



ADDENDUM 2

PRE-QUALIFICATION DOCUMENT

Millennium Challenge Account - Kosovo
On Behalf of:
The Government of Kosovo

Pre-qualification 01/2024
for:
Design and Build of Utility Scale Battery Energy
Storage Systems (BESS) and Transmission Connection
Infrastructure
Lot 1: 45MW/90MWh
Lot 2: 125MW/250MWh

Issued: January 28, 2025

Preamble

This addendum to the Prequalification 01-2024 issued on December 13, 2024, for the Design and Build of Utility Scale Battery Energy Storage Systems (BESS) and Transmission Connection Infrastructure is made on the **January 28, 2025**, by the **Millennium Challenge Account – Kosovo**, in accordance with the PQ Document, Section I. Instructions to Applicants (ITA) under paragraph 9 Amendment of PQD. The Millennium Challenge Account Kosovo is hereby amending certain sections of the PQ Document.

THEREFORE, MCA-Kosovo agrees to issue the **Addendum No.2** and the following terms and conditions of the PQD-001-2024 are hereby modified:

1. **Section II- Pre-Qualification Data Sheet, ITA 18.1** has been modified to be read as follows:

ITA 18.1	The deadline for Application submission is: Date: March 03, 2025 Time: 14:00 Kosovo local time.
-----------------	---

2. **Section II- Prequalification Data Sheet, ITA 35.1** has been modified to be read as follows:

ITA 35.1	A description of the Employer’s bid challenge system may be found at the following website: Bid Challenge System - https://e.pcloud.link/publink/show?code=XZtXhKZcJas91fVFy0wpqW5wBgB5kKECtey The Protest Fee applicable in this instance is USD 5,000.00
-----------------	--

3. *SECTION III, -Qualification Criteria and Requirements has been modified and the entire Section III has been replaced by the version attached as Annex 1 to this Addendum No. 2. The specific changes have been highlighted for easy identification.*
4. *SECTION IV, -Application Forms, the Application Submission Form has been modified and the entire Form has been replaced by the version attached as Annex 2 to this Addendum No. 2. The specific changes have been highlighted for easy identification.*

5. ***SECTION IV, -Application Forms, the FIN-1 Financial Situation Form has been modified and the entire Form has been replaced by the version attached as Annex 3 to this Addendum No. 2. The specific changes have been highlighted for easy identification.***
6. ***SECTION IV, -Application Forms, the FIN-2 Average Annual Design & Build Turnover Form has been modified and the entire Form has been replaced by the version attached as Annex 4 to this Addendum No. 2. The specific changes have been highlighted for easy identification***

All other provisions of the Pre-Qualification Document dated December 13, 2024, which are not contrary to the terms and conditions of the Addendum No. 1 and this Addendum no.2 remain unchanged.

Drilon Potera

Signed by:

DFCAC32D0262421...

Procurement Director
MCA Kosovo

ANNEX 1-ADDENDUM NO. 2

SECTION III QUALIFICATION CRITERIA AND REQUIREMENTS

This Section contains all the criteria that the Employer shall use to review Applications and qualify Applicants. No other criteria shall be used. The Applicant shall provide all the information requested in the forms included in Section IV. Application Forms. This review shall be based on the information provided by the Applicant in these forms plus the Applicant's record of past performance, other references any other sources at the Employer's discretion to confirm and verify the Applicant's qualifications and representations in its Application.

Qualification Review. This process will be conducted to determine if the Applicant satisfies the qualification requirements as listed in ITA 26, and in Section 2.0 below. All qualification requirements shall be considered on a pass/fail basis. An affirmative determination of qualification shall be a prerequisite for pre-qualifying an Applicant.

Multiple lots (contracts). If an Applicant wishes to submit Applications for multiple lots (contracts), the pre-qualification review will also include an assessment of the Applicant's capacity to meet the aggregate qualification requirements.

References and Past Performance Review. In accordance with ITA 27, the Applicant's performance on earlier contracts will be considered in determining if the Applicant is qualified for award of the Contract. The Employer reserves the right to check the performance references provided by the Applicant or to use any other source at the Employer's discretion. If the Applicant (including any of its associates or joint venture/association members) is or has been a party to an MCC-funded contract (either with MCC directly or with any Accountable Entity, anywhere in the world), whether as a lead contractor, affiliate, associate, subsidiary, subcontractor, or in any other role, the Applicant must identify the contract in its lists of references submitted with its Application using Application Form REF1: *References of MCC Funded Contracts*. Failure to include any such contracts may be used to form a negative determination by the Employer on the Applicant's record of performance in prior contracts. However, the failure to list any contracts because the Applicant (including any of its associates or joint venture/association members) has not been a party to any such contract will not be grounds for a negative determination by the Employer on the Applicant's record of performance in prior contracts. That is, prior performance in connection with an MCC-funded contract is not required. The Employer will check the references, including the Applicant's past performance reports filed in MCC's Contractor Past Performance Reporting System.

2.0 Qualification

Documents Establishing the Qualifications of the Applicant

The Applicant shall provide the information requested in the corresponding information sheets included in Section IV. Application Forms, to establish that the Applicant meets the requirements established below.

Subcontractors’ qualifications shall not be used by the Applicant to qualify for the Works, **except for those particular key** activities specifically designated by the Employer under factor 2.4.2. *Specific Experience in Key Activities* in the Qualification table below – as being able to be met by a specialized subcontractor. If the Applicant proposes a specialized subcontractor to meet a Specific Experience in Key Activities so designated by the Employer, then that subcontractor’s experience may be added to the qualifications of the Applicant for that designated experience requirement.

<i>Factor</i>	2.1 Eligibility					
	Requirement	Applicant				Documentation Required
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
2.1.1 Nationality	Nationality in accordance with ITA 5.3.	Must meet requirement	Existing or intended Joint Venture or other association must meet requirement	Must meet requirement	N/A	Forms ELI–1 and ELI-2, with attachments

Factor	2.1 Eligibility					
	Requirement	Applicant				Documentation Required
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
2.1.2 Conflict of Interest	No conflicts of interests as described in ITA 5.6.	Must meet requirement	Existing or intended Joint Venture or other association must meet requirement	Must meet requirement	N / A	Application Submission Form
2.1.3 Eligibility	Not having been declared ineligible based on any of the criteria set forth in ITA 5.	Must meet requirement	Existing or intended Joint Venture or other association must meet requirement	Must meet requirement	N/A	Application Submission Form and duly completed Form CON-3
2.1.4 Government-Owned Enterprise	Compliance with conditions of ITA 5.4	Must meet requirement	Existing or intended Joint Venture or other association must meet requirement	Must meet requirement	N/A	Form ELI-3

Factor	2.2 Historical Contract Non-Performance					
	Requirement	Applicant				Documentation Required
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
2.2.1 History of non-performing contracts	Non-performance of a contract (including contracts terminated for cause) did not occur within the last five (5) years prior to the deadline for Application submission, determined using all information on fully settled proceedings, litigation, arbitrations, actions, claims, investigations or disputes. A fully settled proceeding, litigation, arbitration, action, claim, investigation or dispute is one that has been resolved in accordance with the dispute resolution mechanism under the respective contract, and where all appeal instances available to the Applicant have been exhausted.	Must meet requirement by itself, including as member of past or existing Joint Venture or other association	N/A	Must meet requirement by itself or as member of past or existing Joint Venture, or other association	N/A	Form CON –1

Factor	2.2 Historical Contract Non-Performance					
	Requirement	Applicant				Documentation Required
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
2.2.2 Failure to Sign a Contract	Failure to sign a contract after receiving a notice of award has not occurred in the past five years. Any deviation should be explained in the enclosed Contract Non-Performance form.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Form CON-1
2.2.3 Pending Litigation	All pending proceedings, litigation, arbitrations, actions, claims, investigations or disputes, in total, shall not represent more than ten percent (10%) of the Applicants' net worth.	Must meet requirement by itself, including as member of past or existing Joint Venture or other association	N/A	Must meet requirement by itself or as member of past or existing Joint Venture, or other association	N/A	Form CON-1

Prequalification 01/2024, Addendum No. 2

2.2.4 Social Performance	<p>Declare any civil work contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance with any social contractual obligations (which include compliance with prohibitions against trafficking in persons; sexual harassment, exploitation and abuse; the use of forced or child labor; and the procurement of materials or goods from subcontractors, suppliers, or manufacturers that employ forced or child labor) in the past five years¹. In accordance with the Compact, The Contractor shall be required to develop human resources policies in line with IFC PS focusing on provisions against child and forced labor as well as regarding non-discrimination and equal opportunities and supply chain management. Further, because of known labor exploitation issues that exist in the lithium-ion battery supply chain, contracts will require adherence to good international industry practice for supply chain management such as the Organization for Economic Co-operation and Development (OECD) Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas.</p>	<p>Must submit the declaration. Any specialized Sub-contractor/s must also submit the declaration.</p>	<p>N/A</p>	<p>Must submit the declaration. Any specialized Sub-contractor/s must also submit the declaration.</p>	<p>N/A</p>	<p>Form CON-2</p>
---------------------------------	---	--	------------	--	------------	-------------------

¹ Years will be counted form the date of submission of the Applications.

Factor	2.3 Financial Situation ^{1/2}					
Sub-Factor	Criteria					Documentation Required
	Indicative Requirement	Applicant				
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
2.3.1 Historical Financial Performance	Submission of audited financial statements, including balance sheets, income statements and cash flow statements, or, if not required by the law of the Applicant’s country, other financial statements ³ acceptable to the Employer, for the last three (3) years (2021, 2022, 2023) to demonstrate the current soundness of the Applicants’ financial position and its prospective long term profitability and to demonstrate:	Must meet requirement	N/A	Must meet requirement	N/A	Form FIN-1 with attachments

¹ The financial information provided by an Applicant shall be reviewed in its entirety to allow a truly informed judgment about the capacity of the Applicant to undertake the contract, and will not be limited strictly to substantiate the financial ratios indicated here.

² For Applications consisting of more than one lot, Applicants are required to provide information to demonstrate their financial capacity to carry out more than one lot.

³ This requirement is met by the submission of one of the following: 1) audited financial statements for the last 3 (three) years, supported by audit letters, 2) certified financial statements for the last three (3) years, supported by tax returns or 3) a copy of the Contractor's Dun & Bradstreet Business Information Report ("BIR"). The Dun & Bradstreet report must either be notarized, or accompanied by the following statement by the Applicant: "I certify that the attached BIR has been issued by Dun & Bradstreet within thirty (30) days of the date of this certification, that report has not been altered in any way since its issuance, and that it is true and correct to the best of my knowledge." The statement must be signed by an authorized representative of the Applicant. If the Application is submitted by a joint venture, all parties in the joint venture are required to submit their financial statements or Dun & Bradstreet BIR. The reports should be submitted in order of the partner's significance in the partnership, greatest to least. Failure to submit one of the three documents as evidence of financial capacity may result in not being included in the list of pre-qualified firms.

Factor	2.3 Financial Situation ^{1/2}					
Sub-Factor	Criteria					Documentation Required
	Indicative Requirement	Applicant				
		Joint Venture or Association				
		Single Entity	All members combined	Each member	At least one member	
	<ol style="list-style-type: none"> 1. Average coefficient of Current ratio (Total Assets / Total Liabilities) ≥ 1.5 2. Average coefficient of Debt ratio (Total Debt / Total Assets) ≤ 0.7. 					
2.3.2 Annual Average Turnover	<p>Minimum average annual construction and/or design & build turnover of</p> <ul style="list-style-type: none"> • Lot 1: 36 million USD • Lot 2: 90 million USD; • Combined Lot 1 & Lot 2: 110 million USD (this is applicable if the same Applicants are in each Lot. It will not be applicable if any of the JV partners are different in any Lot); <p>calculated as total certified payments received for contracts in progress or completed, within the last three (3) years. Values to determine annual construction and/or design turnover are to be demonstrated in the audited</p>	Must meet requirement	Must meet requirement	Must meet ten percent (10%) of the requirement	Must meet fifty-five percent (55%) of the requirement	Form FIN-2

Factor	2.3 Financial Situation ^{1/2}					
Sub-Factor	Criteria					Documentation Required
	Indicative Requirement	Applicant				
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
	financial statements (income statements) of the last three (3) years (2021, 2022, 2023 OR 2022, 2023, 2024) and are to be considered to be indicative ¹ .					

¹ Financial statements for the year 2024 if not audited by the deadline of the prequalification can be considered provisional and should be associated with a statement from the independent auditor on its accuracy.

Factor	2.3 Financial Situation ^{1/2}					
Sub-Factor	Criteria					Documentation Required
	Indicative Requirement	Applicant				
		Joint Venture or Association				
		Single Entity	All members combined	Each member	At least one member	
2.3.3 Financial Resources	<p>The Applicant must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means, other than any contractual advance payments to meet:</p> <p>(i) the following cash-flow requirement:</p> <ul style="list-style-type: none"> • Lot 1: 5 million USD • Lot 2: 12.5 million USD • Combined Lot 1 & Lot 2: 17.5 million USD <p>and</p> <p>(ii) Applicant's other current commitments.</p>	Must meet requirement	Must meet requirement	Must meet Ten percent (10%) of the requirement	Must meet fifty-five percent (55%) of the requirement	Forms FIN-3 & FIN-4

Factor	2.4 Experience					
Sub-Factor	Criteria					Documentation Required
	Indicative Requirement	Applicant				
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
2.4.1 Similar Experience	Participation as contractor, management contractor, or subcontractor, in at least: <ul style="list-style-type: none">For Lot 1: Contracts with a cumulative value of minimum 50 million USD, out of which at least two (2) contracts with the value of at least ten (10) million USD each within the last five (5) years¹;For Lot 2: Contracts with a cumulative value of minimum 100 million USD out of which at least two (2) contracts with the value of at least fifteen (15) million USD each within the last five (5)	Must meet requirement	Must meet requirement	N/A	N/A	Form EXP-2

¹ The years will be counted from the date of submission of the Applications.

Factor	2.4 Experience					
Sub-Factor	Criteria					Documentation Required
	Indicative Requirement	Applicant				
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
	years ¹ ; • For combined: LOT 2 criteria shall be sufficient that have been successfully and substantially completed and that are similar to the works proposed. The similarity shall be based on the physical size, complexity, methods/technology or other characteristics as described in Section V. Works Requirements.					

¹ The years will be counted from the date of submission of the Applications.

Factor	2.4 Experience					
Sub-Factor	Criteria					Documentation Required
	Indicative Requirement	Applicant				
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
2.4.2 Specific Experience in Key Activities	For the above or other contracts executed during the period stipulated in 2.4.1 above, a minimum experience in the following key activities: 1. Detailed Design of at least one 10 MW Utility Scale BESS & HV-Substations including Control and Protection, EMS, BMS. 2. Supply and Installation of at least one 10 MW Utility scale BESS & HV-Substations. 3. Civil Works in large-scale electricity infrastructure projects.	Must meet requirement	Must meet requirement	N/A	For each enumerated key activity, at least one member or specialized sub-contractor must demonstrate experience at a level equal to the requirement.	Form EXP-3

Factor	2.4 Experience					
Sub-Factor	Criteria					Documentation Required
	Indicative Requirement	Applicant				
		Single Entity	Joint Venture or Association			
			All members combined	Each member	At least one member	
2.4.3 Environmental and Social Management Experience	Sufficient experience managing environmental and social impacts in similar projects in the last five (5) years prior to the Application submission deadline.	Must meet requirement	Must meet requirement	N/A	Must meet requirement	EXP-4
2.4.4 Health and Safety Management Experience	Sufficient experience managing health and safety impacts in similar projects in the last five (5) years prior to the Application submission deadline.	Must meet requirement	Must meet requirement	N/A	Must meet requirement	EXP 5

2.5 References and Past Performance Review

The Employer reserves the right to contact the Forms REF-1 and REF-2 References as well as other sources to check references and past performance.

ANNEX 2-ADDENDUM NO. 2**Application Submission Form**Date: *[insert day, month, year]*

To: MCA-Kosovo

Pre-qualification for the construction of *[insert here the Lot for which the Application is submitted. If the Applicant is participating in two Lots, a separate Form should be submitted for each Lot]*

We, the undersigned, apply to be pre-qualified for the referenced project, as follows:

[Indicate project Lot for which the Applicant wishes to be pre-qualified]

and declare and certify that:

- (1) We have examined and have no reservations to the PQD, including the following Addenda issued in accordance with Instructions to Applicants (ITA) Clause 9: *[insert the number and issuing date of each Addendum if any]*
- (2) We, including each of the parties constituting us, each subcontractor and supplier for any part of the contract proposed to result from this pre-qualification process, and our and their respective personnel and affiliates, have nationalities from eligible countries, in accordance with ITA Sub-Clause 5.3: *[insert the nationality of the Applicant, including that of all members in the case of a joint venture or consortium, and the nationality of each already identified subcontractor and supplier of related services, if applicable]*.
- (3) We, including each of the parties constituting us, each subcontractor and supplier for any part of the contract proposed to result from this pre-qualification process, and our and their respective personnel and affiliates, do not have any conflict of interest, in accordance with ITA Sub-Clause 5.6.
- (4) We, including each of the parties constituting us, each subcontractor and supplier for any part of the contract proposed to result from this pre-qualification process, and our and their respective personnel and affiliates, have not been declared ineligible by the World Bank, US Government or under of the Government of *[insert Country name]* laws, official regulations, or by an act of compliance with a decision of the United Nations Security Council, or on the basis of any other criteria set forth in ITA Clause 5.
- (5) *[insert either "We are not a Government-Owned Enterprise." or "We are a Government-*

Owned Enterprise, and we meet the requirements of ITA Sub-Clause 5.4.”]

- (6) We, in accordance with ITA Sub-Clause 25.1, plan to subcontract the following key activities and/or parts of the Works:

[insert any of the key activities identified in Section III. Qualification Criteria and Requirements Sub-Factor 2.4.2 which the Applicant intends to subcontract including the names of the nominated sub-contractors]

- (7) We have taken steps to ensure that no person acting for us or on our behalf has engaged in any corrupt or fraudulent practices described in ITA Clause 3.
- (8) We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the pre-qualification process, the corresponding bidding process, or execution of the proposed contract:

Name of Recipient	Address	Reason	Amount
<i>[insert full name for each occurrence]</i>	<i>[insert street/ number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount in US\$ equivalent]</i>

[If none has been paid or is to be paid, indicate “none”.]

- (9) We have taken steps to ensure that no person acting for us or on our behalf will engage in bribery.
- (10) We are not engaged in, facilitating, or allowing any of the prohibited activities described in the MCC Counter-Trafficking in Persons Policy and will not engage in, facilitate, or allow any such prohibited activities for the duration of any Contract that might result from a procurement utilizing this pre-qualification. Further, we hereby provide our assurance that the prohibited activities described in the MCC Counter-Trafficking in Persons Policy will not be tolerated on the part of our employees, any Subcontractor, or their respective employees. Finally, we acknowledge that engaging in such activities is cause for suspension or termination of employment or of any Contract that might result from a procurement utilizing this pre-qualification.
- (11) We understand that you may cancel the pre-qualification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the pre-qualified Applicants to bid for the proposed contract subject of this pre-qualification, without incurring any liability to the Applicants, in accordance with ITA Clause 28.
- (12) We understand and accept without condition that, in accordance with ITA Clause 35.1 any

challenge or protest to the process or results of this procurement may be brought only through the Employer's Bid Challenge System (BCS).

- (13) We are not participating, as an Applicant or as a subcontractor, in more than one Application **for this Lot** in this pre-qualification process in accordance with ITA 5.6 (d).
- (14) We acknowledge that our digital/digitized signature is valid and legally binding.

Signed: *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name: *[insert full name of person signing the Application]*

In the Capacity of: *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of: *[insert full name of Applicant]*

Address: *[insert street number/town or city/country address of the Applicant]*

Dated on: *[insert day number]* day of *[insert month]*, *[insert year]*

ANNEX 3-ADDENDUM NO. 2

FIN-1: Financial Situation

Each Applicant or member of a JV/Association making up an Applicant must fill in this form.

Financial Data for Previous 3 Years [US\$ Equivalent]		
Year 1:	Year 2:	Year 3:

Information from Balance Sheet

Total Assets			
Total Liabilities			
Net Worth			
Current Assets			
Current Liabilities			

Information from Income Statement

Total Revenues			
Profits Before Taxes			
Profits After Taxes			

- ☐ Attached are copies of financial statements (balance sheets including all related notes and income statements) for the last 3 years, as indicated above, complying with the following conditions.
- All such documents reflect the financial situation of the Applicant or member of a JV or other association, and not sister or parent companies.
 - Historic financial statements must be audited by a certified accountant.
 - Historic financial statements must be complete, including all notes to the financial statements.
 - Historic financial statements must correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).

FIN-2: Average Annual Construction and/or Design & Build Turnover

Each Applicant or member of a JV/Association making up an Applicant must fill in this form.

Annual Turnover Data for the Last 3 Years (Construction and/or Design & Build)			
Year	Amount Currency	Exchange Rate	US\$ Equivalent
Average Annual Turnover			

The information supplied should be the annual Construction and/or Design and Build turnover of the Applicant or each member of a JV/Association making up an Applicant in terms of the amounts billed to clients for each year for work in progress or completed, converted to USD at the rate of exchange at the end of the period reported.