Clarifications #2

Tender to contract a consultancy to prepare a Strategic and Business Plan for the period of 2026-2031 for EMPRESA DE TRANSPORTES AÉREOS DE CABO VERDE, SA (TACV, SA)

1. Candidates to the Procedure

Point 7.2 of the ToR states that 'Applications may be submitted by a group of consultants, whether individuals or legal entities, regardless of whether there is, at the time of submission of the application, any legal form of association between the members of the group.'

The following paragraph – 7.3, adds that "7.3 Without prejudice to the legal constitution of the groups not being required at the time of submission of the proposal, all members of the group, and only these, are obliged, in the event of award, to assume the legal form permitted in the Cabo Verdean legal system, under a regime of joint liability, with a view to concluding the consultancy contract".

1.1. Which legal form(s) are possible and permitted under Cape Verdean law?

In Cape Verde's legal system, the legal forms are defined in the Civil Code, the Commercial Code and the Commercial Companies Code, and should therefore be consulted for appropriate purposes.

The legal form chosen must guarantee joint and several liability between the members of the group, as required by paragraph 7.3 of the TOR. This information does not replace the need to consult a legal expert to clarify and draw conclusions on the matter in question.

1.2. Paragraph 9.3 of the TOR sets out the documents to be submitted by the applicant to assess financial capacity. In particular:

“**(c)** Accounting documents for the last 3 (three) financial years completed or for financial years completed since the incorporation, if this occurred less than 3 (three) years ago.

(d) Declaration indicating, in relation to recent years, the overall volume of your business and the supply of goods or services subject to the procedure”.

In the case of an application by a group of individual consultants, which documents should be submitted in the area of financial capacity?

For requirement **(c): A copy of a tax return** (tax model of the applicant's country) for the last 3 tax years. This document serves as the closest equivalent to the accounts for a individual, demonstrating their economic capacity and activity.

For requirement (**d): A declaration on honor**, signed by each consultant, indicating the volume of income obtained in the last 3 years from their professional activity as a consultant. This declaration must detail the services provided that are relevant to the subject of the tender.

It is essential that the group demonstrates the financial capacity to fulfil the contract.

2. **Regarding the classification of the financial proposal, n. 18.1.(b) states that 'Proposals with a price lower than 70% of the average of the valid proposals will be subject to special analysis and may be excluded if not adequately justified'. Paragraph 21 establishes the award criteria, and paragraphs 21.6 and 21.7 state: "The ranking of the price factor will be obtained using the following formula:**

   P = [(PB - PP) / PB] x 100

   21.7 The minimum score for the price factor is 0 points (price equal to the base price), and the maximum is 100 points."

   The concept of Base Price is unclear. In fact, it is not identified in the ToR or the Specifications.

Please be advised that point 21.6 has been updated to reflect an error that was identified in the transcription of the formula used to calculate the Bid Price Score. Please be advised that point 21.6 will now read as follows:

21.6 The price factor classification will be obtained using the following formula:

P = (PB / PP) x 100

Where:

P = Proposal Price Score

PB = Base price of the procedure = Lowest bid, among the qualified bids

PP = Price of the proposal under analysis

Praia, 04th August, 2025