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## Form TECH-9 (Form ACK): Acknowledgement of Compliance with the Guidelines for Employment of Consultants

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### Notes for the Client

The Form ACK should be finalized by using the latest version of Form ACK, uploaded in the JICA webpage;

[https://www.jica.go.jp/english/our\\_work/types\\_of\\_assistance/oda\\_loans/oda\\_op\\_info/guide/index.html](https://www.jica.go.jp/english/our_work/types_of_assistance/oda_loans/oda_op_info/guide/index.html)

The “the date of issuance of the Request for Proposals” under B) and B’) below shall be both revised to:

- (b) to "appointment", if a consultant is selected through the Single-Source Selection method; or
- (c) “commencement of the actual selection process”, if the Borrower adopt a method other than QCBS, QBS, or Single Source Selection.

The contact/ mailing address of JICA office in the project country shall be stated in E) (2). Such address can be found in the webpage, URL of which has been given in E) (1). If there is no JICA office available in the country, E) (2), shall be deleted in its entirety.

A) I, [*insert name and position of authorized signatory*] being duly authorized by [*insert name of Consultant/members of joint venture*](“JV”) (hereinafter referred to as the “Consultant”) to execute this Acknowledgement of Compliance with Guidelines for Employment of Consultants under Japanese ODA Loans, hereby certify on behalf of the Consultant and myself that:

- (i) all information provided in the Technical and Financial Proposals (collectively “Proposals”) submitted by the Consultant and its subconsultant for [*insert name of the Project, and name, number and identification of assignment as stated in DS 2.1*] (hereinafter called “the Project”) is true, correct and accurate to the best of the Consultant’s and my knowledge and belief; and
- (ii) the Consultant or any of its subconsultants has not, directly or indirectly, taken any action which is or constitutes a corrupt or fraudulent practice and is not subject to any conflict of interest as stipulated in the relevant section of the Guidelines and the Request for Proposals.

*<If debarment for more than one year by the World Bank Group is NOT imposed, use the following sentence B).>*

B) I certify that the Consultant has NOT been debarred by the World Bank Group for more than one year since the date of issuance of the Request for Proposals.

*<If debarment for more than one year by the World Bank Group has been imposed BUT three (3) years have passed since the date of such debarment decision, use the following sentence B’).>*

B’) I certify that the Consultant has been debarred by the World Bank Group for a period more than one year BUT that on the date of issuance of the Request for Proposals at least three (3) years had passed since the date of such debarment decision. Details of the debarment are

as follows:

name of the debarred firm	starting date of debarment	ending date of debarment	reason for debarment

- C) I certify that the Consultant will not enter into a subcontract with a firm or an individual which has been debarred by the World Bank Group for a period more than one year, unless on the date of the subcontract at least three (3) years have passed since the date of such debarment decision.
- D) I certify, on behalf of the Consultant and its subconsultants, that if selected to undertake services in connection with the Contract, the Consultant and its subconsultants shall carry out such services in continuing compliance with the terms and conditions of the Contract.
- E) I further certify, on behalf of the Consultant and its subconsultants, that if the Consultant or any of its subconsultants is requested, directly or indirectly, to engage in any corrupt or fraudulent act or practice under any applicable law, such as the payment of a rebate, at any time or any stage of a process of consultant selection such as negotiations, execution or implementation of contract (including amendment thereof), the Consultant shall report all relevant facts regarding such request to the relevant section in JICA (details of which are specified below) in a timely manner.

JICA's information desk on fraud and corruption (A report can be made to either of the offices identified below.)

(1) JICA Headquarters: Legal Affairs Division, General Affairs Department

URL: <https://www2.jica.go.jp/en/odainfo/index.php>

Tel: +81 (0)3 5226 8850

(2) JICA XX office

Tel:

The Consultant acknowledges and agrees that the reporting obligation stated above shall NOT in any way affect the Consultant's responsibilities, obligations or rights, under relevant laws, regulations, contracts, guidelines or otherwise, to disclose or report such request or other information to any other person(s) or to take any other action, required to or allowed to, be taken by the Consultant. The Consultant further acknowledges and agrees that JICA is not involved in or responsible for the selection process in any way.

- F) If any of the statements made herein is subsequently proven to be untrue or incorrect based on facts subsequently determined, or if any of the warranties or covenants made herein is not complied with, the Consultant will accept, comply with, and not object to any remedies taken by the Client and any sanctions imposed by or actions taken by JICA.

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**Authorized Signatory**

*[insert name of signatory; title]*

**For and on behalf of the Consultant**

*[insert name of the Consultant]*

Date: *[insert Date]*