



GOVERNMENT OF THE KINGDOM OF ESWATINI

ADVERTISEMENT

EXPRESSION OF INTEREST FOR THE BUILD, FINANCE AND TRANSFER CONSTRUCTION OF INDUSTRIAL BUILDING LOT 1002 IN MATSAPHA INDUSTRIAL ESTATES EOI NUMBER: 123 OF 2020/21

The Government of Eswatini through the Ministry of Commerce, Industry and Trade invites 'Expressions of Interest' from reputable organizations with proven capacity for the development of infrastructure projects specifically industrial buildings under various Public Private Partnership models as per terms and conditions to be laid down in the contractual arrangement with Government.

The PPP will involve a contract between the Government of Eswatini and a private party in which the private party will provide the infrastructure project under the build, finance and transfer PPP model.

The evaluation will follow the Public Procurement Act of 2011, be competitive and result in a 'short listing' of firms. Following this process, it is the intention to invite the short listed firms to provide proposals for the requested services.

The following documents must be attached to the Expression of Interest:

- Certified copy of a relevant Trading Licence or equivalent for foreign suppliers;
- Certified copy of current Certificate of Company Registration or equivalent for foreign suppliers;
- Certified copy of an official statement of the Directors, alternative Directors, Managers and Auditors of the company (Form 'J' or equivalent);
- Certified copy of an official statement of the annual summary of shares capital and shares (Form 'C' or equivalent); and
- Valid Police Clearance Certificates of Company Directors listed in Form J
- A current copy of Labor Compliance Certificate
- An Original Valid Tax Compliance Certificate
- Documented experience in the development/operations of infrastructure project as described above.
- Clear description of funding structure including estimate of return on investment (ROI) target and details of institution providing financial underwriting services.

The Expression of Interest should be deposited in the Treasury Tender Box situated at **Treasury Building, MBABANE** at the latest by 31st July 2020 at 9:00 am. Late applications will not be considered.

The envelope must be clearly marked: "**Expression of Interest for the Build, Finance and Transfer**", "The Secretary to Eswatini Government Tender Board, Treasury Building, MBABANE", "EOI No.:123 of 2020/21

Failure to mark the envelope clearly and accurately may result in rejection of the application.

Requests for clarifications, which must be in writing, should be addressed to the following: Ms. Zamanyambose Mtetwa (Director Industry) at the Ministry of Commerce Industry and Trade, P.O. Box 451 Mbabane, Eswatini, H100 or the following email address, mtetwa.bachazile@gmail.com



SECRETARY TO ESWATINI GOVERNMENT TENDER BOARD



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DISCLAIMER



The information contained in this Request for Expression of Interest (**EOI**) or subsequently provided to Applicants, whether verbally or in documentary or any other form by or on behalf of the Ministry or implementing institution or any of its employees or advisors, is provided to Applicants on the terms and conditions set out in this EOI and such other terms and conditions subject to which information is provided.

This EOI is not an agreement and is neither an offer nor invitation by the Ministry or implementing institution to the prospective applicants or any other person. The purpose of this EOI is to provide interested parties with information about the PPP project, to gather information about all interested firms, and to record any concerns of interested firms. The Expression of Interest shall be used to shortlist applicants. This EOI includes statements, which reflect various assumptions and assessments arrived at by the Ministry or implementing institution in relation to the PPP Project. Such assumptions, assessments and statements do not purport to contain all the information that each Applicant may require. This EOI may not be appropriate for all persons, and it is not possible for the Ministry or implementing Institution, its employees or advisors to consider each party who reads or uses this EOI. The assumptions, assessments, statements and information contained in this EOI may not be complete, accurate, adequate or correct. Each Applicant should therefore conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments statements and information contained in this EOI and obtain independent advice from appropriate sources.

The Ministry nor implementing institution, its employees and advisors make no representation or bidder under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this EOI or otherwise, including the accuracy, adequacy correctness, completeness or reliability of the EOI and any assessment, assumption, statement or information contained therein or deemed to form part of this EOI or arising in any way by the participation in process.

The Ministry or the implementing Institution, its employees or advisors, likewise accept no liability of any nature whether resulting from negligence or otherwise howsoever caused arising from reliance of any applicant upon the statements contained in this EOI. The Ministry or implementing institution may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this EOI. The Ministry or implementing institution reserves the right to discontinue the process without assigning any reason whatsoever.

The applicant shall bear all its costs associated with or relating to the preparation and submission of its Expression of Interest including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by the Ministry or implementing authority or any other costs incurred in connection with or relating to its Expression of Interest. All such costs and expenses will remain with the applicant and the Ministry or implementing institution shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by an applicant in the preparation or submission of the Expression of Interest, regardless of the conduct or outcome of the procurement process.



INSTRUCTION TO THE APPLICANTS

You are requested to fill in the Expression of Interest document, sign the Declaration (Section 1.7), and sign the Statement and deposited in the Treasury Tender Box situated at the address below by 14th June 2020 at 0900hrs. Late applications will not be considered.

**The Secretary to Tender Board
Treasury Building
MBABANE**

The envelope with your Expression of Interest must be sealed and clearly marked: **“Expression of Interest for “Expression of Interest for the Build, Finance and Transfer ”, “The Secretary to Tender Board, Treasury Building, MBABANE”, “EOI No: 123 of 2020/21**

The following documents must be attached to the Expression of Interest as Appendices:

- Certified copy of a relevant Trading Licence, or equivalent for foreign suppliers;
- Certified copy of current Certificate of Company Registration, or equivalent for foreign suppliers or equivalent for foreign suppliers;
- Certified copy of an official statement of the Directors, alternative directors, managers and auditors of the company (Form ‘J’ or equivalent);
- Certified copy of an official statement of the annual summary of shares capital and shares (Form ‘C’ or equivalent); and
 - Valid Police Clearance Certificates of Company Directors listed in Form J
 - A Current Copy of Labor Compliance Certificate
 - An Original Valid Tax Compliance Certificate

- Documented experience in the development/operations of infrastructure project as described above.
 - Clear description of funding structure including estimate of return on investment (ROI) target and details of institution providing financial underwriting services



INFORMATION ON THE REQUIRED SERVICES

The Ministry of Commerce, Industry and Trade is seeking a private partner or partners for the PPP project as described below:

This project will see the construction of a garment factory on plots 980 to 993 and 887 and 888 in Matsapha. The factory will comprise of a North Block and South Block separated by an existing watercourse and the two blocks will be connected by a covered bridge and an open bridge over the watercourse. The covered bridge will house the main offices at 2 levels.

The project will consist of the following elements:

1. Entrance facility
 - a. Clinic 155 m²
 - b. Lockers 270 m²
 - c. Security Offices 30 m²

2. Factory North Block

This block will be for sewing, finishing and laundry and will have the dispatch.
It will have 4 canteen areas which are situated at first floor level over the ablution areas.

 - a. Internal Floor Area 12310 m²
 - b. 4 Canteens 1200 m²

3. Factory South Block

This block will be for receiving of raw materials and cutting.
It will have 2 canteen areas which are situated at first floor level over the ablution areas.

 - a. Internal Floor Area 9785 m²
 - b. 2 Canteens 600 m²

4. Office Bridge
 - a. Level 0 - 785 m²
 - b. Level 1 - 680 m²

5. Auxiliary Buildings
 - a. Compressor/Boiler Room North 20 m²
 - b. Compressor/Boiler Room South 20 m²
 - c. Compressor/Boiler Room North 40 m²

The total built area will be 25 895 m²

PRELIMINARY CONCEPT OF THE PUBLIC PRIVATE PARTNERSHIP

The PPP will involve a contract between public sector authority and a private party in which the private party shall build, finance and transfer industrial building; repayment shall be over a minimum of 10 years. The private party shall develop the infrastructure project according to designs to be provided by Ministry of Commerce, Industry and Trade.



EVALUATION AND EVALUATION CRITERIA OF THE EXPRESSION OF INTERESTS

There is no public opening of the Expression of Interests. The evaluation will be conducted by an Evaluation Committee with the purpose of developing a short list of firms, which later is expected to be invited to provide proposals for the required services.

The Expression of Interests will at first be evaluated based on the following Evaluation Criteria:

- Eligibility is fulfilled, which means that:
 - The nine mandatory documents to be attached to the Expression of Interest as Appendices must fulfil the requirements, and
 - There is a satisfactory signed Declaration of Eligibility for each participating firm (Section 1.7).

SIGNING OF THE EXPRESSION OF INTERESTS

The Expression of Interest shall be signed by the Applicant. If not, it will be rejected.



EXPRESSION OF INTEREST

This document is to be developed by the firm qualified for and interested in providing an Expression of Interest (EOI) for “**Expression of Interest for the Build, Finance and Transfer**”

The document outlines the key areas related to the applicant’s background, such as its financial standing, staff resources, technical expertise, and experience and is a formal, legally binding document, of which reason it shall be signed by authorized personnel.

1.1 APPLICANT

Include here the name(s) of the legal firm, or entities, making this application.

Leader	Legal Entity	Nationality
Leader		
Partner 2		
Partner 3		

1.2 CONTACT PERSON

Include the contact details for the main point of contact for this application.

Contact	Details
Name	
Organization	
Address	
Telephone	
Fax	
E-mail	



1.4 EXPERIENCE

In the table below, summarize the major projects related to projects in past [3] years.

Reference #1

Ref 1	Project Title							
Name of legal entity	Country	Overall project value	Proportion carried out by legal entity (%)	No of staff provided	Name of client	Origin of funding	Dates (start/end)	Name of partners if any
Project Description						Services Provided		

Reference #2

Ref 1	Project Title							
Name of legal entity	Country	Overall project value	Proportion carried out by legal entity (%)	No of staff provided	Name of client	Origin of funding	Dates (start/end)	Name of partners if any
Project Description						Services Provided		

Reference #3

Ref 1	Project Title							
Name of legal entity	Country	Overall project value	Proportion carried out by legal entity (%)	No of staff provided	Name of client	Origin of funding	Dates (start/end)	Name of partners if any
Project Description						Services Provided		



1.5 DECLARATION

As part of this application, each legal entity, including consortium partners, must submit a signed and stamped declaration with the following text.

Declaration of Eligibility

Dear Sirs

Re. Expression of Interest for “**Expression of Interest for the Build, Finance and Transfer**”:

- (a) We, including any joint venture partners or consortium partners are a legal entity and have the legal capacity to enter into the contract;
- (b) We are not insolvent, in receivership, bankrupt or being wound up, our affairs are not being administered by a court or a judicial officer, our business activities have not been suspended and we not the subject of legal proceedings for any of the foregoing;
- (c) We have fulfilled our obligations to pay taxes and social security contributions;
- (d) We declare that we adhere to basic labour legislation;
- (e) We have not, and our directors or officers have not, been convicted of any criminal offence related to our/their professional conduct or the making of false statements or misrepresentations as to their qualifications to enter into a contract within a period of five years preceding the commencement of the procurement proceedings; and
- (f) That we do not have a conflict of interest in relation to the procurement requirement.

Signed

Date

1.6 STATEMENT

I hereby confirm that I have examined the procurement notice and, and if short-listed, intend to submit a proposal to provide the services requested in the Request for Proposal. I also confirm that all data provided in this Expression of Interest to the best of my knowledge are correct.

Name of Applicant:

Signature of Applicant:

Date



1.7 APPENDICES

The following documents are included in the Expression of Interest:

- Appendix 1: Certified copy of a relevant Trading Licence, or equivalent for foreign suppliers;
- Appendix 2: Certified copy of current Certificate of Registration, or equivalent for foreign suppliers;
- Appendix 3: Certified copy of an official statement of the Directors, alternative directors, managers and auditors of the company (Form 'J'), or equivalent for foreign suppliers;
- Appendix 4: Certified copy of an official statement of the annual summary of shares capital and shares (Form 'C'), or equivalent for foreign suppliers; and
- Appendix 5: Valid Police Clearance Certificates of Company Directors listed in Form J
- Appendix 6: A Current Copy of Labor Compliance Certificate
- Appendix 7: An Original Valid Tax Compliance Certificate
- Appendix 8: Documented experience in the development/operations of infrastructure project as described above.
- Appendix 9: Clear description of funding structure including estimate of return on investment (ROI) target and details of institution providing financial underwriting services

Please feel free to attach other relevant information, such as brochures.

