



PREQUALIFICATION STAGE Prior for the Purpose of Ascertaining Eligibility for Participation in a Request for Proposal for the Provision of Services and Works relating to the Completion of the LNG Import Terminal Project at the Vasilikos Area in Cyprus

ESTIMATED VALUE: *One Hundred Eighty Million (180 000 000 Euro) exclusive of VAT.*

Tender procedure No.: E.013-2026

Nicosia, July / 2026

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PART A: INSTRUCTIONS FOR PARTICIPATION

1. DEFINITIONS

1. The following terms shall have the meanings ascribed to them below:

CANDIDATE

An Economic operator who has submitted a Request for Participation

CLARIFICATION

Clarification on the submitted certificates and / or alternative credentials, or even completion of information that is missing due to the failure of submit the required certificates, provided that they were held by the candidate before the date of submission of Request for Participation. During the evaluation process the Contracting Entity may request such clarification.

COMPETENT AUTHORITY

The Competent Authority is the Treasury of the Republic of Cyprus.

COMPETENT BODY

A body established by virtue of the Regulations which, within the powers granted to it, undertakes and handles matters concerning this public procurement process.

CONTRACT/ AGREEMENT

The public works contract between the Contracting Entity and the Contractor, which is concluded after the completion of the procedure.

CONTRACTING ENTITY

The ***Natural Gas Infrastructure Company (ETYFA) Ltd***, a company duly registered and existing under the Companies Law of Cyprus (Cap 113) and having registration number *387304*, located at ***13 Limassol Avenue, 2112 Nicosia, Cyprus***.

CONTRACT SCOPE

The provision of services and works for ***the completion of the Vassilikos LNG Receiving and Regasification Terminal***, as identified in detail in the Tender Documents.

CONTRACTOR

The member of a consortium (or, in the case of a Candidate that is a single entity, the Candidate itself) which satisfies the requirements of paragraphs 6.1.2 and 6.1.3(c) above (holding the requisite licence and executing the construction works forming part of the Contract Scope) and the Proviso in paragraph 6.4 below (independently satisfying the requisite technical capacity criteria), and which is appointed as the leader of the consortium pursuant to paragraph 6.1.6(b) below. References in these Tender Documents to the Contractor, including in the definition of Contract/Agreement above, are references to this same entity.

ECONOMIC OPERATOR

Any natural or legal person or public entity or group or consortium of such persons and/or entities, including any temporary association of undertakings which provides services.

ESTIMATED VALUE

The potential value of the Contract, estimated by the Contracting Entity, exclusive of VAT, including any form of options and any renewals of the contract, as explicitly set out in the tender documents.

LAW

Regulation of Procurement by entities operating in the Water, Energy, Transport and Postal Services Sector and related Matter Law of 2016, (by Law 140(I)/2016), as amended from time to time.

PREQUALIFICATION DECISION

The decision issued by the competent body of the Contracting Entity, whereby one or more Candidates are prequalified to be requested to submit a tender in Stage B - Award Stage.

PROCEDURE

The Procedure described in Section 8 below. For the purposes of clarity, it is stated that this Procedure relates only to Stage A – “Prequalification Stage”.

REGULATIONS

The Regulations on the Award of Public Contracts (Supplies, Works and Services) (Organisations governed by Public Law and Village Authorities), published in the Official Gazette of the Republic of Cyprus on 06 July 2012 (KDP 242/2012) including any amendments thereto.

REGULATORY ADMINISTRATIVE ACT

Subsidiary legislation known as Κανονιστική Διοικητική Πράξη ΚΔΠ in Greek referred to as KDP herein.

REQUEST FOR PARTICIPATION

The request submitted by a Candidate to participate in the Procedure.

REPRESENTATIVE

The person representing the Candidate.

SYSTEM

The electronic platform for public procurement (e-Procurement) at the website address www.eprocurement.gov.cy

TENDER DOCUMENTS

The documents, as well as any addenda thereto issued for the purposes of the Procedure in prequalification and award stage.

2. KEY DETAILS OF THE PROCEDURE

Par.	ITEM	
2.1	Procurement Procedure No.	E.013-2026
2.2	Contract Scope	The Completion of the LNG Import Terminal Project at the Vasilikos Area in Cyprus falling under categories 45255000, 45255300, 45255410, 45255800, 71000000, 76000000 of the CPV classification.
2.3	Estimated Value	<i>One hundred eighty million. (180 000 000) Euro exclusive of VAT.</i>
2.4	Financing	<i>From National Funds</i>
2.5	Tender procedure	Restricted procedure for the award of <i>works</i> contract. The Procedure is conducted in two stages: Stage A- Prequalification Stage: Request for Participation submission Stage B- Award Stage: Tender submission by Pre-Qualified Candidates
2.6	Right to use the negotiated procedure of article 44(στ) of Law 140(I)/2016)	<i>Not Applicable</i>
2.7	Award Criterion	Most economically advantageous tender based on the best price-quality ratio.
2.8	Contracting Entity	<i>Natural Gas Infrastructure Company (ETYFA) LTD</i> <i>13 Limassol Avenue</i> <i>2112 Nicosia</i> <i>Contact number: +357 22761761</i> <i>Fax: +357 22761771</i> <i>Email: TenderE13@defa.com.cy</i>
2.9	Competent Official	<i>Andreas Georgiades</i> <i>+357 22761761</i>
2.10	Period of time during which the Prequalification Documents may be available	Until the deadline of the submission of Requests for Participation as noted in 2.13.
2.11	Method and Place for collection of the Prequalification Documents	Free of charge, from the eProcurement System www.eprocurement.gov.cy

Par.	ITEM	
2.12	Deadline for the Submission of Questions Dispatch of answers by the Contracting Entity	• By 26/08/26 12:00 • By 02/09/26 12:00
2.13	Deadline for the Submission of Requests for Participation	by 12:00 hours of 09/09/2026
2.14	Place of Submission of Requests for Participation	Electronically via the Cyprus e-Procurement System at www.eprocurement.gov.cy under the relevant functionality at the workspace of the specific tender procedure.
2.15	Refundable Participation Guarantee (Refundable in the Pre-Qualification Stage.)	<i>The Refundable Participation Guarantee for participation in this phase (pre-qualification) is set for the amount of thirty thousand euro <30 000> Euro,</i> <i>It is noted that pre-qualified Candidates shall be requested to submit a tender guarantee at the award stage also.</i>
2.16	Language in which Requests for Participation must be drawn up	English
2.17	Estimated date for dispatch of the Invitations to Tender	4 months, from the deadline of the submission of the Requests for Participation
2.18	Estimated date of contract signature	4 months, from the deadline of the submission of tenders

The overview of the Contract Scope and Requirements is *described in Appendix II*

3. LEGAL FRAMEWORK

3.1 *Applicable legislation*

The Procedure shall be conducted in accordance with the relevant Laws and Regulations of the Republic of Cyprus on the award of public contracts, as amended and in force, and in particular in accordance with:

- Regulation of Procurement by entities operating in the Water, Energy, Transport and Postal Services Sector and related Matter Law of 2016, (Law 140(I)/2016), as amended in each case.

- b. The Regulations on the Award of Public Contracts (Supplies, Works and Services) (Organisations governed by Public Law and Village Authorities), published in the Official Gazette of the Republic of Cyprus on 06 July 2012 (KDP 242/2012).
- c. The Regulations on the Management of Public Contract Implementation and Procedures for the Exclusion of Economic Operators from Public Procurement Procedures published in the Official Gazette of the Republic of Cyprus on 28 April 2016 (KDP 138/2016).
- d. The Law on the Review Procedures concerning the Award of Public Contracts of 2010, published in the Official Gazette of the Republic of Cyprus on 19 November 2010 (Law 104(I)/2010).
- e. e. The Regulations on the Award of Public Supply Contracts, Public Works Contracts and Public Service Contracts by entities operating in the Water, Energy, Transport and Postal Services Sector (use of electronic means), published in the Official Gazette of the Republic of Cyprus on 26 June 2009 (KDP 250/2009).

The above-mentioned legislation documents could be accessed by visiting the Website www.treasury.gov.cy.

GENERAL PART

3.2 *Category and Class of the Project*

The Category of the Project is Technical Project, and it is classified in the **A** Class, where the terms "Category" and "Class" have the meaning ascribed to them by the Registration and Control of Building and Civil Engineering Contractors Law.

The Registration and Control of Building and Civil Engineering Contractors Law will be available on the website of the Council for the Registration and Control of Building and Civil Engineering Contractors (<http://www.contractorscouncil.org.cy>), so that Interested Parties may assess whether they satisfy the above condition for participation in the tender.

3.3 *General principles*

1. Participation in the procedure is open to all Candidates meeting the legal, financial, technical or other requirements provided for in the Tender Documents.
2. By submitting their Request for Participation, Candidates are assumed to be familiar with all relevant laws and Regulations of the Republic of Cyprus which affect, either directly or indirectly, the procedure and the implementation of the Contract Scope.
3. Requests for Participation which the Competent Body judges to be vague or ambiguous or as not being possible to be evaluated or which contain terms or conditions which are contrary to or incompatible with the contents or terms of requirements of the Tender Documents shall be rejected.

4. Any attempt by or on behalf of a Candidate to influence in any way whatsoever the judgement of the Contracting Entity or of the Competent Body in the discharge of their duties in connection with the procedure or its outcome, shall result in the rejection of its Request for Participation.
5. Interested Candidates who have obtained or taken in their possession, without legal authority and at their own initiative, information or documents of a secret nature in connection to the procedure, shall be excluded from participation.

3.4 Protection of Economic Operators/ Candidates

1. Every Candidate who has or had an interest in being awarded the Contract and who has sustained or is likely to sustain a loss as a result of an act or decision of the Contracting Entity which precedes the signature of the Contract and for which it is alleged that it violates any provision of the legislation in force, has the right to file a recourse to the Tenders Review Authority in accordance with the provisions of the Law on the Review Procedures concerning the Award of Public Contracts of 2010 (Law 104(I)/2010).
2. To file a recourse to the Tenders Review Authority, the applicant must pay a fee which is deposited into the General Government Account. More details are given in the Website of the Tenders Review Authority (www.tra.gov.cy).

4. DETAILS OF TENDER DOCUMENTS

4.1 Ownership and use of the Prequalification Documents

1. All information contained in the Documents and all rights in respect thereof are the sole and exclusive property of the Contracting Entity.
2. It is understood that any information contained in the submitted prequalification Documents will be used by the Contracting Entity for evaluation purposes and in compliance with the provisions of the Law.
3. Use of the Prequalification Documents by the Candidates is restricted to the purposes of preparation of their Request for Participation.

4.2 Contents of the Prequalification Documents

1. The prequalification Documents comprise the following:
 - a. The Contract Notice.
 - b. The present Part A “Instructions to Candidates”
 - c. The attached Appendix I containing Templates and more specifically:
 - **Form 1:** Request for Participation.
 - **Form 2:** Economic and Financial Standing
 - **Form 3:** Technical and Professional Ability
 - **Form 4:** Declaration regarding the Protection of Employees.
 - **Form 5:** Declaration of other Entities

- **Form 6:** Refundable Participation Guarantee
 - **Form 7:** Declaration relevant to council Regulation (EU) No 833/2014
 - Appendix II: Overview of Contract Scope and Requirements
2. Candidates are responsible for ensuring the completeness of the prequalification documents that they receive from the system. In the event that any Candidate finds that the prequalification documents delivered through the system are incomplete, as compared against the table of contents of the preceding paragraph, it is the responsibility of the Candidate to request their completion. Objections or recourses based on a failure of a candidate to receive from the system the totality of the documents as compared to the table of contents shall be inadmissible.

4.3 Receipt of Prequalification Documents

1. Candidates may receive a copy of the prequalification Documents, free of charge, via workspace of the procedure in the eProcurement System (www.eprocurement.gov.cy). Registered Candidates are urged to associate themselves with the competition, so as to receive notifications for any clarifications and/or addenda that may occur during this competition. Non-registered Candidates may register for free following the instructions available in the System. For any assistance for their registration or any other support on the use of the System, Candidates can contact the support team via telephone at +357 22605050 (extension 2), or via email at eprochelpdesk@treasury.gov.cy
2. It is highlighted that for anyone to be considered an Interested Candidate, they should be registered to the System and associated with the procedure (associate while logged in), so that any information regarding the procedure can be communicated to them through the System.

5. PROVISION OF CLARIFICATIONS ON THE PREQUALIFICATION DOCUMENTS

5.1 Clarifications by the Contracting Entity

1. The Contracting Entity may make additions, corrections or modifications of a small scale to the terms of the Documents, which should be published via the e-Procurement System (www.eprocurement.gov.cy), in order to be made available to all interested Candidates within the period specified in paragraph 2.12.

5.2 Submission of clarification questions in writing by the interested Economic Operators

1. Any clarification questions, regarding the terms of the Tender Documents shall be submitted by Interested Candidates within the period specified in paragraph 2.12. The requests for clarifications must be submitted via the relevant functionality of the e-Procurement System, accessible from the workspace of the specific procedure.
2. As long as clarification requests, are requested in accordance with the above, the Contracting Entity publishes on the e-Procurement System supplementary documents and/or clarifications where deemed necessary within the period specified in paragraph 2.12, whilst a relevant notification will be dispatched automatically to all Candidates associated with the competition.

3. Under any circumstances, Candidates cannot invoke verbal responses/answers/explanations given by any public servant. The Contracting Entity is not bound by any verbal responses/answers/explanations.

6. ELIGIBILITY AND REQUIREMENTS FOR PARTICIPATION

6.1 *Eligibility for participation*

1. Eligible for participation in the present Procedure are natural or legal persons (governed by public or private law) or consortia of natural and/or legal persons lawfully established in Cyprus or in any other Member State of the European Union (EU) or of the European Economic Area (EEA) or in third countries who have signed and ratified the International Government Procurement Agreement (GPA) or have signed and ratified association agreements or bilateral agreement with the EU or with the Republic of Cyprus in the sector of Public Procurement, or in Arab Republic of Egypt, UAE, Kingdom of Saudi Arabia, India, People's Republic of China. According to the Regulation (EU) no. 833/2014 as amended by Regulations 2022/578 and 2025/395, concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, as amended, no contract award is permitted where Russian involvement exists, in the cases prescribed in the said Regulation
2. The construction works forming part of the Contract Scope shall be performed only by a contractor meeting the requirements of the Registration and Control of Contractors Law of the Republic of Cyprus (Law 29(I)/2001, as amended). For Cypriot contractors, this shall include holding a valid Annual Licence in Class A for Technical Works. Contractors established in another EU Member State or in a third country shall be eligible in accordance with the relevant provisions of the applicable legislation governing the recognition of foreign contractors. In the case of a consortium, at least one member of the consortium executing and responsible for the construction works shall satisfy these requirements. (see also Proviso contained in paragraph 6.4 below which is relevant to this evaluation criterion.
3. Consortia of natural and/or legal persons may submit a joint Requests for Participation on the following conditions:
 - a. That the proportion of participation of each person is stated in the Requests for Participation.
 - b. That all persons participating in the Consortium fulfil the requirement of establishment specified in paragraph 1 above.
 - c. That the member or members executing and responsible for the construction works shall all satisfy the requirements specified in paragraph 2 above. (see also Proviso contained in paragraph 6.4 below which is relevant to this criterion).
4. Consortia are not obliged to take a specific legal form either, nor for the signature of the Contract.
5. Pre-Qualification application of a consortium shall comply with the Pre-Qualification Documents and the following additional mandatory requirements:
 - a) The Pre-Qualification Documents, shall be signed by all members of a consortium so as to be legally binding on all members of the consortium.

- b) The consortium shall appoint a Contractor who qualifies with the criterion set out in the Proviso in paragraph 6.4 below (i.e. the member of the consortium which satisfies paragraphs 6.1.2 and 6.1.3(c) above and the Proviso) to be the leader of the Consortium (the "Contractor"). The leader of the consortium shall be irrevocably authorized by the consortium members to correspond with the Contracting Entity and to incur liabilities and receive instructions for and on behalf of any and all members of the consortium and if selected the entire execution of the contract.
 - c) All interested Candidates who are consortium members shall be jointly and severally liable to the Contracting Entity for the due execution of the Contract in accordance with the contract terms, and a relevant statement to this effect shall be included in the authorization mentioned under (b) above as well as in the Form of Pre-Qualification and the Form of Agreement (in the case of a successful Pre-Qualification).
 - d) An Interested Candidate in the form of a consortium shall submit as a necessary part of its Pre-Qualification documentation a copy of the binding agreement detailing the scope of work to be carried out by each member of the consortium. The said agreement shall be duly legalised and formalised without amendments in the event that the Contract for the project is awarded to the consortium.
 - e) All consortia shall provide a binding undertaking that during the performance of the Contract up to the successful conclusion of the Defects Liability period no change in the leadership of the consortium or in the ownership of the consortium members is anticipated and that such change shall not in any event take place without their agreement that shall not be permitted without the written approval of the Contracting Entity.
 - f) Each consortium member shall provide all requested information separately.
 - g) The consortium shall provide a statement that it has adequate financial stability and status to meet the financial obligations pursuant to the Scope of Work. In the above context all members of a consortium shall submit their audited financial statements (Audit Report, Balance Sheet, Profit and Loss, Cash-flow, Notes to the Financial Statements) for the last three years).
- 6. Candidates may only participate in one submission under this Procedure either individually or in one consortium.
 - 7. To implement the Contract Scope, the Candidates may use subcontractors. In such an event the Candidates are obliged to name all subcontractors in their Technical Offers during the Award Stage.
 - 8. The same requirements for the lawful establishment as described in item (1) above, must be met by the entities whose capacities the Candidate is invoking, within the meaning of paragraph 6.3 or/and paragraph 6.4.

9. The Contracting Entity reserves the right to disqualify any Candidate in respect of whom it considers that its inclusion to be contrary to the digital security of national infrastructure, the national or financial interests of the Republic of Cyprus.
10. Selected Candidates may at Stage 2 - Award stage, form a consortium provided that the leading Candidate remains unchanged.
11. Without prejudice to the obligation of the Candidate to identify its subcontractors in its Technical Offer during the Award Stage, each Candidate shall submit, as part of its Request for Participation, a preliminary list of all potential subcontractors to whom the Candidate intends, or may reasonably intend, to subcontract any part of the Contract Scope representing more than five per cent (5%) of the estimated Contract Value.

For each such potential subcontractor, the Candidate shall identify at least:

- (a) the name and country of establishment of the potential subcontractor;
 - (b) the part of the Contract Scope proposed to be subcontracted;
 - (c) the estimated percentage of the Contract Value corresponding to such subcontracted scope;
- and
- (d) the relevant technical capacity, experience or resources to be provided by the potential subcontractor.
 - (e) compliance with the requirements of paragraph 6.1.1 and where applicable paragraph 6.1.2 above.

The submission of such list shall not require the Candidate to have concluded a signed subcontract agreement at the Prequalification Stage. However, the list shall be binding upon the Candidate. At the Award Stage and, if awarded the Contract, during the execution of the Contract, the Candidate shall not be entitled to appoint or enter into an agreement with any subcontractor for a part of the Contract Scope exceeding five per cent (5%) of the Contract Value, unless such subcontractor was included in the list submitted at the Prequalification Stage and has not been rejected by the Contracting Entity.

The Contracting Entity reserves the right to reject any proposed potential subcontractor where, in the judgement of the Competent Body, such subcontractor does not satisfy the applicable legal, technical, professional, security or other requirements of the Tender Documents, or where its participation would be contrary to the interests or security of the Republic of Cyprus.

6.2 *Personal situation of the Candidate / Economic Operator*

1. To be able to be Pre-Qualified and sign the Contract, Candidates must at all relevant times to the evaluation of the Procedure and the Tender meet the following requirements concerning their personal situation:
 - a. They must not have been convicted by final judgement for:
 - i. participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime,
 - ii. corruption as defined in Article 3 of the Convention of the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA,

- iii. fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities of 27/11/1995,
- iv. terrorist offences or offences linked to terrorist as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism or inciting, aiding or abetting an offence as defined in Article 4 of the aforementioned Decision,
- v. money laundering or terrorist financing, as defined in Article 2 of the national laws for the Prevention and Suppression of Money Laundering and Terrorist financing Laws of 2007 - 2016,
- vi. child labour and other forms of trafficking in human beings in accordance with Article 2 of the Law 60(I) of 2014 on the Prevention, Fighting against Trafficking in and Exploitation of Human Beings and Protection of Victims.

It is noted that the right of the Contracting Entity to exclude Candidates from the procurement procedure is also applicable if the person or Contracting Entity is convicted by final judgement for any of the above, is a member of an administrative, management or supervisory body of the Candidate or has powers of representation, decision or control therein.

- b. They must not be in breach of their obligations relating to the payment of taxes or social security contributions as at the Contract signing date, where these have been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of the Republic of Cyprus or with those of the country where they are established.

It is noted that the Contracting Entity can exclude a Candidate from participation in the procurement procedure where it can demonstrate by any appropriate means that the Candidate is in breach of its obligations relating to the payment of taxes or social security contributions.

- c. They must not be bankrupt or the subject of insolvency or winding-up proceedings, their assets must not administered by a liquidator or by the court, they must not be in an arrangement with creditors, their business activities must not be suspended and they must not be in any analogous situation arising from a similar procedure under national laws and regulations.
- d. They must not be guilty of grave professional misconduct which renders their integrity questionable, as this can be demonstrated by the Contracting Entity by appropriate means.
- e. They must not have entered into agreements with other Economic Operators aimed at distorting competition, where the Contracting Entity has reasonably plausible indications to conclude so.
- f. They must not have a conflict of interest within the meaning of Article 6 of Law, that cannot be effectively remedied without excluding them from participation in the tender procedure.
- g. They must not have distorted the competition from the prior involvement in the preparation of the procurement procedure, as referred to in Article 53 of Law, unless this can be effectively remedied without excluding them from participation in the tender procedure.
- h. They must not have shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity

or a prior concession contract which led to early termination of that prior contract, damages or other comparable sanctions.

- i. They must not be guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, must not have withheld such information or are not able to submit the supporting documents required pursuant to Article 77(5) of Law,
2. It is understood that if the interested Candidate is a consortium of persons, the above requirements must be met by all consortium members.
3. The same requirements must be met by the entities whose capacities the candidate is invoking, within the meaning of related items in paragraphs 6.3 and 6.4.
4. To the above ends each Candidate, consortium member and each supporting entity must sign and submit Form 8 confirming their conformity with the above stated requirements.

Where corrective actions have been taken by the Candidate in relation to any events / situations which may be considered as one of the above-mentioned grounds for exclusion, such action shall be declared by the Candidate within its Request for Participation. The Contracting Entity will examine the statements made by the Candidate and, if judged to be unsatisfactory, before any rejection of the Request for Participation and in order to reach its final decision, it will request its views in writing.

6.3 *Economic and Financial Standing*

To participate in the Procedure, Candidates must meet the following requirements concerning their economic and financial standing:

1. The average annual turnover for the last three (3) financial years must be at least equal to **300.000.000** Euro.
2. In the event that the Candidate is a consortium it is sufficient for the above requirements to be met cumulatively by the consortium members.
3. Pursuant to the provisions of article 76(1)(a) of Law 140(I)/2016, a Candidate may rely on the capacities of other entities, regardless of the legal connections between them. In such a case, the Candidate must be able to prove to the Contracting Entity that it shall have at its disposal the resources necessary.

6.4 *Technical and professional ability*

To participate in the Procedure, Candidates must meet the following requirements concerning their technical and professional ability:

1. **Completion of two (2) Natural Gas** – related EPC projects as the main contractor, relevant to LNG terminals, natural gas infrastructure, marine terminal works, gas transmission systems, process facilities, or other comparable energy infrastructure in the last 10 years, with at least one project with min value more than €100mln.

And

2. **Completion of 2 projects** related to marine works in the last 10 years, with at least one project with min value more than €50mln.

And

3. In addition to the requirements above, the Candidate **shall demonstrate experience** in the last 10 years in the use and application of all relevant EU codes which shall be applicable to the Works, directives and regulations (including but not limited to the Pressure Equipment Directive 2014/68/EU (PED) and the Seveso III Directive 2012/18/EU, or any successor or equivalent legislation applicable to the Facility) to projects of comparable nature, complexity and technical scope to the Project Description.

And

4. In addition to the requirements above, the Candidate **shall demonstrate relevant engineering and design experience** in projects of comparable nature, complexity and technical scope to the Contract Scope.

For this purpose, the Candidate shall submit at least one (1) completed reference project in the last 10 years involving engineering and/or design services relevant to LNG terminals, natural gas infrastructure, marine terminal works, gas transmission systems, process facilities, or other comparable energy infrastructure as the EPC contractor.

The reference project may have been performed and completed either:

- (a) by the Candidate itself; or
- (b) in the case of a consortium, by one or more members of the consortium;

The relevance and sufficiency of the submitted engineering and/or design experience shall be assessed by the Competent Body, at its sole judgement, taking into account the nature, complexity, scale, technical content, and similarity of the reference project to the Contract Scope.

Where the Candidate relies on the engineering and/or design experience of a potential subcontractor or other entity, the Candidate shall submit the declaration required under paragraph 7.3 confirming that such entity shall make the relevant resources, capacity and experience available to the Candidate for the purposes of the Contract, if the Candidate is invited to tender and is subsequently awarded the Contract.

The term “completed” shall mean that implementation of the respective contract is at least 80% complete.

Proviso

Without prejudice to paragraphs 6.1.2 and 6.1.3(c) above, the member or members of the consortium (or, in the case of a single Candidate, the Candidate itself) executing and responsible for the construction works forming part of the Contract Scope shall, independently and not cumulatively with any other consortium member or with the capacities of any third party relied upon pursuant to Article 76(1)(a) of Law 140(I)/2016, satisfy at least one of the two technical capacity criteria set out in paragraphs 6.4.1 and 6.4.2 above. For the avoidance of doubt, this requirement must be satisfied independently by that member and shall not be capable of cumulative satisfaction with any other consortium member, whether pursuant to paragraph 6.3, this paragraph 6.4, or otherwise.

Pursuant to the provisions of article 76(1)(a) of Law 140(I)/2016, a Candidate may rely on the capacities of other entities, regardless of the legal nature of the links it has with them. In such a case, the Candidate must be able to prove to the Contracting Entity that it shall have at its disposal the resources necessary.

6.5 Number of Candidates to be invited to tender

There is no minimum number of Candidates to be invited to tender at the Award Stage. The criterion will be assessed on a pass/fail basis.

In case only one Candidate successfully passes the Prequalification Stage, the Contracting Entity reserves the right to proceed with a negotiated procedure with the successful Candidate.

7. FORMAT AND SUBMISSION OF REQUESTS TO PARTICIPATE

7.1 Time and place of submission

1. Candidates must submit their Requests for Participation no later than the deadline for the submission of Requests to Participate specified in paragraph 2.13.
2. Requests to Participate should be submitted electronically via the Cyprus e-Procurement System at www.eprocurement.gov.cy
3. Requests to Participate which were submitted after the specified date and time, shall be considered to be late and shall not be taken into consideration.
4. Candidates are allowed to modify or withdraw their submitted Electronic Request for Participation through the e-Procurement System, any time PRIOR to the deadline.
5. With the exception of the provisions of paragraph 8.3, no clarification, modification or rejection, by the Candidate, of a term of its Candidate is allowed after the expiry of the deadline for the submission of Request for Participation.

7.2 Format of Requests to Participate and Submission

1. Requests for Participation must be drawn up as determined in the Prequalification Documents, in the language specified in paragraph 2.16.
2. The Request for Participation contains Section A. "Eligibility Criteria"

The maximum volume of data that can be submitted through the System is 100MB.

3. If the Request to Participate contains abbreviations the candidate must provide definitions of the abbreviations in an accompanying table.
4. All Forms / Declarations requiring signature to be submitted, must be signed by an authorised person.
5. Guidance for the preparation and submission of electronic Request for Participation can be accessed in <Help> section in the eProcurement system.

The Candidates may contact the eprocurement support team at the telephone numbers and during working hours indicated in the Guide, for any assistance on electronic submission procedures, prior the deadline for the submission.

6. The eProcurement System (System) allows the initiation of the electronic submission of a Tender until the deadline for the submission of Tenders specified in Tender Documents. In the case where the submission of a Tender has been initiated prior to the said deadline, then the System allows for the uploading of the Tender for a period of 30 minutes after the submission deadline. Tenders of which their uploading to the System is not completed after 30 minutes have elapsed, or the uploading has been disrupted for any reason during this period, such Tenders will be rejected and will not be registered in the System. It is understood that the initiation or re-initiation of the tender submission process after the submission deadline is not possible and any issue that may arise during this period cannot be rectified.

Taking into consideration that the Tender upload speed can be affected by a number of factors, some uncertain, it is recommended that the initiation of the Tender submission process starts on time, allowing the necessary time to complete the submission, but also rectify any possible matters that may arise.

It is specifically noted that based on the Legal Framework, each Candidate that utilizes the System, is solely responsible for the quality of its infrastructure, network connection speed and, subsequently, for the effectiveness achieved from the use of the System.

7.3 Contents of Request for Participation

1. For certifying the eligibility for participation, one of the following:
 - a. If the Candidate is a legal person, proof of its establishment.
 - b. If the Candidate is a consortium of natural and/or legal persons, the above supporting documents should be submitted for each legal person participating in the consortium. A Cooperation Agreement, signed by all parties in the consortium, should also be submitted, stating:
 - (i) The intention of each participant to participate in the consortium,
 - (ii) The participation rate of each member in the consortium,
 - (iii) The consortium member to act as the leader of the consortium, and
 - (iv) The person appointed as Representative of the consortium.
2. For certifying the Economic and Financial Standing of the Candidate, Form 2 duly completed. It should be noted that the Contracting Entity may request from the candidates, at any time during

the evaluation process, to submit any documentation considered necessary, regarding the data declared in Form 2.

3. For certifying the technical and professional ability of the Candidate, the following:
 - a. A list of a maximum of ten (10) contracts, using Form 3.
 - b. Documentation for the successful implementation of the contracts, as follows:
 - If the Employer is a Public Entity, a relevant certificate issued by the competent Public Authority.
 - If the Employer is a private entity, a certificate from that private entity or, failing this, a simple declaration by the Candidate in which contact details are given of a person at the entity where the contract was executed.

The Contracting Entity **may** request Certificates of Satisfactory Execution for the works included in the above list. The Candidate shall provide such certificates which shall indicate as a minimum the contract value, the period of execution, the nature and location of the works, and shall confirm that the works were completed in accordance with the applicable professional standards and accepted engineering practice.

Where such certificates are not available, the Candidate may submit a declaration containing the above information.

4. If the Candidate relies on the capacities of other entities within the meaning of related items in paragraphs 6.3 and/or 6.4, submission of declarations by these entities, whereby they guarantee to the Contracting Entity that, should the Candidate be appointed Contractor, they shall place at its disposal the necessary resources as appropriate **(Form 5)**.

It is understood that in such a case, the supporting documents of items (3) and (4) should also include the information/documents concerning these entities, depending on the resources made available. In addition, the supporting document of item (2)(a) above should also be included.

5. Declaration for the protection of employees **(Form 4)**.

Interested Candidates may obtain information on the obligations deriving from the provisions of the legislation on the protection of the employees and on working conditions currently in force in the Republic of Cyprus and applicable to the place of execution of the Contract Scope, from the Website of the Department of Labour Inspection (www.mlsi.gov.cy/dli).

7. Request for Participation **(Form 1)**.

8. PROCEDURE FOR THE PREQUALIFICATION OF CANDIDATES

8.1 Opening of Requests for Participation

1. Opening of the Requests for Participation submitted within the specified time limit, shall be carried out by authorised persons, after expiry of the deadline for the submission of Requests to Participate in the manner provided for in the Regulations in paragraph 3.1(e).

8.2 Verification of Eligibility and Requirements for Participation

1. Following the opening, the Competent Body shall verify the fulfilment of the requirements for participation as well as the correctness and completeness of the submitted supporting documents and shall enter the results of this evaluation in a special form.
2. If the verification procedure establishes that there are Request for Participation which do not meet the requirements or the disqualification reasons of paragraph 6.2(1)(a) and (c)-(i) are valid, and having considered any actions that have been declared pursuant to paragraph 6.2(4), the Contracting Entity considers them inadmissible. Such Request for participation shall be rejected by the Contracting Entity, through its Competent Body.
3. The Requests for Participation that are found to satisfy the requirements for participation, shall qualify to participate in the Stage B –Award Stage and shall be invited to tender.
4. Due to the nature of the Procedure, the Contracting Entity reserves the right to reject any Candidate participating in the Procedure if it deems that their participation is contrary to the interests or the security of the Republic of Cyprus. To this end, both the ultimate owners and the directors and staff of the Contractor involved in the execution of this engagement may be subjected to a security check by the competent authorities of the Republic of Cyprus to verify their suitability.

8.3 Clarifications on the Request for Participation

1. The Contracting Entity may, request a Candidate to provide clarifications regarding the contents of its Request for Participation, throughout the evaluation procedure. In such a case, the provision of clarifications is mandatory for the Candidate and is not considered to be a submission of new request for participation.
2. Where information or documentation to be submitted by Candidates is or appears to be incomplete or erroneous or where specific documents are missing, the Contracting Entity may request the Candidates concerned to submit, supplement, clarify or complete the relevant information or documentation within an appropriate time limit provided that such requests are made in full compliance with the principles of equal treatment and transparency. Candidates in this case are obliged, under penalty of disqualification, to supply such missing information within **five (5)** working days from the day on which they are requested to do so.
3. From the clarifications supplied by Candidates in accordance with the above, only those concerning the issues for which they were requested shall be considered.

8.4 Notification of the results of the Prequalification Stage

1. Prequalified Candidates are notified in writing and invited to submit a tender during the Award Stage.
2. Following notification of the outcome of the Prequalification Stage, the Contracting Entity shall observe a standstill period of at least fifteen (15) calendar days from the day following such notification before proceeding to invite prequalified Candidates to submit a tender during the Award Stage, so as to allow any interested Candidate to give notice of its intention to file a

recourse before the Tenders Review Authority pursuant to the Law on the Review Procedures concerning the Award of Public Contracts of 2010 (Law 104(I)/2010), as amended.

3. The Contracting Entity shall notify the Candidates of the decision taken and of the reasons for it, as per the provisions of article 71 of Law 140(I)/2016.

8.5 Cancellation of the procedure

1. The procedure may be cancelled before the specified deadline for the submission of Requests for Participation for specific and justified reasons, by decision of the Contracting Entity
2. Cancellation of the tender procedure after the expiry of the deadline for the submission of Requests for Participation may be decided, provided that it is duly justified and consistent with the fundamental principles of the European Community act regarding public procurement. The Candidates do not maintain and shall waive any claim against the Contracting Entity on account of such cancellation, if any, without prejudice to the rights defined in paragraph 3.3 above.

3. Stage 2-Award Process

This Tender is being conducted under a Restricted Procedure consisting of two (2) Stages. Stage 1 involves the pre-qualification of Candidates, following which only the pre-qualified Candidates invited by the Contracting Entity may participate in Stage 2 – the Award Stage.

Stage 2 commences with the issuance of the Invitation to Bid (ITB) and the complete Tender Documents to all pre-qualified Candidates. The Tender Documents shall set out the technical, commercial and contractual requirements of the Contracting Entity, together with the evaluation methodology, submission requirements and all other information necessary for the preparation of responsive Bids.

Only Candidates successfully pre-qualified during Stage 1 shall be entitled to submit a Bid. Each invited Candidate shall submit its Technical Proposal, Financial Proposal, Tender Guarantee and all other documentation required under the Tender Documents within the prescribed submission deadline.

Following the submission of Bids, the Contracting Entity shall evaluate the Technical Proposals in accordance with the evaluation criteria specified in the Tender Documents. During the evaluation process, the Contracting Entity may request clarifications or supplementary information from the Bidders, provided that such requests do not result in any material modification of the Bid or compromise the principles of equal treatment, transparency or competition.

Where permitted under the applicable Public Procurement Law, the Contracting Entity may request the correction of obvious errors or the clarification of ambiguities contained in a Bid. Such clarifications shall not alter the substance of the Bid or provide any unfair competitive advantage to any Bidder.

Following the completion of the technical evaluation, only the Technical Proposals that have been determined to be substantially compliant with the Tender Requirements and have achieved the minimum technical score, where applicable, shall proceed to the financial evaluation.

The Financial Proposals of the technically compliant Bidders shall be evaluated in accordance with the evaluation methodology specified in the Tender Documents.

The Contract shall be awarded to the Bidder whose Bid is determined to be the Most Economically Advantageous Tender, based on the predefined technical and financial evaluation criteria communicated in the Tender Documents.

The Contracting Entity reserves the right, prior to Contract Award and where permitted by the applicable Public Procurement Law, to request the successful Bidder to submit supporting documentation confirming the information provided during the pre-qualification and tender stages and to complete all formalities required for Contract Award.

Throughout Stage 2, the Contracting Entity reserves the right to issue Tender Clarifications or amendments to the Tender Documents prior to the Bid Submission Deadline. Any such amendments shall be communicated simultaneously to all invited Bidders, and, where necessary, the Bid Submission Deadline may be extended to allow adequate time for the preparation of Bids.