**Instruction for Customization of TDS Preparation Regarding JVCA:**

| **Clause no.** | **Existing TDS** | **Recommended Insertion for TDS** |
| --- | --- | --- |
| ITT 15.1 (b) | The minimum specific experience as a Prime Contractor or Subcontractor or Management Contractor in construction works of at least *[state number]* contract(s) of similar nature, complexity and methods/construction technology successfully completed within the last *[state number]* years, each with a value of at least Tk. *[state amount].**[the minimum number of contracts will depend upon the size and type of construction work, and the PE should make its own judgement based upon its experience in the sector and construction industry. For example, for large works, it could be one (1) contract of similar nature during the last three (3) years or five (5) years or ten (10) years (whichever appropriate); years counting backward from the date of publication of IFT in the newspaper]**[for Tenders where the package contains more than one (1) lot, this qualification requirements, only when applicable, shall be mentioned separately for each lot in the package]**[the minimum value of the similar works is recommended to be between 50 and 75 percent of the estimated cost of the proposed work]* | *[Please add the following paragraphs below the existing paragraphs:]***If a Tenderer submits a specific experience certificate which was completed by a JV:**1. **for non-divisible works:**

To calculate the value of a specific experience [i.e., the financial portion of the specific experience], the Tenderer’s business share of the JV of the previous specific experience shall be considered. However, the physical portion of the specific experience shall be wholly assigned to the Tenderers irrespective of their business share.*[ For example, if a Tenderer named ‘A’ submits a specific experience certificate of a 100 m bridge construction work amounting to 10 crore BDT completed by a joint venture of ‘A’ & another Tenderer ‘B’ (A-B JV) and the business share of ‘A’ & ‘B’ in ‘A-B JV’ is 51% and 49% respectively, the calculation of the specific experience will be:**The financial portion of the specific experience:**Tenderer ‘A’ = (10\*0.51) crore BDT = 5.1 crore BDT**The physical portion of the specific experience:**Tenderer ‘A’ = 100 m bridge construction work (whole physical experience)]*1. **for divisible works:**

The specific experience shall be determined according to their assigned component(s)/activity(ies) described in the completion certificate.[For *example, if a Tenderer named ‘A’ submits a specific experience certificate of a 100 m bridge construction work amounting to 10 crore BDT completed by a joint venture of ‘A’ & another Tenderer ‘B’ (A-B JV) and the completion certificate describes that the works is divided between A & B as follows: A completed the superstructure valued BDT 6 crore and B completed the substructure valued BDT 4 crore. The calculation of the specific experience will be:**The financial portion of the specific experience:**Tenderer ‘A’ = 6 crore BDT**The physical portion of the specific experience:**Tenderer ‘A’ = The superstructure of 100 m bridge construction work*] |
| ITT 16.1 (a) | The required average annual construction turnover shall be greater than Tk *[insert amount]* over the last *[state number]* years.*[the required average annual construction turnover is recommended to be about twice the estimated annual cash flow for the Contract; however, the multiplier may vary from 1.0 to 2.0, the larger the Contract size the lesser the multiplier should be. The period may be best three (3) years in the last five (5) years or best five (5) years in the last ten (10) years (as appropriate); years counting backward from the date of publication of IFT in the newspaper]****Example:****Estimated Contract Value: Tk 24 Cr.**Contract period: 18 months**Estimated Annual Cash Flow: Tk 16 Cr.**Required average annual construction turn over: Tk 24 Cr., using a multiplier of 1.5.**[for Tenders where the package contains more than one (1) lot, this qualification requirements shall be mentioned separately for each lot in the package]* | *[Please add the following paragraph(s) below the existing paragraph(s):]***If a Tenderer submits a payment certificate which was completed by a JV:**To calculate the required average annual construction turnover, the Tenderer’s business share of the JV of the previous work experience shall be considered.*[For example, if a Tenderer named ‘A’ submits a payment certificate amounting to 10 crore BDT completed by a joint venture of ‘A’ & another Tenderer ‘B’ (A-B JV) and the business share of ‘A’ & ‘B’ in ‘A-B JV’ is 51% and 49% respectively, the calculation of the average annual construction turnover will be:**Value of construction turnover:**Tenderer ‘A’ = (10\*0.51) crore BDT = 5.1 crore BDT]* |
| ITT 19.1 | The value of non-judicial stamp for execution of the Joint Venture agreement shall be Tk *[state amount].**[the value of the non-judicial stamp shall be Tk.300.00]* | The Joint Venture Agreement, when submitted, either with its tender or upon signing, shall be duly notarised and include at least the following:* the percentage of business share between the Joint venture members.
* nomination of an authorized **Representative or Partner-in-charge**.
* the business share of the Leading Partner shall be the highest among all the partners. Other partner(s) shall have at least 25% of business share each.

The value of the non-judicial stamp for the execution of the Joint Venture agreement shall be Tk.300.00. |
| ITT 19.4 | - | JV shall nominate the **Leading Partner** as **Representative or Partner-in-charge** being entrusted with the Contract administration and management at Site who shall have the authority to conduct all business for and on behalf of any and all the partners of the JV during the Tendering process and, in the event the JV is awarded the Contract, during contract execution including the receipt of payments for and on behalf of the JV. |

**Note:** The instruction is made using ePW3 STD. The clause number may be changed subject to the type of STD used.