

# MILLENNIUM CHALLENGE ACCOUNT-MONGOLIA



**CB No: MCA-M/CF/DWA/W-01**

**Invitation for Bids  
for Construction Works of an Advanced Water Purification Plant (AWPP) and SCADA  
Controls (CP 2)  
ADDENDUM No 2  
January 15, 2021**

1. Name of the Procurement: Construction Works of an Advanced Water Purification Plant (AWPP) and SCADA Controls (CP 2)
2. Procurement Reference Number: MCA-M/CF/DWA/W-01
3. Invitation for Bids (IFB) Date: December 15, 2020
4. Previous Addendum issued: Addendum No. 1 on December 23, 2020.

<b>IFB SECTION</b>	<b>ORIGINAL TEXT</b>	<b>AMENDED AND SHOULD BE READ AS FOLLOWS</b>
<b>Section II Bid Data Sheet</b>	No BDS entry corresponding to ITB 5.1.	Add ITB 5.1.  Bidders must provide information on their ultimate beneficial owners and, if necessary, their corporate ownership structure, as described in the Beneficial Ownership Disclosure Document (BODF) provided in Section IV 'Bidding Forms.' This information may be used by the Employer or by MCC to review if any

		<p>beneficial owners are sanctioned by the United States Government or by international financial institutions, and to review if any beneficial owners present a conflict of interest as described in MCC's Program Procurement Guidelines. Failure to provide this form, or providing false information on this form, may be grounds for disqualifying a Bid during the procurement process or for terminating a contract that is awarded as a result of the procurement.</p> <p>The successful Bidder will be required to provide, within three business days, detailed supplemental information on their ultimate beneficial owners, as described in the Beneficial Ownership Disclosure Form (BODF) provided in Section IV 'Bidding Forms,' in order to complete eligibility verification.</p>
<p><b>ITB 8.4 Section II Bid Data Sheet</b></p>	<p>A Pre-Bid conference <b>shall</b> take place at the following date, time and place:  Date: <b>January 20, 2021</b>  Time: <b>10 am Ulaanbaatar time (GMT+8), Mongolia</b>  Place: <b>Virtual</b></p> <p>The Pre-Bid Conference shall be held in the form of a webinar. Bidders can register for and attend the webinar using this link:  <a href="https://us02web.zoom.us/j/83275935713">https://us02web.zoom.us/j/83275935713</a>  <b>Attendance is strongly advised for all Bidders' representatives but is not mandatory.</b></p>	<p>A Pre-Bid conference <b>shall</b> take place at the following date, time and place:  Date: <b>January 27, 2021</b>  Time: <b>10 am Ulaanbaatar time (GMT+8), Mongolia</b>  Place: <b>Virtual</b></p> <p>The Pre-Bid Conference shall be held in the form of a webinar. Bidders can register for and attend the webinar using this link:  <a href="https://us02web.zoom.us/j/83275935713">https://us02web.zoom.us/j/83275935713</a>  <b>Attendance is strongly advised for all Bidders' representatives but is not mandatory.</b></p>
<p><b>ITB 8.5 Section II Bid Data Sheet</b></p>	<p>Questions should be submitted to the Employer in writing not later than <b>10 am Ulaanbaatar time (GMT+8), Mongolia, January 13, 2021, this being 7 days</b> prior to the date of the pre-Bid conference.</p>	<p>Questions should be submitted to the Employer in writing not later than <b>10 am Ulaanbaatar time (GMT+8), Mongolia, January 20, 2021, this being 7 days</b> prior to the date of the pre-Bid conference.</p>

<p><b>ITB 20.2 Section II Bid Data Sheet</b></p>	<p>The Bid Security shall be in the amount of US <b>\$250,000.00 - in USD only.</b></p> <p>The Bid Security shall be in the form of an unconditional bank guarantee to be submitted using the Bid Security Form included in Part A of Section IV, ‘Bidding Forms’.</p> <p><b>The Bid Security must be submitted using one of the two (2) methodologies described below. Failure to do so will constitute a rejection of the Bid.</b></p> <p><b>a) Electronically</b></p> <p>An electronic Bid Security shall be submitted with your bid. For information regarding SuretyWave, please visit <a href="https://suretywave.com/ebonding">https://suretywave.com/ebonding</a></p> <p><b>Bidders selecting this methodology of submission are reminded that:</b></p> <ul style="list-style-type: none"> <li><b>i. Failure to submit the electronic copy of the Bid Security will result in rejection of the Bid;</b></li> <li><b>ii. The financial institution legally authorized to provide this guarantee shall have a correspondent financial institution located in the Employer’s country (Mongolia) that will ensure the enforceability of this guarantee; and</b></li> <li><b>iii. The Bidder retains full responsibility for ensuring that all requirements of ITB 20 are met.</b></li> </ul>	<p>Bid Security shall be in the amount of US <b>\$250,000.00 - in USD only.</b></p> <p>The Bid Security shall be in the form of an unconditional bank guarantee to be submitted using the Bid Security Form included in Part A of Section IV, ‘Bidding Forms’.</p> <p>A scanned copy of the Bid Security shall be submitted alongside the Bid. The hard-copy original of the Bid Security shall be submitted by 10 am Ulaanbaatar time (GMT+8), Mongolia, on <b>March 11, 2021 (7 working days from Submission of Bid)</b>, addressed to:</p> <p>Procurement Agent Millennium Challenge Account-Mongolia 6th floor, MPM Complex, UNESCO Street 28, Sukhbaatar District, Ulaanbaatar-14220, Mongolia</p> <p><b>Bidders are reminded that:</b></p> <ul style="list-style-type: none"> <li><b>i. Failure to submit the scanned copy of the Bid Security with the Bid and the hard copy by the designated date and time will result in rejection of the Bid;</b></li> <li><b>ii. The financial institution legally authorized to provide this guarantee shall have a correspondent financial institution located in the Employer’s country (Mongolia) that will ensure the enforceability of this guarantee; and</b></li> </ul> <p><b>The Bidder retains full responsibility for ensuring that all requirements of ITB 20 are met.</b></p>
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**b) Scanned copy with original to follow**

A scanned copy of the Bid Security shall be submitted alongside the Bid. The hard-copy original of the Bid Security shall be submitted by 10 am Ulaanbaatar time (GMT+8), Mongolia, on **March 11, 2021 (7 working days from Submission of Bid)**, addressed to:

Procurement Agent  
Millennium Challenge Account-Mongolia  
6th floor, MPM Complex, UNESCO Street 28,  
Sukhbaatar District,  
Ulaanbaatar-14220, Mongolia

**Bidders selecting this methodology of submission are reminded that:**

- i. Failure to submit the scanned copy of the Bid Security with the Bid and the hard copy by the designated date and time will result in rejection of the Bid;**
- ii. The financial institution legally authorized to provide this guarantee shall have a correspondent financial institution located in the Employer's country (Mongolia) that will ensure the enforceability of this guarantee; and**

**The Bidder retains full responsibility for Ensuring that all requirements of ITB 20 are met.**

<b>IFB SECTION</b>	<b>AMENDED AND SHOULD BE READ AS FOLLOWS</b>
<p><b>V</b> <b>Scope of Works</b></p>	<p><b>LINK FOR WORKS REQUIREMENTS IS UPDATED TO INCLUDE</b></p> <ul style="list-style-type: none"> <li>a) The Environmental and Social Management Plan (ESMP) for CP-2: Advanced Water Purification Plant (AWPP) – Clean Version that is the final version for Bidders to adhere to;</li> <li>b) Annex A to the above – Grievance Resolution Mechanism;</li> <li>c) Track changes version of the ESMP for CP-2: Advanced Water Purification Plant (AWPP) to facilitate Bidders review of the revisions;</li> <li>d) Summary table of revisions to the ESMP for CP-2: Advanced Water Purification Plant (AWPP)</li> </ul> <p>The complete set of documents that constitute the Works Requirements can be found here:  <a href="https://www.dropbox.com/sh/5qvh3ke6ci3rzv6/AACVy-O2zg_S521o-u0aaFhda?dl=0">https://www.dropbox.com/sh/5qvh3ke6ci3rzv6/AACVy-O2zg_S521o-u0aaFhda?dl=0</a></p>

**ANNEX 1 TO ADDENDUM No 2**

**Form ELI-4: BENEFICIAL OWNERSHIP DISCLOSURE FORM (BODF)**

**INSTRUCTIONS TO BIDDERS:**  
**(DELETE THIS BOX ONCE YOU HAVE COMPLETED THE FORM)**

*This Beneficial Ownership Disclosure Form ("Form") is to be completed by each Bidder. In case of joint venture, the Bidder must submit a separate Form for each member. The beneficial ownership information to be submitted in this Form shall be current as of the date of its submission.*

*For the purposes of this Form, a Beneficial Owner of a Bidder is any natural person who ultimately owns or controls the Bidder by meeting one or more of the following conditions:*

- directly or indirectly holding 10% or more of the shares*
- directly or indirectly holding 10% or more of the voting rights*
- directly or indirectly having the right to appoint a majority of the board of directors or equivalent governing body of the Bidder*

*An individual directly holds 10 percent or more of the shares of a Bidder if the shares are registered in his or her name or, in the case of bearer shares, if the shares are in his or her possession. An individual owns 10 percent or more of the shares of a Bidder indirectly if the shares are held through a trust or through another corporation. Therefore, each Bidder must know the identities of the natural persons who directly or indirectly hold the shares of any corporate entity or trust that owns part or all of the Bidder, and disclose the identity of any natural person who cumulatively directly or indirectly holds 10 percent or more of the shares of the Bidder. The same rules apply in determining whether an individual has 10 percent or more of the voting rights of the Bidder or the right to appoint a majority of the board of directors or equivalent governing body.*

*An example of indirectly holding 10 percent of a Bidder's shares: Mr. and Mrs. X each hold 50 percent of Company A. Company A in turn owns 20 percent of the Bidder. Mr. and Mrs. X each beneficially own 10 percent of the Bidder, and the names of each must be reported on the form.*

**Bidding Document No.:** *[insert number of IFB]*

**Invitation for Bids for.:** *[insert identification of the Works]*

**To:** *[insert complete name of Employer]*

In response to your above-referenced IFB dated *[insert date of issuance of IFB]*: *[select one option as applicable and delete the options that are not applicable]*

(i) we hereby provide the following beneficial ownership information.

Details of beneficial ownership:

Identity of Beneficial Owner	Directly or indirectly holding 10% or more of the shares (Yes / No)	Directly or indirectly holding 10 % or more of the Voting Rights (Yes / No)	Directly or indirectly having the right to appoint a majority of the board of the directors or an equivalent governing body of the Bidder (Yes / No)
<i>[include full name (last, middle, first), citizenship(s), current home and business address, email address]</i>			

**OR**

*(ii) we declare that there is no individual meeting one or more of the following conditions:*

- directly or indirectly holding 10% or more of the shares
- directly or indirectly holding 10% or more of the voting rights
- directly or indirectly having the right to appoint a majority of the board of directors or equivalent governing body of the Bidder.

**OR**

*(iii) we declare that we are unable to identify any individual meeting one or more of the following conditions. [If this option is selected, the Bidder shall provide explanation on why it is unable to identify any Beneficial Owner]*

- directly or indirectly holding 10% or more of the shares
- directly or indirectly holding 10% or more of the voting rights
- directly or indirectly having the right to appoint a majority of the board of directors or equivalent governing body of the Bidder.

**OR**

*(iv) we declare that we are a publicly held company listed on the New York, American, NASDAQ, London, Tokyo, or Euronext Stock Exchanges, with the following ticker symbol: [Insert ticket symbol].*

In addition, we attach a graphic depicting the corporate ownership structure, including ownership percentages, if any entities or legal arrangements – such as companies, trusts, foundations, etc. – exist between the Bidder and the Beneficial Owners in the corporate ownership structure.

We acknowledge and agree that, should we be informed through a Notification of Intent to Award that we are selected as the successful Bidder for this procurement, we will, within three business days of receipt of such notification, email to the Procurement Agent encrypted Microsoft Office or Adobe Acrobat files containing for each of the above-named Beneficial Owners (if there are any) a copy of an identification document (ID) which includes a photograph, with passwords to the files sent in separate email messages for security. Acceptable forms of ID are passports, national IDs, and official drivers' licenses. These documents will remain encrypted when transferred to the Employer or MCC for review, and will be kept encrypted and in a secure location by the Procurement Agent, Employer, and MCC.

We acknowledge that the Employer may use this information to review if any Beneficial Owners are sanctioned by the United States Government or by the International Financial Institutions<sup>1</sup>, and to review if any Beneficial Owners present a conflict of interest as described in MCC's Program Procurement Guidelines.<sup>2</sup>

We acknowledge that we will be required to provide the Employer with a new BODF upon any changes regarding beneficial ownership during the bidding process or during the life of any Contract awarded as a result of this procurement.

We acknowledge that the Employer reserves the right to request an updated BODF, or documentation to provide proof of beneficial ownership, at any time during the bidding process or during the life of the Contract. We also acknowledge that the Employer reserves the right to terminate any Contract awarded as a result of this procurement if the Employer decides that a Beneficial Owner is unacceptable due to sanctions or an unmitigable conflict of interest.

We acknowledge that failure to provide this form, or providing false information on this form, may be grounds for disqualifying a Bid and Bidder during the bidding process of this procurement, or for terminating a Contract that is awarded as a result of this procurement.

Data Privacy Protection Waiver: The information and documents provided will be used by the Employer, the Procurement Agent for the Employer, and MCC for the reasons described above. The information and documents may be shared with the Office of Inspector General (OIG) for the U.S. Agency for International Development (USAID), which serves as the OIG for MCC, or with other law enforcement agencies if requested through appropriate protocols. The Bidder consents

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<sup>1</sup> World Bank, African Development Bank, Asian Development Bank, Inter-American Development Bank, and European Bank of Reconstruction and Development.

<sup>2</sup> <https://www.mcc.gov/resources/doc/program-procurement-guidelines>, P1.A.1.6 (b).



to the collection, storage, access, use, processing, and transfer of this data by and among these entities, and voluntarily waives any provision of any local, national, or supranational law, such as, without limitation, the European Union’s General Data Protection Regulation (GDPR) and national laws enacted in response thereto, or laws of similar effect in other jurisdictions, which would prohibit or otherwise regulate such access, processing, and transfer.

**Name of the Bidder:** \*[insert complete name of the Bidder]

**Name of the person duly authorized to sign the Bid on behalf of the Bidder:** \*\*  
[insert complete name of person duly authorized to sign the Bid]

**Title of the person signing the Bid:** [insert complete title of the person signing the Bid]

**Signature of the person named above:** [insert signature of person whose name and capacity are shown above]

**Date signed** [insert date of signing] day of [insert month], [insert year]

\* In the case of the Bid submitted by a Joint Venture, specify the name of the Joint Venture as Bidder. In the event that the Bidder is a joint venture, each reference to “Bidder” in the Beneficial Ownership Disclosure Form (including this Introduction thereto) shall be read to refer to the joint venture member.

\*\* Person signing the Bid shall have the power of attorney given by the Bidder. The power of attorney shall be attached with the Bidding Forms.