



**Republika e Kosovës**  
**Republika Kosova-Republic of Kosovo**  
*Qeveria-Vlada-Gouvernement*

02/10  
Date: 10.02.2010

Recognizing the fact that the tendering procedures for the Public-Private-Partnership now known as the “Kosova e Re” project were materially advanced prior to and as of 25 June 2009, and have continued uninterrupted since that date, the Project Steering Committee of “Kosova e Re”, in the meeting held on 10 February 2010, considering comments received during the Investors Conference held 20-21 January 2010, and following recommendations by the Transaction Advisor, aiming to increase the number of bidders, took this:

**DECISION**

1. The minimum prequalification criteria described in the Pre-qualification Memorandum approved the 18<sup>th</sup> December 2009 by the “Kosova e Re” Project Steering Committee are changed to the Pre-qualification criteria attached as Annex A.
2. The deadline for submission of “Expressions of Interest” based on the ‘Pre-Qualification Memorandum’ approved on 18 December 2009 by the “Kosova e Re” project Steering Committee and extended by Decision 01/10 of the Project Steering Committee, dated 21 January 2010, remains unchanged, namely 26 February 2010 by 17:00.
3. The LPTAP Project Office is obligated to Advertise and Publish the announcement, including a press release.
4. Decision enters into force on date of signature.

Justina SHIROKA – PULA

  
PSC Chairperson

Sent to:

- Members and Observers to the Project Steering Committee
- LPTAP Project Office
- MEM Archive

## Annex A

The PSC now invites qualified applicants to indicate their interest in undertaking the Project. For an applicant to be considered for the short-list of pre-qualified bidders, its Expression of Interest, written in English, must contain qualifications information in sufficient detail to allow the PSC to assess the firm's or consortium's ability to develop the Project within the requirements set by the PSC. If an interested party has insufficient experience in a specific area, it may and is encouraged to associate with others to enhance its qualifications. The following will be used in determination of qualifications:

- a. An applicant can be a single entity or can be a consortium. After an applicant has been short-listed, the membership structure used to qualify may not be changed without prior written approval of the PSC.
- b. For determining the experience and technical capability of a consortium, the experience and technical capability of each member shall be combined for evaluation. However, experience and resources of subcontractors to the applicant shall be taken into account in determining the applicant's compliance only with the qualification criteria (d.iii) and (d.iv) below.
- c. Each member of a consortium is encouraged to provide its financial capability separately, for evaluation.
- d. A pre-qualified bidder will be one who meets or exceeds the qualification criteria listed below. A bidder must demonstrate its experience in the contracting, financing, management, engineering, procurement, construction, and operation of projects of similar nature and complexity to the proposed Project. The following criteria will be used in the evaluation for the purposes of pre-qualification:
  - (i) **Financial Capacity:** The applicant, or its associated senior management, must demonstrate financial capacity to fund, or experience in arranging financing, for the investment required for a large open-cast mine and for a power station (potentially over €1 billion). Please describe all the power generation and all the open-cast mining projects over the last 15 years in which the applicant, or its senior management, has invested, clearly listing the location, year of financial closing, the total capital amount, debt ratio, and the role of and amount invested by the applicant.
    - o **Minimum to pre-qualify:** The applicant shall provide evidence that it (or its senior management), if not a consortium, or the lead member if a consortium, has arranged project financing for one or more power and/or mining projects with a financing amount (debt plus equity) of at least €800 million. If the experience of senior management while at other companies or entities is proposed to be considered toward the Financial Capacity standard, evidence should be provided demonstrating a total of at least €1 billion of project financing experience by the senior management team.
  - (ii) **Project Management and Sponsorship:** The applicant must demonstrate that it has the capabilities to successfully manage the contracting, financing, design, engineering, procurement, construction, start-up, operation, and site restoration of a large open-cast mine and of a lignite fuelled power station. Please describe all the power generation and all the mining projects (open-cast and underground) over the last 15 years in which the applicant has played a management role, clearly indicating the size (throughputs) of the project, location, year of completion of construction, and whether the applicant acted as lead or participant.
    - o **Minimum to pre-qualify:** The applicant shall provide evidence that it has managed the development of (A) one or more mines of either 8 million

tonnes/yr of coal or lignite production or averaging 5 million tonnes/yr of coal or lignite production over a 5 year period in the last 15 years and (B) one or more coal- or lignite-fired power project(s) totalling at least 600 MW gross electrical power generating capacity.

(iii)**Construction:** The applicant must demonstrate it (or its construction subcontractors) has the past experience to successfully engineer, procure, and construct an open-cast or underground coal or lignite mine and power station of size as at (ii) above. Please describe all (but not to exceed ten each of mines and power stations) relevant mines (of which there must be at least one example of open-cast mines) and power stations in which the applicant (or its subcontractors) has been lead constructor, clearly indicating the size (throughputs) of the project, location, year of completion of construction, technology, and manufacturers of major equipment.

- **Minimum to pre-qualify:** The applicant shall provide evidence that it (or its construction subcontractors) has served as the lead construction entity in at least two projects of a similar nature and complexity as the components of the Project that have been completed and operated successfully for at least 18 months;

(iv)**Operation and Maintenance:** The applicant must demonstrate it (or its operations subcontractors) has the experience to operate and maintain an open-cast mine and to operate and maintain a power station of size as at (ii) above. If the operator is a subcontractor, the contract must be for at least 5 years. Please describe all (but not to exceed ten each of mines (open-cast and underground) and power stations) relevant O&M contracts into which the proposed operator(s) has entered in the last 15 years, clearly indicating the location, years under contract, size, and technology of each contract.

- **Minimum to pre-qualify:** The applicant shall provide evidence that it (or its lead operations subcontractor) has (A) continuously operated an open-cast mine since 2004 which has reached at least 5 million tonnes/yr production for at least 1 year in that period and (B), operated thermal power generation capacity of at least 2000MW (at a single location or in aggregate across multiple locations) for at least 3 years since 2004.

- e. Each applicant's minimum qualifications will be evaluated on the basis of a PASS-FAIL approach.

Submissions must clearly identify the lead developer or firm, its relationship to a parent company (if any), and any other firms that comprise the consortium or joint venture. Each applicant shall provide a statement from each consortium member that the lead member is authorized to act on their behalf, and the lead member shall be the point of contact for each consortium. All consortium members will be required to participate through out the term of the Project, unless the PSC's prior approval is granted. The name, mailing address, telephone and facsimile numbers, and e-mail address of the applicant's project manager to whom all correspondence will be directed in relation to the Project shall be provided in the submission.

The PSC intends to make use of the point-based shortlisting system, already announced, to keep the field to a reasonable number of the best qualified applicants.