



**ESWATINI ENERGY REGULATORY AUTHORITY
(ESERA)**

**PRE-QUALIFICATION DOCUMENT FOR OPEN
PROSPECTIVE SUPPLIERS OF GOODS AND SERVICES**

ESERA/RFP/10/2021-2022

FOR A PERIOD OF TWO YEARS

SEPTEMBER 2021



PRE-QUALIFICATION OF SUPPLIERS OF GOODS AND SERVICES

The Eswatini Energy Regulatory Authority (hereinafter “ESERA”), is a statutory Energy Regulatory Body established through the Energy Regulatory Act, 2007 (Act No.2 of 2007). The Mandate of SERA is the administration of Electricity Act, 2007 (Act No.3 of 2007) and the Petroleum Act, 2020 (Act No.18 of 2020), with the primary and core responsibilities of exercising control over the electricity supply industry (ESI) and regulation of generation, transmission, distribution, supply, use, import and export of electricity in Eswatini. It is also responsible for the regulation of electricity tariffs and quality of supply and services. The Authority has also assumed the responsibility of regulating all downstream petroleum activities which includes but not limited to petroleum products wholesaling, storage and retailing.

ESERA invites all eligible and qualified firms including those owned by youth, women and person with disability to submit sealed applications for Prequalification for general categories of supply of goods for a period of two years. The Prequalification documents, containing submission information, detailed terms and conditions of prequalification may be inspected and purchased from the reception area at ESERA Office located at First Floor, RHUS Office Park, Karl Grant Street, Mbabane, Eswatini, during working hours for E 350.00 (Three Hundred and Fifty Emalangeni).

All applications should be, marked **PRE-QUALIFICATION DOCUMENT FOR EACH CATEGORY WITH THE DESCRIPTION AND PREQUALIFICATION NUMBER ESERAPRQXXXXXXXX**”, and should be sealed on one envelope, and addressed to;

The Chief Executive Officer Eswatini Energy Regulatory Authority First Floor, RHUS Office Park, Karl Grant Street, Mbabane, Eswatini

Applications must be deposited in the Tender Box situated at ESERA reception area at the Eswatini Energy Regulatory Authority, First Floor, RHUS Office Park, Karl Grant Street, Mbabane at the latest by 11:00AM, SAST, on the 07th October 2021. Late applications received by telegram, facsimile, email or similar medium will not be considered.

Requests for clarification, must be in writing, should be addressed, via email, to gcinile@esera.org.sz. ESERA will strive to promptly respond in writing via e-mail to any requests for clarification up until close of business on the 24th September 2021.



THE CHIEF EXECUTIVE OFFICER

CATEGORY A: OF SUPPLY AND DELIVERY OF GOODS

TENDER CODE	REFERENCE	ITEM DESCRIPTION
ESERAPRQ21-001		Supply and delivery of computers, laptops, UPSs, printers, scanners and general computer hardware and software
ESERAPRQ21-002		Supply and delivery of personal protective equipment
ESERAPRQ21-003		Supply and delivery of personal protective wear
ESERAPRQ21-004		Supply and delivery of branded and promotional materials
ESERAPRQ21-005		Supply and delivery of office stationery
ESERAPRQ21-006		Supply and delivery of office furniture and furnishings
ESERAPRQ21-007		Supply and delivery of corporate wear
ESERAPRQ21-008		Supply and delivery of Laboratory Equipment
ESERAPRQ21-009		Supply and delivery of Laboratory Consumables
ESERAPRQ21-010		Supply and delivery of Laboratory Gasses
ESERAPRQ21-011		Supply and delivery of Power Quality Instruments and Associated Accessories
ESERAPRQ21-012		Supply and delivery of Power Quality Accessories
ESERAPRQ21-013		Supply and delivery of Power Analyzer and Multimeter

CATEGORY B: PROVISION OF SERVICES

TENDER REFERENCE CODE	ITEM DESCRIPTION
ESERAPRQ21-014	Provision of printing, Bookbinding and branding design services
ESERAPRQ21-015	Provision of car rental services
ESERAPRQ21-016	Provision of office cleaning and yard maintenance services
ESERAPRQ21-017	Provision advertising and marketing services
ESERAPRQ21-018	Provision catering services for events and meetings
ESERAPRQ21-019	Provision of travel and tours services
ESERAPRQ21-020	Provision of air travel services
ESERAPRQ21-021	Provision of audio transcription services
ESERAPRQ21-022	Provision of Audio / Public Address equipment and DJ services
ESERAPRQ21-023	Provision of Procurement Services



ESERAPRQ21-024	Provision of Counselling Services
ESERAPRQ21-025	Provision of Management Consultancy Services
ESERAPRQ21-026	Provision of Laboratory Equipment Services
ESERAPRQ21-027	Provision of Access, control, alarm system uninterruptible power system and firefighting system service
ESERAPRQ21-028	Provision of Courier Services
ESERAPRQ21-029	Provision of Air Conditioner Services
ESERAPRQ21-030	Provision of Webhosting Services for Power Quality Instrument Data

SECTION I. INFORMATION TO TENDERERS



1. INTRODUCTION

- 1.1 The Eswatini Energy Regulatory Authority (ESERA) wishes to pre-qualify and enlist prospective tenderers among those who will have submitted their pre-qualification documents, in accordance with the pre-qualification requirements to undertake the assignments described herein for a period of two (2) years subject to satisfactory performance.
- 1.2 The Pre-qualification document and the response thereof shall be the basis for Prequalification. Tenderers must familiarize themselves with the requirements described in this document including all attachments and take them into account while preparing the response.
- 1.3 ESERA does not bind itself for supply of the goods or provision of any service but shall endeavour to ensure tenderers will be treated equitably.
- 1.4 Applicants will be informed in writing of the results of the application.
- 1.5 Tenderers will meet all costs associated with preparation and submission of their applications.
- 1.6 It is ESERA policy to require that Tenderers observe the highest standard of ethics during selection and execution of its contracts. In pursuance of this policy, ESERA:
- 1.6.1 Defines, for the purpose of this provision, the terms set forth below as follows;
- a) **“Corrupt practice”** means the offering, giving, receiving or soliciting of anything of value to influence the action of an officer of the procuring entity in the pre-qualification process; and
 - b) **“Fraudulent practice”** means a misrepresentation of facts in order to influence the pre-qualification process to the detriment of the procuring entity, and includes collusive practices among Tenderers (prior to or after submission of Tenders) designed to establish prices at artificial, non-competitive levels and to deprive the procuring entity of the benefits of free and open competition.
- 1.6.2 Will reject a Tender for pre-qualification if it determines that a Tenderer has engaged in corrupt or fraudulent activities in competing for the contract in question;
- 1.6.3 Will declare a Tender ineligible, for pre-qualification if at any time it determines that a Tenderer has engaged in corrupt or fraudulent practices in competing for, or in executing, a similar contract; and
- 1.6.4 Will have the right to examine financial records relating to the performance of such services to determine capability.



1.6.5 Will have the right to inspect the business premises of the tenderer.

- 1.7 Tenderers shall furnish information as described in the pre-qualification tender document.
- 1.8 Tenderers shall be aware of the provisions on fraud and corruption stated in the standard contract under the clauses indicated in the Data Sheet.
- 1.9 Tenderers and service providers are required to have access to computers and internet connectivity as communication to suppliers will be via emails to enable them provide adequate services and facilitate real-time communication.
- 1.10 Prospective bidders should disclose if they are engaged with past or pending litigation against ESERA and the nature of the litigation in order to avoid conflict of interest.
- 1.11 In cases of amendment to tender documents, amendments will be attached as addenda to the original documents. The Regulator will send, by electronic means, any clarifications and amendments to all consultants who have purchased the Terms of Reference. All clarifications and addenda will be binding to all bidders.

1.12 Modification and Withdrawal of Bids

- a) The Bidder may modify or withdraw its bid after the bid's submission, provided that written notice of the modification or withdrawal is received by SERA prior to the deadline prescribed for submission of bids.
- b) The Bidder's modification or withdrawal notice shall be prepared, sealed, marked and disbursed. A withdrawal notice may also be sent by fax, followed by a signed confirmation copy, post marked not later than the deadline for submission of bids.
- c) No bid may be modified subsequent to the deadline for submission of bids.
- d) No bid may be withdrawn in the interval between the deadline for submission of bids and the expiration of period of bid validity specified by the Bidder on the bid form.

2. DOCUMENTS COMPRISING THE REQUEST FOR PREQUALIFICATION

- 2.1 Tenderers may request a clarification on the Pre-qualification document up to ten (10) days before the tender submission date. Any request for clarification must be sent in writing by email to gcinile@esera.org.sz ESERA will respond in writing by email



to such requests and will send copies of the response to all tenderers who intend to submit tenders.

3. PREPARATION OF TENDER DOCUMENTS

- 3.1 Tenderers are requested to submit pre-qualification documents written in English language.
- 3.2 Tenderers are expected to examine the documents comprising this Request for prequalification in detail. Material deficiencies in providing the information requested may result in rejection of a tender.
- 3.3 Tenderers are required to meet the Pre-Qualification criteria stipulated in Section 2. Tenderers who do not meet such requirements should not submit tenders. Only tenderers, who fulfil such requirements, will be considered for detailed evaluation.
- 3.4 The pre-qualification documents shall **NOT** include any **FINANCIAL PROPOSAL** except for information related to audited accounts for the last 2 years.
- 3.5 The Period of Validity shall be 120 days from the date of submission. ESERA will make best effort to complete the evaluation and communicate within this period.

4. SUBMISSION, RECEIPT, AND OPENING OF PREQUALIFICATIONS

- 4.1 The original Pre-qualification Document shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the applicant. Any such corrections must be initialled by the authorised representative person or persons who sign(s) the Pre-qualification Document.
- 4.2 An authorized representative of the applicants should paginate and initial all pages of the tender document.
- 4.3 The Pre-qualification documents must be produced in 5 copies, 1 marked original and 4 marked copies for each category and should be enclosed in a plain envelope, sealed and clearly marked on the outside **“PRE-QUALIFICATION DOCUMENT FOR EACH CATEGORY WITH THE DESCRIPTION AND PREQUALIFICATION NUMBER ESERAPRQXXXXXXXXX”** and deposited in the tender box situated at the reception area of ESERA not later than 11:00AM, SAST on the 07th October 2021.
- 4.4 Where a tenderer is qualified for more than one category, submission must be done in separate envelopes for each category.



4.5 The deadline for submission of the Pre-Qualification Document shall be 11:00AM, SAST on the 07th October 2021. Tenders shall be **marked “DO NOT OPEN BEFORE 07TH OCTOBER 2021, 11:00AM”**.

4.6 Late Submissions will not be accepted. Any Pre-Qualification Document received after the deadline pursuant to clause 4.5 above shall be rejected as a late tender and shall not be considered.

4.7 Tender evaluation shall be conducted by a committee of officials established in line with section 179 (1) of SPPRA Circular 1 of 2016.

5. PRE-QUALIFICATION EVALUATION

5.1 ESERA will examine tenders to determine completeness, general orderliness and substantial responsiveness.

5.2 Applicants shall not contact ESERA on any matter relating to their Pre-Qualification Document from the time of opening to the time the evaluation is finalized and official communication is sent to them. Any effort by any applicant to influence ESERA in the Pre-Qualification Document evaluation shall result in the rejection of their application.

5.3 Pre-qualification will be based on meeting the following minimum criteria regarding the Applicant’s legal status, general and particular experience, personnel and financial position as demonstrated by the responses in the attached forms.

5.4 The applicants should have registered offices and ESERA reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the said goods or services.

5.5 Applicants who qualify according to the selection criteria will be invited to submit their financial proposals. ESERA will further conduct an evaluation and comparison of the financial proposals for the provision of various goods or services. Successful applicants will be engaged on a two (2) years contract and this shall be based on call off orders against the contract as and when required by ESERA.

5.6 ESERA reserves the right to accept or reject any or all Pre-Qualification Documents without the obligation to assign any reason (s) for its decision thereof.



5.7 EVALUATION CRITERIA

A: ADMINISTRATIVE COMPLIANCE DOCUMENTS

REQUIREMENT	SCORE
Pre-Qualification Submission Form	Mandatory
Copy of Valid Trading Licence	Mandatory
Valid Tax Compliance Certificate	Mandatory
Copy of Labour Compliance Certificate	Mandatory
Copy of Employers Compliance Clearance Certificate	Mandatory
Copy of Form J and Form C	Mandatory
Police Clearance or Affidavit of NonConviction for Company Directors (Shareholders)	Mandatory
Original Receipt from ESERA as proof of purchase or tender document	Mandatory

5.8 Applicants have to provide all the above mandatory requirements to proceed to Technical Evaluation.

Evaluation Criteria	Max Score	Score Awarded
Company Profile: Provide company profile showing names of Directors, management team and general structure of the company and products or services offered.	10	
Experience:		
• Attach five (5) copies of Purchase Orders/Service Level Agreements/contract documents as evidence of doing similar/related business.	15	
• Provide recommendation letters from 3 reputable institutions/clients.	15	
Financial Capacity: Submit certified copy of the firms audited accounts for the last two (2) years or the last 6 months certified bank statements.	10	
Professional Qualifications:		
• Relevant academic qualifications and experience of the team leader (highest qualification scored) – attach copies of certificates	4	
• Relevant Professional /Academic qualifications of three other staff of the organization – attach copies of certificates	6	



Methodology: Statement (s) or description of the firm's technical capability to demonstrate an understanding of the category of interest	40	
TOTAL SCORE	100	

B: TECHNICAL EVALUATION

- a.) To qualify, a Bidder needs to score a minimum 75% or higher in the technical evaluation.
- b.) The Bidders, short-listed on the basis of the technical evaluation, may be asked to make technical presentation before the evaluation committee. In this regard, a separate communication shall be sent to all the short-listed Bidders.

5.9 An intention of a notice to award in terms of the Circular No.3 of 2015 issued by the Eswatini Public Procurement Authority shall be issued. The notice shall allow for a notice period of at least 10 working days from the despatch and publication of the notice before the award of the contract.

6. CONFIDENTIALITY

- 6.1 Information relating to evaluation of Pre-Qualification Documents and recommendations concerning pre-qualification shall not be disclosed to the Applicants until the prequalified firms have been advised accordingly.

