

EXPRESSION OF INTEREST (EOI)

Contract reference no.: 11th EDF/SFCICP/R2.1.3.2/SER/2021

**CONSULTANCY TO PROVIDE ASSISTANCE TO MEMBER STATES TO HARMONISE COMPANIES AND INSOLVENCY LAWS AND INSTRUMENTS FOR THE MUTUAL RECOGNITION OF COMPANIES**

**Please supply one (1) signed Expression of Interest** (for each lot, if the tender procedure is divided into lots), together with **three (3) copies.** For economical and ecological reasons, we strongly recommend that you submit your files on paper (no plastic folder or divider). We also suggest you use double-sided printing wherever possible.Your EOI must include a signed declaration using the annexed format from each legal entity making the EOI. **All data included in this EOI must concern only the legal entity or entities making the EOI.**

Any additional documentation (brochures, letters etc.) not specifically requested and sent with your EOI will not be taken into consideration.EOIs submitted by a **consortium** (i.e. either a permanent, legally-established grouping or a grouping set up informally for a specific tender procedure) must follow the instructions applicable to the consortium leader and its members.

A consultant may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. If they do, they must prove to the CARICOM Secretariat that they have the resources needed to perform the contract, for example by producing an undertaking from those entities to place resources at their disposal. Such entities, for instance the parent company of the consultant, must respect the same rules of eligibility as the economic operator.

**1 SUBMITTED by (i.e. the identity of the Candidate)**

|  |  |  |
| --- | --- | --- |
|  | **Name(s) of legal entity or entities making this EOI** | **Nationality[[1]](#endnote-1)** |
| **Leader[[2]](#endnote-2)** |  |  |
| **Member** |  |  |
| **Etc …**  |  |  |

**2 CONTACT PERSON (for this EOI)**

|  |  |
| --- | --- |
| **Name** |  |
| **Organisation** |  |
| **Address** |  |
| **Telephone** |  |
| **Fax** |  |
| **e-mail** |  |

**3 ECONOMIC AND FINANCIAL CAPACITY[[3]](#endnote-3)**

Please complete the following table of financial data[[4]](#endnote-4) based on your annual accounts and your latest projections. If annual accounts are not yet available for this year or last year, please provide your latest estimates, clearly identifying estimated figures in italics. Figures in all columns must be calculated on the same basis to allow a direct, year-on-year comparison to be made (or, if the basis has changed, please provide an explanation of the change as a footnote to the table). Any other clarification or explanation which is judged necessary may also be provided. If the consultant is a public body, please provide equivalent information.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Financial data** | **2 years before last year[[5]](#endnote-5)****<insert currency>** | **Year before last year<insert currency>** | **Last year****<insert currency>** | **Average [[6]](#endnote-6)****<insert currency>** | **This year****<insert currency>** |
| Annual turnover[[7]](#endnote-7), excluding this contract |  |  |  |  |  |
| Current Assets[[8]](#endnote-8)  |  |  |  |  |  |
| Current Liabilities[[9]](#endnote-9)  |  |  |  |  |  |

**4 STAFF**

Please provide the following statistics on staff for the current year and the two previous years.[[10]](#endnote-10)

|  |  |  |  |
| --- | --- | --- | --- |
| **Average manpower** | **Year before last** | **Last year** | **This year** |
|  | **Overall** | **Total for fields related to this contract[[11]](#endnote-11)** | **Overall** | **Total for fields related to this contract11** | **Overall** | **Total for fields related to this contract11**  |
| Permanent staff[[12]](#endnote-12)  |  |  |  |  |  |  |
| Other staff [[13]](#endnote-13) |  |  |  |  |  |  |
| Total |  |  |  |  |  |  |
| Permanent staff as a proportion of total staff (%) | % | % | % | % | % | % |

**5 AREAS OF SPECIALISATION**

Please fill in the table below to indicate any areas of specialist knowledge related to this contract for each legal entity making this EOI. State the type of area of specialisation as the row heading and use the name of the legal entity as the column headings. Indicate the areas of specialist knowledge each legal entity has by placing a tick (✓) in the box corresponding to the specialisation in which it has significant experience. **Maximum 10 specialisations**.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Leader | Member 2 | Member 3 | Etc … |
| Relevant specialisation 1 |  |  |  |  |
| Relevant specialisation 2 |  |  |  |  |
| Etc …[[14]](#endnote-14) |  |  |  |  |

**6 EXPERIENCE**

Please fill in the table below to summarise the main projects related to this contract carried out over the past 5 years by the legal entity or entities making this EOI. The number of references to be provided must not exceed 15 for the entire EOI.

|  |  |  |
| --- | --- | --- |
| **Ref no (maximum 15)** | **Project title** |  |
| **Name of legal entity** | **Country** | **Overall contract value [insert currency][[15]](#endnote-15)** | **Proportion carried out by legal entity (%)** | **No of staff provided** | **Name of client** | **Origin of funding** | **Dates (start/end)[[16]](#endnote-16)** | **Name of consortium members, if any** |
| … | … | … | … | … | … | … | … | … |
| **Detailed description of project** | **Type and scope of services provided** |
| … | … |

**7 DECLARATION(S)**

As part of their EOI, each legal entity identified under point 1 of this EOI, including every consortium member, must submit a signed declaration using the attached format. The declaration may be in original or in copy. If copies are submitted, the originals must be sent to the CARICOM Secretariat upon request.

**8 STATEMENT**

I, the undersigned, the authorised signatory of the above Consultant (for consortiums, this includes all consortium members), hereby declare that we have examined the REOI for the Open tender procedure referred to above. If our EOI is short-listed, we fully intend to submit a tender to provide the services requested in the tender documents.

We understand that our tender may be excluded if we propose key experts who have been involved in preparing this project or employ them as advisers in the preparation of our tender. We also understand that this may mean exclusion from other tender procedures and contracts funded by the CARICOM Secretariat.

We are fully aware that, for consortia, the composition of the consortium cannot be changed in the course of the tender procedure, unless the CARICOM Secretariat has given its prior approval in writing. We are also aware that the consortium members have joint and several liability towards the CARICOM Secretariat concerning participation in the above tender procedure and any contract awarded to us as a result of it.

Signed on behalf of the Consultant

|  |  |
| --- | --- |
| **Name** |  |
| **Signature** |  |
| **Date** |  |

FORMAT FOR THE DECLARATION REFERRED TO IN POINT 7
OF THE EOI
To be submitted on the letterhead of the legal entity concerned

<Date>

<Name and address of the CARICOM Secretariat— see point 23 of the REOI >

**Your ref: < Publication reference >**

Dear Sir/Madam

In response to your REOI < Publication reference >, we, < Name(s) of legal entity or entities>, confirm that we intend to submit a tender for the contract for [Lot number <number> of]\* the above if we are invited to do so.

We hereby declare that we:

1. are making this EOI [ on an individual basis ]\* / [ as member of the consortium led by < name of the leader / ourselves > ]\* for this contract. We confirm that we are not involved in any other EOI for the same contract, in any form (as a member, leader, in a consortium or as an individual consultant);
2. are not in any of the situations excluding us from participating in contracts listed in Clauses 12 and 13 of Module 2 of the GPM available at **https://caricom.org/wp-content/uploads/GPM-23-Oct-20-1.pdf**
3. agree to abide by the ethics clauses in Clause 21 of Module 2 of the GPM, have not been involved in the preparation of the project which is the subject of this tender procedure unless we prove that the involvement in previous stages of the project does not constitute unfair competition, and have no conflict of interests or any equivalent relation with other candidates or other parties in the tender procedure at the time of submission of this EOI;
4. [have attached a current list of the enterprises in the same group or network as ourselves ] / [ are not part of a group or network ]\* and have only included data in the EOI form concerning the resources and experience of [our legal entity] / [our legal entity and the entities for which we attach a written undertaking]\*;
5. will inform the CARICOM Secretariat immediately if there is any change in the above circumstances at any stage during the implementation of the tasks;
6. fully recognise and accept that if we participate in spite of being in any of the situations listed in Clauses 12 and 13 of the GPM**.** Furthermore, we acknowledge that, should we provide false declarations, make substantial errors or commit irregularities or fraud, we may also be subject to financial penalties representing 2 % to 10 % of the total value of the contract awarded. This rate may be increased to 4 % to 20 % in the event of a repeat offence within five years of the first infringement; and

We also undertake, if required, to provide evidence of our financial and economic standing and our technical and professional capacity according to the selection criteria for this call for tender specified in the REOI, point 19. The list of documents required is referred to in Clauses 67.43 and 67.44 of the GPM.

[\* Delete as applicable]

If this declaration is completed by a consortium member:

The following table contains our financial data as included in the consortium’s EOI form. These data are based on our annual audited accounts and our latest projections. Estimated figures (i.e., those not included in annual audited accounts) are given in italics. Figures in all columns are calculated on the same basis to allow a direct, year-on-year comparison to be made <see the footnotes for exceptions>.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Financial data** | **2 years before last5****<insert currency>** | **Year before last year****<insert currency>** | **Last year****<insert currency>** | **Average6****<insert currency>** | **This year****<insert currency>** |
| Annual turnover 7, excluding this contract |  |  |  |  |  |
| Current Assets8  |  |  |  |  |  |
| Current Liabilities9  |  |  |  |  |  |

The following table contains statistics on our staff, as included in the consortium’s EOI:

|  |  |  |  |
| --- | --- | --- | --- |
| **Average manpower** | **Previous year** | **Last year** | **This year** |
|  | **Overall** | **Total for fields related to this contract** 11 | **Overall** | **Total for fields related to this contract** 11 | **Overall** | **Total for fields related to this contract** 11 |
| Permanent staff 12 |  |  |  |  |  |  |
| Other staff 13 |  |  |  |  |  |  |

Yours faithfully,

<Signature of authorised representative>

Name and position of authorised representative

1. Country in which the legal entity is registered. [↑](#endnote-ref-1)
2. Add / delete additional lines for consortium members as appropriate. **Note** that a subcontractor is not considered to be a consortium member for the purposes of this EOI form. Subsequently, data on subcontractors must not appear in the data related to the economic, financial and professional capacity. If this EOI is submitted by an individual legal entity, the name of that legal entity should be entered as ‘Leader’ (and all other lines should be deleted). Any change in the identity of the Leader and/or any consortium members between the deadline for receipt of EOIs indicated in the REOI and the award of the contract is not permitted without the prior written consent of the CARICOM Secretariat. [↑](#endnote-ref-2)
3. Natural persons must prove their capacity in accordance with the selection criteria and by the appropriate means. [↑](#endnote-ref-3)
4. If this EOI is submitted by a consortium, the data in the table must be the sum of the data in the corresponding tables in the declarations provided by the consortium members — see point 7 of this EOI form. [↑](#endnote-ref-4)
5. Last year = last accounting year for entity. [↑](#endnote-ref-5)
6. Amounts entered in the ‘Average’ column must be the mathematical average of the amounts entered in the three preceding columns of the same row. [↑](#endnote-ref-6)
7. The gross inflow of economic benefits (cash, receivables, other assets) generated from the ordinary operating activities of the enterprise (such as sales of goods, sales of services, interest, royalties, and dividends) during the year. [↑](#endnote-ref-7)
8. A balance sheet account that represents the value of all assets that are reasonably expected to be converted into cash within one year in the normal course of business. Current assets include cash, accounts receivable, inventory, marketable securities, prepaid expenses and other liquid assets that can be readily converted to cash. [↑](#endnote-ref-8)
9. A company's debts or obligations that are due within one year. Current liabilities appear on the company's balance sheet and include short term debt, accounts payable, accrued liabilities and other debts. [↑](#endnote-ref-9)
10. If this EOI is submitted by a consortium, the data in the table above must be the sum of the data in the corresponding tables in the declarations provided by the consortium members — see point 7 of this EOI form. [↑](#endnote-ref-10)
11. Corresponding to the specialisations identified in point 5 below. [↑](#endnote-ref-11)
12. Staff directlyemployed by the candidate on a permanent basis (i.e., under indefinite contracts). [↑](#endnote-ref-12)
13. Other staff not directlyemployed by the candidate on a permanent basis (i.e., under fixed-term contracts). [↑](#endnote-ref-13)
14. Add / delete additional lines and/or rows as appropriate. If this EOI is submitted by an individual legal entity, the name of the legal entity should be entered as ‘Leader’ (and all other columns should be deleted). [↑](#endnote-ref-14)
15. The effect of inflation will not be taken into account. [↑](#endnote-ref-15)
16. If the reference contract is only partially completed, please quote the percentage and value which has been completed. [↑](#endnote-ref-16)