limited to, the administration buildings, warehouses, workshops, fuel delivery and storage facilities, switchyard, and cooling and process water systems; and
  - 1.3 all necessary site infrastructure, such as roads, parking areas, lighting, security fencing, workers' living quarters, etc.
2. Site: BPDB will lease the site located at Meghnaghat, Naryanganj for the term of the Power Purchase Agreement (together with any agreed extension thereto). Site survey, soil testing and studies of cooling and process water availability and environmental impact assessment studies will have to be performed by the selected Project Sponsor. The Project Sponsor will be responsible for ensuring that the Project design and construction meet the requirements of the actual site conditions. The site development including site leveling, filling to the approximate final elevation, soil compaction, and river bank protection (if required) will be performed by the Project Sponsor.

3. **Electrical Interconnection:** The interface point for sale of power will be at the power station 400 kV switchyard. The construction of a 400 kV transmission line of adequate capacity for evacuating the power generated by the Project will be built by PGCB, and shall be completed prior to the scheduled Commercial Operations Date for the Meghnaghat power station. The GOB will arrange the construction and financing for the transmission line.
  
4. **Fuel Supply:** The Meghnaghat power station will be operated using furnace oil as fuel until such time as natural gas is available at the site in adequate quantities to allow the use of natural gas as fuel for the generation of power at the power station, which date of availability of natural gas is presently uncertain. The Project Sponsor will arrange the supply and delivery to the site of required quantities furnace oil for use as fuel to the power generation facility. The fuel supply arrangements will be required to ensure an adequate and reliable supply of fuel and shall, along with the fuel supply agreement, be acceptable to BPDB.

**F. PROPOSED PROJECT TIMETABLE**

<b>Event</b>	<b>Day number</b>
Pre-qualification notice published	0
Receipt of pre-qualification submissions	60
Evaluation of pre-qualification submissions	60 – 75
Issue notice to pre-qualified Applicants	76
Issuance of RFP documents to Pre-qualified Applicants	76
Conference for Pre-Qualified Bidders	97
Written clarifications for bidders	127
Technical and financial tenders received, including tender security and executed transaction documents (IA, GSA, PPA, LA)	165
Evaluation of technical proposals	165-195
Public opening of Financial Proposal	196
Government approval of award	226
Signing of contracts	256

## **G. INSTRUCTIONS FOR APPLICANTS**

### **1. General**

- (a) All requested information shall be submitted to BPDB by the Applicant in the English language.
- (b) Pre-qualification decisions will be made solely on the basis of an Applicant's Qualification Statement, which should be submitted in the form of Annex A-2. No supplemental or other information will be accepted other than responses from Applicants to clarifications which have been specifically requested by BPDB.
- (c) The Qualification Statement should be accompanied by an indication of interest in the form of Annex A-1, which should be signed by a person or persons duly authorized to sign on behalf of the Applicant. If the Applicant is a consortium, the Qualification Statement should be signed by a person or persons duly authorized to sign on behalf of the Lead Member of the consortium. Consortium Applicants should submit a duly-executed signing authorization form in the form of Annex A-3.
- (d) For purposes of determining compliance with the various dollar thresholds set out in Section II-H, Applicants who do not maintain their financial records in US dollars should apply the official exchange rates published in the Economist to convert their financial records into US Dollars. A link to the Economist's online exchange rate archive is attached to this Pre-Qualification Document as Appendix 1.
- (e) BPDB will not enter into any correspondence with Applicants except to seek clarification, if and when necessary.
- (f) Applicants may seek clarification from BPDB on the pre-qualification process and criteria by submitting a request for clarification in writing to BPDB at the address given in this Prequalification Document. Although BPDB will attempt to respond to all reasonable queries, it is under no obligation to do so, and may decline to respond to any query or request for clarification at its sole discretion.
- (g) All queries from Applicants to which BPDB has responded will be posted on the website of BPDB on an unattributed basis. All such queries must be received at least (15) fifteen Business Days before the Pre-Qualification Closing Date.
- (h) Any documents submitted by Applicants to BPDB shall be the property of BPDB, and shall not be returned.

2. **Procedure and Timing:**

- (a) Submission of Applicant's Qualification Statement in the form attached hereto as Annex A-2.
- (b) An original and five (5) Copies of the Applicant's Qualification Statement shall be submitted to BPDB during normal business hours at or before 1200 hours Bangladesh Standard Time on 23 March, 2010 (the Pre-Qualification Closing Date).
- (c) Qualification Statements shall be submitted together with the processing fee to the following address:

**Original and five copies to:**

Secretary  
Bangladesh Power Development Board  
WAPDA Building (1<sup>ST</sup> Floor),  
Motijheel C/A,  
DHAKA 1000.  
Facsimile : 880-2-9564765, 880-2-9551344.  
Tel. No. : 8802-9554209, 9567350

- (d) Applicants may deliver their Qualification Statements only by courier or in person. *Under no circumstances shall Qualification Statements be accepted after the Pre-Qualification Closing Date.*

3. **Disposition of Applications**

- (a) BPDB reserves the right to reject any Applicant's Qualification Statement, if such Applicant's Qualification Statement does not comply with the criteria described in Section II-H, without thereby incurring any liability to the Applicant. BPDB reserves the right not to award the Project to any Applicant, and may terminate the pre-qualification process at any time without thereby incurring any liability to any Applicant. BPDB may at its sole discretion contact Applicant(s) and request clarifications or additions to, or modifications to the format of, any of the information or data submitted in the Qualification Statement. Any such requests for clarifications, additions or modifications and replies thereto are to be in writing.
- (b) BPDB reserves the right to contact third parties and verify the information provided by each Applicant in its Qualification Statement at any time during or after the pre-qualification process.

4. **Evaluation Committee**

The Ministry of Power, Energy and Mineral Resources shall appoint an Evaluation Committee (the “Evaluation Committee”) which shall be in charge of examining each of the proposals submitted by Applicants.

5. **Evaluation Procedure**

The procedure for opening and evaluating Qualification Statements from Applicants will be as follows:

- (a) Each Applicant shall place its Qualification Statement into a single envelope and shall deliver it to the offices of the Secretary of BPDB during normal business hours in the manner set forth in this Pre-Qualification Document. Envelopes received shall be numbered in the order received and the date and time shall be written on them. Once the envelopes are submitted they cannot be returned for any reason.
- (b) All submitted Qualification Statements will be properly safeguarded. None of the documents will be removed from the premises of BPDB and no copies will be made. Envelopes will not be opened except in the presence of the Chairman of the Evaluation Committee.
- (c) Thirty minutes after the submission deadline (i.e., the Pre-Qualification Closing Date), the Evaluation Committee will in public open all of the envelopes received. The Chairman of the Evaluation Committee will read out the name of each Applicant. The name of all Applicants will also be posted on the website of BPDB within 24 hours following the Pre-Qualification Closing Date.
- (d) Each page of the original version of each Qualification Statement, and the first page of each annex thereto, will be initialed by two members of the Evaluation Committee.
- (e) The Evaluation Committee will also announce the timetable for reviewing the Qualification Statements received, disclosing the results and the procedure for making all the Qualification Statements available to all the Applicants. However, the Evaluation Committee will initiate the evaluation not later than 3 Business Days following the Pre-Qualification Closing Date.
- (f) The Evaluation Committee shall evaluate each Applicant’s Qualification Statement on a “pass” or “fail” basis. Applicants must meet all of the criteria set forth in Section H to “pass” the evaluation process.
- (g) The Evaluation Committee may request in writing any additional information in connection with any response in an Applicant’s Qualification Statement. Each Applicant must designate a representative to receive these requests. This representative must provide a telephone number, email address and other address.

- (h) No Applicant or consortium member may contact directly any member of the Evaluation Committee to discuss this pre-qualification exercise during the period from the issuance of the Pre-Qualification Notice to the announcement by BPDB of the Pre-Qualified Applicants/Bidders.
- (i) BPDB will inform officially and in writing all pre-qualified and unsuccessful Applicants not later than 15 Business Days following the Pre-Qualification Closing Date.

## **H. PRE-QUALIFICATION CRITERIA**

APPLICANTS WILL ONLY BE PRE-QUALIFIED AS BIDDERS BE ALLOWED TO SUBMIT A BID FOR THE PROJECT IF THEY MEET ALL OF THE CRITERIA SET OUT BELOW.

### **1. Composition of Applicant**

- 1.1 Applicants may apply either individually or as a consortium. Individual Applicants or consortium members may not be natural persons.
- 1.2 If a consortium is submitting a Qualification Statement, the consortium must identify one or more members of the consortium that will assume and discharge the responsibilities of the Lead Member and the Operating Member as set forth below.

#### **1.2.1 The Lead Member of a consortium Applicant:**

- Must hold and maintain through the date specified in the Request For Proposals at least 51% of the equity interests in the consortium and in the Project development vehicle (either directly or through a majority-owned special purpose project subsidiary);
- Must meet the financial criteria set out in Section 2. The financial qualifications of a company which is the 51% or more shareholder of the Lead Member may be included and will qualify as financial qualifications of the Lead Member, *provided* that the identity of the other company and its relationship to the Lead Member is disclosed in the Qualification Statement. and *provided, further*, that the company whose qualifications are used to satisfy the requirements of the Lead Member must deliver as a part of the Pre-Qualification Statement an Undertaking addressed to BPDB undertaking and agreeing that the company whose financial qualifications are used will maintain its existing relationship with the Lead Member through the Commercial Operations Date, a breach of which Undertaking shall constitute a “Company Event of Default” under Implementation Agreement between the Project Company and the GOB.
- Must meet the technical criteria set out in Section 3 (to the extent that such criteria are not met by the Operating Member).

### 1.2.2 The Operating Member of the consortium:

- Must hold and maintain through the date specified in the Request For Proposals at least 20% of the equity interests in the consortium and in the Project development vehicle (either directly or through a majority-owned special purpose project subsidiary);
- Must meet the technical criteria set out in Section 3 (to the extent that such criteria are not met by the Lead Member). In case the Lead Member does not have sufficient technical experience (when combined with the experience of the Operating Member) pursuant to Section 3, the technical criteria may be satisfied by the Operating Member together with another member of the consortium that also holds not less than 20% of the equity interests in the consortium and the Project development vehicle). If the technical criteria set out in Section 3 are satisfied by two members of the consortium, each of such members shall be designated as the “Operating Member” and shall be bound by all obligations and requirements imposed on the Operating Member.
- The technical qualifications/experience of a company which is the 51% or more shareholder of the Operating Member may be included and will qualify as qualifications experience of the Operating Member, *provided* that the identity of the other company and its relationship to the Operating Member is disclosed in the Qualification Statement. and *provided, further*, that the company whose qualifications are used to satisfy the requirements of the Operating Member must deliver as a part of the Pre-Qualification Statement an Undertaking addressed to BPDB undertaking and agreeing that the company whose experience is used will maintain its existing relationship with the Operating Member through the Commercial Operations Date, a breach of which Undertaking shall constitute a “Company Event of Default” under Implementation Agreement between the Project Company and the GOB.

1.2.3 The Lead Member and the Operating Member may be the same entity.

1.2.4 Neither the Lead Member nor the Operating Member may be a natural person.

1.3 An Applicant that is a consortium shall provide the information requested in Section A of the Qualification Statement detailing the respective roles and ownership interests of the various members of the consortium.

- 1.4 Changes in the composition of a consortium Applicant prior to the submission of the bid for the Project is permitted; *provided*, that the following conditions are satisfied and notice to and prior approval is granted by BPDB (which shall not be unreasonably withheld):
  - 1.4.1 No changes in the members of a consortium Applicant are permitted which would result in either (a) a change to the Lead Member or the Operating Member of the consortium or (b) the failure by the consortium to meet any of the criteria set out in Section 2 or Section 3;
  - 1.4.2 Pre-qualified Applicants shall not be permitted to form a consortium to submit a proposal/bid;
  - 1.4.3 Changes to members of a consortium Applicant (other than the Lead Member and/or the Operating Member) are permitted 30 Days before the date on which the consortium Applicant submits its final bid/proposal for the Project;
  - 1.4.4 Any changes to the composition of a consortium Applicant must be notified to BPDB in writing not later than 5 Business Days prior to the effectiveness of such change; and
  - 1.4.5 Failure to comply with any of the requirements set forth in this Section 1.4 may result in immediate disqualification by BPDB of the consortium Applicant's submission of a bid/proposal.

## 2. **Financial Criteria**

- 2.1 The Applicant (or, in the case of a consortium Applicant, the Lead Member) shall include the following information in its Qualification Statement:
  - 2.1.1 One or two private power generation projects in respect of which it has successfully raised equity financing of at least US\$ 50 million in the aggregate in the past fifteen years; and
  - 2.1.2 One or two private power generation project in respect of which it has successfully raised debt financing of at least US\$ 150 million in the aggregate in the past fifteen years.
- 2.2 The Applicant (or, in the case of a consortium Applicant, each member of the consortium) should also provide the following financial information in the manner prescribed in the Qualification Statement Form:

2.2.1 Certified copies of its audited balance sheets for each of immediately preceding three fiscal years, which should be prepared in accordance with IAS or BAS and demonstrate the following:

- Profitability for each of the past 3 fiscal years; and
- A Current Ratio (i.e., current assets divided by current liabilities) for each of the last 3 fiscal years of no less than 1:1.

2.2.2 In addition, the Applicant (or, in the case of a consortium Applicant, each of the members of the consortium) shall provide certified audited balance sheets for the past three fiscal years prepared in accordance with IAS or BAS that demonstrate a Net Worth that is equal to or in excess of US\$ 100 million in each such fiscal year (in the case of a consortium Applicant, the Net Worth requirement shall be on a proportionate shareholding basis, calculated for each member of the consortium as US\$ 100 million multiplied by the percentage of such member's equity share commitment in the consortium (Project Company) and divided by 100%).

2.3 An Applicant (or, in the case of a consortium Applicant, each member of the consortium Applicant) may avoid the financial requirements of Section 2.2 if the Applicant or the Lead Member of the consortium Applicant can demonstrate that it presently has total assets equal to or in excess of US\$ 1 billion and a Net Worth equal to or in excess of US\$ 400 million. An Applicant or consortium Applicant that wishes to qualify using the alternate financial requirement specified in this Section 2.3 must substantiate its claim by attaching to the Qualification Statement certified copies of its audited balance sheets for the immediately preceding fiscal year, which balance sheets must be prepared in accordance with IAS or BAS; *provided*, that if the relevant company's immediately preceding fiscal year has not ended at least 90 days prior to the Pre-Qualification Closing Date, the audited balance sheets for the fiscal year immediately preceding the last closed fiscal year may be provided, in which case the audited balance sheets shall be accompanied by (a) a note from the relevant company's auditors stating that the company's immediately preceding fiscal year ended less than 90 days prior to the Pre-Qualification Closing Date and (b) a certification that there has been no material adverse change in the relevant company's financial condition since the period for which the audited balance sheets have been provided.

2.4 The certification of all financial statements required herein shall be made and signed by either (a) the Chairman, Board of Directors of the company whose financial statements are being provided *or* (b) the relevant company's (1) Chief Financial Officer and (2) Chief Executive Officer, and certify that the copy provided is true, correct and complete.

### 3. **Technical Criteria**

#### 3.1 **Operating Experience**

3.1.1 The Applicant (or, in the case of a consortium Applicant, the Operating Member (and any other Member whose power project operating and management experience is included in the Qualification Statement)) must provide details in its Qualification Statement evidencing the "successful" (as defined in Section 3.1.2) operation and management of one or two power projects of which it is or was the "owner" (as defined in Section 3.1.3(b)) or operator with an aggregate capacity of 400 MW or more, including at least one combined-cycle power project of 200 MW capacity or more which is connected to the national power grid in the country in which such project is located, and at least one project (the combined-cycle project) of which must have been in operation for no less than 2 years.

3.1.2 For purposes of determining compliance with the requirements of Section 3.1.1, "successful" operation and management means all the following:

- The Operation and Maintenance Agreements or the Power Purchase Agreements for each of the cited projects have not been terminated or suspended as a result of a default by the Applicant or Applicant member (as owner or operator, as the case may be);
- Either (a) the projects achieved an average annual availability of not less than 85% (excluding by reason of "Force Majeure") during each year it was owned or operated by the Applicant (or, in the case of a consortium Applicant, by the Operating Member *or* (b) the Applicant (or, in the case of a consortium Applicant, the Operating Member) has not become liable to pay penalties or liquidated damages or for a reduction in the payments it would have otherwise been entitled to receive under any Operation and Maintenance Agreement or any Power Purchase Agreement for any of the cited projects where such penalties or liquidated damages exceed 25% of the operation and maintenance fee or Capacity Payments, as the case may be, payable in respect of the project in question in any given year; and

- There have been no material infringements of applicable environmental or occupational health and safety laws or regulations at any of the cited projects.
- Applicant will be required to provide in its Qualification Statement a list of the projects that it wishes to cite in fulfillment of the criteria set out in Section 3.1.2.

3.1.3 For purposes of calculating an Applicant's (or, in the case of a consortium Applicant, the Operating Member's (and any other Member whose power project operating and management experience is included in the Qualification Statement)) aggregate MW of project operating experience to determine compliance with the criteria described in Section 3.1.1, only projects in which the Applicant (or, in the case of a consortium Applicant, the Operating Member (and any other Member whose power project operating and management experience is included in the Qualification Statement)) was (a) the operator *or* (b) has or had an ownership interest of not less than 51% during such period of operation will qualify and should be included.

## 3.2 Development Experience

3.2.1 The Applicant (or, in the case of a consortium Applicant, the Operating Member (and any other Member whose power project development experience is included in the Qualification Statement)) must provide details in its Qualification Statement evidencing its successful development of one or two independent power projects with an aggregate capacity of 400 MW or more, including at least one combined-cycle power project of 200 MW capacity or more which is connected to the national power grid in the country in which such project is located.

3.2.2 For purposes of determining compliance with the requirements of Section 3.2.1, "successful" development means all the following:

- Having obtained all relevant permits including environmental clearances for the development, construction, operation and maintenance of the project;
- Having finalized and executed the Implementation Agreement (if any), Power Purchase Agreement, Gas Supply Agreement (or equivalent documents), Engineering, Procurement and Construction Agreement, Operations and Maintenance Agreement (if any), and the Financing Documents for the project; and
- Having brought the project to financial close and commercial operations.

- Applicant will be required to provide in its Qualification Statement a list of the relevant projects, including size in MW, country of location, dates of contract execution, financial close and commercial operation, that it wishes to cite in fulfillment of the criteria set out in this Section 3.2.2.

3.2.3 For purposes of calculating an Applicant's (or, in the case of a consortium Applicant, the Operating Member's (and any other Member whose power project development experience is included in the Qualification Statement)) aggregate MW of project development experience to determine compliance with the criteria described in Section 3.2.1, only projects in which the Applicant (or, in the case of a consortium Applicant, the Operating Member (and any other Member whose power project development experience is included in the Qualification Statement)) held an ownership interest of not less than 51% at the times at which such projects achieved commercial operation, will qualify and should be included.

### 3.3 **Scope of Evidence**

3.3.1 For each project identified as satisfying the requirements of project development or operation, the Applicant (or in the case of a consortium Applicant, the Operating Member (and any other Member whose power project development, operating and management experience is included in the Qualification Statement)) shall identify the name of the project, the country in which such project is (was) located, the name of the off-taker or counter party to the power purchase agreement, and the name and contact information (including e-mail address and phone number) for a representative of the off-taker or counter party that is familiar with the project and has agreed, if requested, to speak to BPDB about the development or operation of the relevant project. By submitting the name of the project as evidence of the project development or operation requirements herein, the Applicant (or in the case of a consortium Applicant, the Operating Member (and any other Member whose power project operating and management experience is included in the Qualification Statement)) expressly agrees that the individual identified or any other representative of the off-taker or counter party may discuss the identified project with BPDB and may answer all questions asked by BPDB in relation to the development or operation of the identified project.

#### 4. **Other Criteria**

- 4.1 The Applicant (or, in the case of a consortium Applicant, each member of the consortium) must not have had a Material Adverse Dispute resolved against it in the past 10 years. For purposes of this Section 4, a “Material Adverse Dispute” is any dispute with a government owned or controlled entity or power off-taker/purchaser relating to an independent power generation project where either (a) the amount in dispute was US\$ 50 million (or equivalent) or more or (b) termination of a material project agreement was sought.
- 4.2 Each Applicant must provide details in its Qualification Statement on any Material Adverse Disputes which are either pending or have been resolved against it (or, in the case of a consortium Applicant, any member of the consortium). If an Applicant (or, in the case of a consortium Applicant, any member of the consortium) has a Material Adverse Dispute which is pending against it as of the Pre-Qualification Closing Date and such Material Adverse Dispute is subsequently resolved against the Applicant or such consortium member before the bid submission date, the Applicant will be subject to disqualification at the sole discretion of BPDB.
- 4.3 The Applicant must attach to its Qualification Statement, in the order set forth in the annex to the Qualification Statement, certified true copies of the documents listed in that annex.
- 4.4 Each Applicant must pay a non-refundable processing fee of US\$ 500 (or Bangladesh Taka 35,000) along with the submission of its Qualification Statement. The processing fee should be paid by an international bank draft encashable in any schedule bank in Bangladesh or local bank draft made payable to “Secretary, BPDB” and should accompany each Applicant’s Pre-Qualification Statement.

#### 5. **Exclusion Criteria**

- 5.1 Applicants may be disqualified from the pre-qualification process at the sole discretion of BPDB in any of the following events:
  - 5.1.1 Noncompliance with any of the minimum requirements specified herein and/or the requests and/or the conditions provided in this Pre-Qualification Document or failure by an Applicant to provide any of the information or documentation required to be provided in its Qualification Statement.

- 5.1.2 If any of the information submitted by an Applicant is found at any time during or after the pre-qualification process to have been inaccurate, incomplete or misleading.
- 5.1.3 If a Material Adverse Dispute that is pending against an Applicant (or, in the case of a consortium Applicant, any member of the consortium) as of the Pre-Qualification Closing Date and such Material Adverse Dispute is prior to the bid submission date subsequently resolved against the Applicant or such consortium Applicant member.
- 5.1.4 Incomplete presentation of the documents or information requested.
- 5.1.5 Any clarifications requested by BPDB from an Applicant are not received by a deadline reasonably set by BPDB.
- 5.1.6 The Applicant (or, in the case of a consortium Applicant, any of its members) is placed under liquidation, court receivership or similar proceedings at any time during the pre-qualification process.
- 5.1.7 Any Applicant or consortium Applicant member participating as either a Lead Member or an Operating Member with more than one Applicant.

\* \* \* \* \*

## ANNEX A

### THIS QUALIFICATION STATEMENT CONSISTS OF THE FOLLOWING FORMS AND ANNEXES:

- (a) A **Pre-Qualification Cover Letter** (Annex A-1), which should be signed by each Applicant (or, in the case of a consortium Applicant, each member of the consortium).
- (b) A **Pre-Qualification Statement Form** (Annex A-2), which should be signed by an authorized signatory of each Applicant.
- (c) A **Signing Authorization Form** (Annex A-3), which should be signed by each Applicant (or, in the case of a consortium Applicant, each member of the consortium).
- (d) Each of the following annexes:

**Annex A** Certified true copies of the constitutional documents of the Applicant (or, in the case of a consortium Applicant, constitutional documents of each member of the consortium), together with English language translations of such documents, certified by the corporate secretary of the Applicant or consortium member (or equivalent officer) where the originals of such documents, are not in English.

**Annex B** (only for consortium Applicants) Certified true copy of a term sheet signed by each member of the consortium detailing the terms on which the consortium has been or will be established, which should include the following information: identification of the Lead Member and Operating Member of the consortium; and extent of shareholding of each member in the consortium.

**Annex C** (only for Applicants who have responded affirmatively to Question 1 of Part B of the Qualification Statement) Certified true copies of the Applicant's audited balance sheets (or, in the case of a consortium Applicant, the audited balance sheets of the Lead Member) for the most recent financial year, which should be prepared in accordance with International Accounting Standards (IAS) or Bangladesh Accounting Standards (BAS) and evidence total assets equal to or in excess of US\$ 1 billion and Net Worth equal to or in excess of US\$ 400 million.

**Annex D** (for Applicants who did not respond affirmatively to Question 1 of Part B of the Qualification Statement) Certified true copies of the Applicant's audited balance sheets (or, in the case of a consortium Applicant, the audited balance sheets of each of the consortium member) for the past three fiscal years, which should be prepared in accordance with International Accounting Standards (IAS) or Bangladesh Accounting Standards (BAS) and demonstrate the following:

- Profitability for each of the past 3 fiscal years;
- A Current Ratio (i.e., current assets divided by current liabilities) of no less than 1:1; and
- A Net Worth (proportionate to shareholding) equal to or in excess of US\$100 million

**Annex E** documents in support of raising equity and debt experience; project development and operating experience.

**ANNEX A-1**

**PRE-QUALIFICATION STATEMENT FORM**

To: Secretary, BPDB

[INSERT DATE]

From: [INSERT APPLICANT NAME & ADDRESS]<sup>1</sup>

The Applicant, [INSERT NAME], through this letter is requesting participation in the pre-qualification process for that certain dual fuel (furnace oil/gas) 300-450 MW combined cycle power plant at Meghnaghat, Naryanganj (the “Project”) in Bangladesh.

The Applicant hereby declares, in accordance with Section II-H of the Pre-Qualification Document, that it:

- (a) Authorizes BPDB to proceed with the due diligence necessary to verify the information presented by the Applicant in connection with the pre-qualification process, including making inquiries as provided in Section 3.3 of Section II-H;
- (b) Confirms the accuracy and completeness of the information presented by the Applicant in this Qualification Statement and otherwise in connection with the pre-qualification process;
- (c) Has not participated in the pre-qualification process for the Project through another Applicant either directly or through its subsidiaries and/or affiliates.

The Applicant confirms that it accepts the pre-qualification criteria as stipulated in the Pre-Qualification Document dated [INSERT DATE OF PRE-QUALIFICATION DOCUMENT] in relation to the implementation of the Project and irrevocably waives any right to seek and obtain any court injunction or restraining order against BPDB, the Government of the People’s Republic of Bangladesh or Ministry of Power, Energy and Mineral Resources or any other government authority involved in the implementation of the Project to prevent or restrain the pre-qualification process, the holding of a tender, the award of any related contract or any proceedings related thereto. Further, the Applicant irrevocably waives any rights of recovery that it may have now or that may arise in the future against, and releases, BPDB, the Government of the People’s Republic of Bangladesh and Ministry of Power, Energy and Mineral Resources and each and every Bangladesh government authority from any and all claims for any loss it may suffer in relation to any acts or omissions, whether in tort, negligence, strict liability, breach of contract or otherwise, by BPDB, the Government of the People’s Republic of Bangladesh or Ministry of Power, Energy and Mineral Resources or any other government authority involved in the implementation of the Project in connection with the pre-qualification process as provided herein and as contemplated hereby.

Yours sincerely,

[Name of Applicant]<sup>2/3</sup>

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<sup>1</sup> Consortium Applicants should include the name and address of each member of the consortium.

<sup>2</sup> **Consortium Applicants should have each member of the consortium execute the cover letter.**

<sup>3</sup> This form to be notarized.

**ANNEX A-2 PRE-QUALIFICATION STATEMENT FORM**

Date of submission: \_\_\_\_\_

**A: Applicant Details**

Name: \_\_\_\_\_

Jurisdiction of Incorporation: \_\_\_\_\_

Type of Organization: corporation/partnership/limited liability company/other: \_\_\_\_\_

Mailing Address<sup>4</sup>: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

Contact details of representative to whom correspondence should be addressed:

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

(For consortium Applicants)

Lead Member:

\_\_\_\_\_

Shareholding: \_\_\_\_\_%

Operating Member:

\_\_\_\_\_

Shareholding: \_\_\_\_\_%

Other members:

\_\_\_\_\_

Shareholding: \_\_\_\_\_%

\_\_\_\_\_

Shareholding: \_\_\_\_\_%

\_\_\_\_\_

Shareholding: \_\_\_\_\_%

The Applicant should attach certified copies of the documents required as Annex A and Annex B (if applicable) to this Qualification Statement.

**B: Financial Criteria**

- (1) Does the Applicant (or, in the case of a consortium Applicant, the Lead Member) presently have total assets equal to or exceeding US\$1 billion and a net worth equal to or exceeding US\$400 million? \_\_\_\_\_ Yes \_\_\_\_\_ No

Applicants responding affirmatively to Question 1 should provide their audited balance sheets (or, in the case of a consortium Applicant, the certified audited balance sheets of the Lead Member) for the most recent financial year as Annex C to this Qualification Statement. Applicants responding affirmatively to Question 1 may proceed directly to Question 3 below.

- (2) Applicants who did not respond affirmatively to Question 1 should provide the following additional information (please complete the table and then answer the questions below):

<sup>4</sup> Consortium Applicants should provide address and contact details for the Lead Member.

Applicant/In Millions	Applicant (or, in the case of a consortium Applicant, the Lead Member)			Member A			Member B		
	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
Net Income in Local Currency									
Foreign Exchange Rate									
<b>Net Income (in million USD)</b>									
Current Assets									
Current Liabilities									
<b>Current Ratio</b>									

- (a) Has the Applicant (or, in the case of a consortium Applicant, each member of the consortium) demonstrated profitability for each of its past three financial years? Yes \_\_\_\_\_ No \_\_\_\_\_
- (b) Does the Applicant (or, in the case of a consortium Applicant, each member) have a Current Ratio of no less than 1:1 (for each of its past 3 fiscal years)? Yes \_\_\_\_\_ No \_\_\_\_\_

Applicant/In Millions	Applicant (or, in the case of a consortium Applicant, the Lead Member)			Member A			Member B		
	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
Total Asset									
Total Liability									
Net Worth									
Required Net Worth (USD 100 million X --% of equity share/100%)									

- (c) Does the Applicant have a Net Worth (for each of its past 3 fiscal years) of no less than US\$ 100 million or in case of consortium Applicant each member of the consortium has a net worth of no less than the required proportionate Net Worth, calculated as US\$ 100 million multiplied by the percentage of such member's equity share commitment in the consortium (Project Company) and divided by 100%? \_\_\_\_\_ Yes  
 \_\_\_\_\_ No

Applicants are required to respond affirmatively to each of parts (a) through (d) of Question 2 in order to meet the financial criteria for the pre-qualification process. Applicants (or in case of consortium, each member) should provide their certified audited balance sheets for the three most recent financial years as Annex D to this Qualification Statement. If the Applicant is a consortium, the net worth requirement mentioned in Section 2.2.2 shall be divided among the consortium members, proportionate to their equity share commitment in the consortium (Project Company). All members of the consortium are required to fulfill the Net Worth requirement in proportion to their equity share commitment in the consortium (Project Company).

- (3) Please list one or two projects in respect of which the Applicant (or, in the case of a consortium Applicant, the Lead Member) has raised equity financing of at least US\$ 50 million in the aggregate in the past fifteen years:

Project Name	Off-taker Name	Location	Country	Completion Date Amount Raised (US\$m)

- (4) Please list one or two projects in respect of which the Applicant (or, in the case of a consortium Applicant, the Lead Member) has raised debt financing of at least US\$150 million in the aggregate in the past fifteen years:

Project Name	Off-taker Name	Location	Country	Completion Date Amount Raised (US\$m)

**C: Technical Criteria**

Operating Experience

- (1) Please list all independent power projects in respect of which the Applicant (or, in the case of a consortium applicant, the Operating Member (or the Lead Member)) has successfully owned and/or operated:

Project Name	Offtaker Name	Location	Country	Completion Date	Megawattage

- (2) Please list each combined-cycle power project with a generating capacity of 200 MW or more which is connected to the national power grid in the country in which such project is located in respect of which the Applicant (or, in the case of a consortium applicant, the Operating Member (or the Lead Member)) has successfully owned and/or operated over a period of not less than two years:

Project Name	Off-taker Name	Location	Country	Completion Date	Megawattage

- (3) Do all of the projects cited in the response to questions (1) and (2) above meet the criteria for “successful” operation and management set out in Section 3.1.2 of Section II-H of the Pre-Qualification Document? \_\_\_ Yes \_\_\_ No
- (4) Have the calculations of megawattage for purposes of the responses to questions (1) and (2) above been made in accordance with the requirements of Section 3.1.3 of Section II-H of the Pre-Qualification Document? \_\_\_ Yes \_\_\_ No

Development Experience

- (5) Does the Applicant (or, in the case of a consortium applicant, the Lead Member or the Operating Member) meet the development experience requirements of Section 3.2 of Section II-H of the Pre-Qualification Document? \_\_\_\_\_ Yes \_\_\_\_\_ No

- (6) Please list all independent power projects in respect of which the Applicant (or, in the case of a consortium applicant, the Lead Member or the Operating Member) has successfully developed over the past fifteen years:

Project Name	Off-taker Name	Location	Country	Completion Date	Megawattage

- (7) Please list each combined-cycle power project with a generating capacity of 200 MW or more which is connected to the national power grid in the country in which such project is located in respect of which the Applicant (or, in the case of a consortium applicant, the Lead Member or the Operating Member) has successfully developed over the past fifteen years:

Project Name	Off-taker Name	Location	Country	Completion Date	Megawattage

- (8) Do all of the projects cited in the response to questions (6) and (7) above meet the criteria for “successful” management set out in Section 3.2.2 of Section II-H of the Pre-Qualification Document?

Question 6: \_\_\_\_\_ Yes \_\_\_\_\_ No

Question 7: \_\_\_\_\_ Yes \_\_\_\_\_ No

- (9) Name and contact information (including e-mail address and phone number) for a representative of the off-taker for each project identified above in this Section C that is knowledgeable about the identified project:

Project Name (same as above)	Off-taker Name (same as above)	Name of Off-taker Representative	E-mail Address for Off-taker Representative	Phone Number for Off-taker Representative

- (10) Have the calculations of megawattage for purposes of the responses to questions (6) and (7) above been made in accordance with the requirements of Section 3.2.3 of Section II-H of the Pre-Qualification Document?

Question 6: \_\_\_\_\_ Yes \_\_\_\_\_ No

Question 7: \_\_\_\_\_ Yes \_\_\_\_\_ No

**D: Qualifications of Related Companies**

If the financial, development or operating qualifications and/or experience of a majority-owning parent or majority-owned sister company are included in the Qualification Statement to satisfy the financial, development or operating experience requirements of the Applicant, is the necessary Undertaking of the parent or sister company, as the case may be, addressed to BPDB included in the Qualification Statement?

**E: Other Criteria**

Please provide details on any disputes with any governmental entity or off-taker relating to any power project where (i) the amount in dispute is at least US\$50 million (or equivalent) or (ii) termination of a material project agreement is sought. Please note whether such disputes either were not resolved in favor of the Applicant over the past 10 years or are still pending. Answers may be submitted on a separate page if necessary.

Year	Nature of dispute	Outcome	Damages payable

**E: Attestations**

We hereby certify and confirm that, as of the date of this Qualification Statement, all of the information provided herein (including all information provided in Section D hereof with respect to Material Adverse Disputes and all supporting documentation annexed hereto) is true, correct and complete.

Signed by:

Authorized Signatory

## ANNEX TO QUALIFICATION STATEMENT

### SUPPORTING DOCUMENTATION TO BE FURNISHED BY APPLICANT

We hereby submit for your examination and consideration each of the following documents:

**Annex A** Certified true copies of the constitutional documents of the Applicant (or, in the case of a consortium Applicant, constitutional documents of each member of the consortium), together with certified English language translations of such documents where the originals of such documents are not in the English language.

**Annex B** (only for consortium Applicants) Certified true copy of a term sheet detailing the terms on which the consortium has been or will be established, which should include the following information:

- Identification of the Lead Member and Operating Member of the consortium; and
- Extent of shareholding of each member in the consortium.

**Annex C** (only for Applicants who have responded affirmatively to Question 1 of Part B of the Qualification Statement) Certified true copies of the Applicant's audited balance sheets (or, in the case of a consortium Applicant, the audited balance sheets of the Lead Member) for the most recent financial year, which should be prepared in accordance with International Accounting Standards (IAS) or Bangladesh Accounting Standards (BAS) and evidence total assets equal to or in excess of US\$1 billion and Net Worth equal to or in excess of US\$ 400 million.

**Annex D** (for Applicants who did not respond affirmatively to Question 1 of Part B of the Qualification Statement) Certified true copies of the Applicant's audited balance sheets (or, in the case of a consortium Applicant, the audited balance sheets of each of the consortium member) for the past three fiscal years, which should be prepared in accordance with International Accounting Standards (IAS) or Bangladesh Accounting Standards (BAS) and demonstrate the following:

- Profitability for each of the past 3 fiscal years;
- A Current Ratio (i.e., current assets divided by current liabilities) of no less than 1:1; and
- A Net Worth (proportionate to share holding) equal to or in excess of US\$ 100 million.

**Annex E** documents in support of raising equity and debt; and project development and operating experience, including the necessary Undertakings if the financing, project development or operating qualifications and/or experience of a parent or sister company of an Applicant (or a consortium Applicant Member) is used.

**Annex F** (Only for Local Applicants, (in case of consortium, each Local member of the Consortium)) Tax payer Identification No. (TIN) and certificate of income tax payment for last 3 fiscal years from the relevant authority.

**ANNEX A-3**

**SIGNING AUTHORIZATION**

To: BPDB

[INSERT DATE]

From: [INSERT APPLICANT NAME & ADDRESS]<sup>5</sup>

Dear Sir:

We refer to our Qualification Statement in respect of that certain dual fuel (furnace oil/gas) 300-450 MW combined cycle power plant at Meghnaghat, Naryanganj in Dhaka, Bangladesh.

We hereby confirm that the following person(s) is/are authorized to execute the Qualification Statement, together with any other documents delivered to you in connection therewith, on our behalf:

Name	Passport Number/Country of Issue	Specimen Signature
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We confirm that we will be responsible for any representations and/or statements made in any documents delivered to you in connection with the pre-qualification process which are executed by the above person(s).

Yours sincerely,

[Name of Applicant]<sup>6</sup>

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<sup>5</sup> Consortium Applicants should include the name and address of each member of the consortium.

<sup>6</sup> Consortium Applicants should have each member of the consortium execute this letter.

**APPENDIX 1**

**ECONOMIST'S ONLINE ARCHIVE OF PUBLISHED EXCHANGE RATES**

<http://www.economist.com/markets/currency/>