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Eswatini CIVIL AVIATION AUTHORITY

Request for Qualifications

Pre-Qualification For

Engineering, Procurement, Construction and Financing of an 850kWp

Solar Photo-Voltaic power plant at KM III International Airport.

RFQ 001 of 2020/21



Request for Qualification

I. Overview of the opportunity

The Eswatini Civil Aviation Authority (ESWACAA) is a Category A government parastatal established through an Act of Parliament, whose mandate, among others is to:

- a. Operate KM III International Airport.
- b. Improve the financial and economic viability of civil aviation, and
- c. Provide adequate, efficient and quality airport facilities and services to users

The achievement of the above requires the management and control of all operational costs, one of which is the cost of electrical energy.

II. Project description

Through this RFQ, the ESWACAA intends to enter into a solar Energy Management Service (EMS) agreement that creates economic value for the Airport.

Specifically, the purpose of this RFQ is to solicit qualifications from Proponents to design, procure, install, test, commission, operate, maintain, and decommission a solar photovoltaic (PV) power generating system with guaranteed on-site electricity generation at a site to be identified at KM III International Airport.

This project shall be delivered under a full wrap turn-key, lump sum fixed, date-certain Engineering, Procurement, Construction & Finance (EPC&F) contract under the build, own, operate and transfer (BOT) project model.

The ESWACAA plans to move as quickly as practicable to identify, through this RFQ, the most qualified Proponents that: (1) meets the needs of the ESWACAA; (2) demonstrates a thorough understanding of the current solar energy standards and technologies; and (3) demonstrates ability to successfully finance and complete a solar EMS projects.



III. Project Scope

The minimum scope proposed by the ESWACAA for this RFQ is a ground-mounted PV system at a land of the airport. The estimated PV system capacity for the airport is provided in the table below:

Site	Address	Est. PV system capacity (kWp ac)
KM III International Airport	Sikhuphe	850

The ESWACAA would also like to realize economic benefit through the inclusion of an energy storage facility if including this in the project scope increases the benefits to the airport.

The solar PV plant shall be interconnected to an 11 kV radial Medium Voltage (MV) underground distribution network.

The general scope of work contained in this RFQ is not intended to be exhaustive and is subject to change. Information is provided based on current knowledge of future scope of work and this is non-binding to ESWACAA or its staff.

This document constitutes the ESWACAA-KM III International Airport's Request for Qualification (RFQ) for the Engineering, Procurement, Construction, and Finance of an 850kWp underground cable connected solar power plant. Interested entities will be evaluated based on their ability to meet all requirements and criteria outlined in this RFQ.



Letter of Invitation

Dear Sir /Madam,

The Eswatini Civil Aviation Authority invites Consultants/Contractors, herein referred to as the Developer, in solar power plant development to submit their qualification for the construction of an 850kWp PV solar plant connected to a 11kV underground cable distribution system as outlined in this Request for Qualification.

The Developer shall deliver the ground mounted solar plant under a full wrap turn-key, lump sum fixed, date-certain EPC&F contract through the build, operate and transfer (BOT) project finance technique.

The RFQ is the first stage of the procurement process, and is designed to identify qualifying Developers. The ESWACAA is looking for reputable, experienced and multi-disciplined engineering Developers who have the ability to mobilize funds for turn-key project delivery.

Developers must demonstrate a successful track record in developing and operating solar PV projects of this size. The Developers (or at least one partner in the Consortium) must also submit audited financial statements for the last 3 years, showing positive profits for each of these years.

Only those Developers who successfully respond to the RFQ and meet the qualifications criteria outlined will be invited to participate in the final solicitation process, the Request for Proposal (RFP).



The RFP solicitation process shall be launched by ESWACAA at a later date based upon the information received in response to this RFQ. The qualified Developers shall be encouraged to visit KM III International Airport, herein referred to as the Host, at their expense as part of their due diligence process, prior to the RFP submission date.

The qualified Developers responding to the RFP will be evaluated on the basis of their proposal being compliant with the RFP requirements.

Some key requirements for submitting a compliant RFP application include: (1) posting a bid bond in the stipulated amount, (2) agreeing to stand by the labour requirements; (3) and the submittal of the following certified documents with their bids: company registration papers, Trading License, **Original Tax Compliance** certificate, and Police Clearance for Directors.

The ESWACAA now invites Developers capable of meeting the qualification criteria set out in this RFQ document to submit their qualification application. The completed application must be sealed, labelled, and deposited in accordance with the requirements of this RFQ, and by the deadline stipulated herein.

Respondents shall submit: (1) original as well as one (1) single file electronic copy (on a portable media file).

Timeline of Request for Qualifications

The following time line is provided for planning purposes, but is subject to change at the discretion of the ESWACAA.

ESWACAA issues an RFQ	10 November 2020
Deadline for clarification questions on RFQ	10 December 2020
Qualification submission deadline	22 December 2020





ADVERTISEMENT

INVITATION FOR REQUEST FOR QUALIFICATIONS FOR THE DEVELOPMENT AND OPERATION OF SOLAR PHOTOVOLTAIC (PV) POWER PLANT AT THE KMIII INTERNATIONAL AIRPORT

The Eswatini Civil Aviation Authority (SWACAA) invites sealed proposals from reputable solar photovoltaic (PV) power plant Developers and Operators for the submission of qualification documents.

Documents with detailed information on the project can be collected at the **Swaziland Civil Aviation Offices in Matsapha near the Airport** (at the Reception) as from **15 October 2020**, or can be accessed on the **ESWACAA website**: <http://www.eswacaa.co.sz/media/tenders/>

1. Completed RFQ Documents shall be delivered in a sealed envelope to:
The Secretary of the Tender Committee
Swaziland Civil Aviation Authority
Matsapha International Airport
P.O Box D361
The Gables

Not later than 12 noon eSwatini time on the **22nd December 2020** at which time the RFQ documents will be opened.

On the outside, the envelope shall be clearly marked:

“CONFIDENTIAL”

RFQ 001 OF 2020/21

“INVITATION TO REQUEST FOR QUALIFICATION FOR THE DEVELOPMENT AND OPERATION OF SOLAR PHOTOVOLTAIC AT THE KMIII INTERNATIONAL AIRPORT



Disclaimer

The ESWACAA is issuing this RFQ solely for use by prospective Developers in preparing and submitting qualification applications (as defined below).

Neither the ESWACAA nor any of its employees:

- a.** Makes any representation or warranty (expressly or implied) as to the accuracy or completeness of the information contained herein or in any document made available to prospective Developers (at any time)
- b.** Shall have any liability for this RFQ or any other written or oral communication transmitted to a prospective Developer, or
- c.** Will be liable to reimburse or compensate a prospective Developer for any costs or expenses incurred by the prospective Developer in evaluating or acting upon this RFQ or otherwise in connection with the potential transaction(s).

This RFQ constitutes an invitation to submit a qualification application. It does not constitute a solicitation to invest, or otherwise participate in, any project.

The ESWACAA reserves the right to terminate further participation in the RFQ or direct proposal submission process by any party, to change the structure and timing of the prequalification and subsequent tender process, to refuse participation of any party in the subsequent tender process, to amend the information contained in this RFQ or to terminate the RFQ process.

The bidder will be responsible for all costs, expenses, liquidated damages or other liabilities incurred for the submission. The bidder must also abide by internationally recognized anti-corruption and anti-bribery policies.



Acronyms and definitions

Acronym	Full form
ESWACAA	Eswatini Civil Aviation Authority
KM III IA	King Mswati III International Airport
PV	Photovoltaic
EPC&F	Engineering, Procurement, Construction and Finance
kW	Kilo-Watt
RFP	Request for Proposal
RFQ	Request for Qualification
PPA	Power Purchase Agreement
IPP	Independent Power Producer
ITP	Instructions to Proponents
QDS	Quality Data Sheet
QD	Qualification Document
EFF	Environment Fatal Flaw analysis
EMS	Energy Management Services



PART 1 – Qualification Procedures





Section I – Instructions to Proponents (ITP)

A. General	
1. Scope of application	1.1 In connection with the Request for Qualification (RFQ) indicated in Section II. Qualification Data Sheet (QDS), the ESWACAA, as defined in the QDS, issues this Qualification Document to Proponents interested in qualifying for this project.
2. Eligibility Criteria	<p>2.1 Proponents must provide a signed '<u>Declaration of Eligibility</u>' in the format as included in this Tender Document. In case of a joint venture or consortium, each member must sign the declaration.</p> <p>2.2 Proponents must provide <u>Police Clearance</u> for all company Directors.</p> <p>2.3 Tenderers must attach the following statutory documents;</p> <ol style="list-style-type: none"> a. Tax compliance certificate b. Labour compliance certificate c. Trading license d. Form J e. Form C <p>2.4 Further Eligibility criteria:</p> <p>2.5 A Proponent shall be:</p> <ol style="list-style-type: none"> a) A private or b) Any combination of them in the form of a Consortium with the formal intent (as evidenced by a letter of intent), to enter into an agreement <p>2.6 In the case of a Consortium, unless otherwise specified in the QDS:</p> <ol style="list-style-type: none"> a) All Partners shall be jointly or severally liable b) All Partners shall have an equity stake in the company providing the services being procured if selected as the Contractor



	<p>c) The limit of the number of Consortium partners is as specified in the QDS, and</p> <p>d) The Consortium shall nominate a Lead Partner who shall have the authority to conduct all business for or on behalf of any or all the Partners of the Consortium during the qualification and bidding process, and in the event the Consortium is awarded the Contract, during Contract execution.</p> <p>2.7 Nationality. A Proponent may have the nationality of any country, subject to restrictions in Section V.</p> <p>2.8 National Eligibility Conditions. A Proponent shall be deemed to have the nationality of a Country if the Proponent is a Citizen, or is constituted, incorporated, or registered and operates in conformity with the provisions of the law of that country, as evidenced by its Article of Incorporation or Documents of Constitution, and its Registration Documents</p> <p>2.9 Conflicts. Developers shall not have a conflict of interest. Developers may be considered to have a conflict of interest under any of the conditions specified in the QDS. Developers have an obligation to disclose any situation of actual or potential conflict that may impact their capacity to serve the best interests of the ESWACAA, or that may reasonably be perceived as having this effect. Failure to disclose such situations may lead to rejection of the Application, Bid, or eventual termination of the Contract.</p> <p>2. One Application. A Proponent shall submit only one application in the Qualification process, either individually as a Proponent or as a Partner of a Consortium. No Proponent can be a subcontractor to or for another Proponent or Consortium, while submitting an Application individually or as a Partner of a Consortium in the same Qualification process. A subcontractor in any Application may participate in more than one application, but only in that capacity</p>
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	<p>is also not necessary to identify any subcontractor at this stage in the process. A Proponent who submits or participates in more than one application will cause all applications in which the Proponent has participated to be disqualified.</p> <p>Other Eligibility criteria. The Developer shall meet all other eligibility criteria set out in Section III. Qualification Criteria and Requirements.</p> <p>2.12 Evidence of continuing eligibility. Proponents and all parties constituting the Proponent shall provide such evidence of their continued eligibility satisfactory to the ESWACAA, as the ESWACAA shall reasonably request.</p>
3. Eligible Goods and related services	3.1 All goods and related services to be supplied under the contract to be financed under the EPC&F project shall have as their origin any country, in accordance with Section V, National Eligibility Conditions.
4. Avoidance of fraud and corruption	<p>4.1 The ESWACAA requires that Proponents, Suppliers, and Contractors, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuit of this policy, the ESWACAA:</p> <ul style="list-style-type: none"> a. Defines, for purposes of this provision, the terms set forth below as follows; <ul style="list-style-type: none"> i. "Corrupt practice" means the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of an ESWACAA official in the procurement process or in contract execution. ii. "Fraudulent practice" means a misrepresentation or omission of facts in order to influence a procurement process or the execution of a contract.



	<ul style="list-style-type: none"> iii. "collusive practice" means a scheme or arrangement between two or more Developers, with or without the knowledge of the ESWACAA, designed to establish bid prices at artificial, non-competitive levels, and iv. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the procurement process or affect the execution of a contract <ul style="list-style-type: none"> b. Will reject a proposal for award if it determines that the Proponent recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive or coercive practices in competing for the Contract in question; c. Will sanction a firm or individual, including declaring them ineligible, either indefinitely or for a stated period of time, to be awarded an ESWACAA financed contract if it at any time determines that they have, directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or executing an ESWACAA financed contract
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B. Contents of the Qualification Document

<p>5. Sections of the Qualification Document</p>	<p>5.1 The document for the Qualification of Proponents (hereinafter "Qualification Document" consists of Parts 1 and 2 which comprise all the sections indicated below, and should be read in conjunction with any Addendum issued in accordance with ITP 7</p> <p>PART 1 Qualification Procedures</p> <ul style="list-style-type: none"> ▪ Section I. Instructions to Proponent (ITP) ▪ Section II. Qualification Data Sheet (QDS) ▪ Section III. Qualifications Criteria and Requirements ▪ Section IV. Application Forms ▪ Section V. National Eligibility Conditions <p>PART 2 Service Requirements</p> <ul style="list-style-type: none"> ▪ Section VI. Summary of Offering
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	<p>PART 3 Response Evaluation Form</p> <p>5.2 The ESWACAA accepts no responsibility for the completeness of the Qualification Document and its Addenda unless they were obtained directly from the ESWACAA.</p> <p>5.3 The Developer is expected to examine all instructions, forms, and terms in the Qualification Document and to furnish all information or documentation required by the Qualification Document.</p>
<p>6. Clarification of Qualification Document</p>	<p>6.1 A prospective Proponent requiring any clarification of the Qualification Document shall contact the ESWACAA in writing at the email address indicated in the QDS. The ESWACAA will respond to any request for clarification, provided that such request is received no later than fourteen (14) days before the deadline for submission. The ESWACAA’s response shall be sent to all Proponents who purchased the RFQ without identifying the initial requester. Should the ESWACAA deem it necessary to amend the Qualification Document as a result of a clarification, it shall do so following the procedure under ITP 7 and in accordance with the provisions of ITD 17.2</p>
<p>7. Amendment of Qualification Document</p>	<p>7.1 At any time prior to the deadline for submission of applications, the ESWACAA may amend the Qualification Document by issuing Addenda.</p> <p>7.2 Any Addendum issued shall be part of the Qualification Document and shall be communicated in writing to all who have obtained the Qualification Document from the ESWACAA and posted on its website.</p> <p>7.3 To give Developers reasonable time to take Addendum(s) into account in preparing their applications, the ESWACAA may, at its discretion, extend the deadline for the submission of applications</p>



C. Preparing Applications	
8. Cost of Applications	8.1 The Proponent shall bear all costs associated with the preparation and submission of its application. The ESWACAA will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the qualification process.
9. Language of Application	9.1 The Application, as well as all correspondence and documents relating to the qualification exchanged by the Proponent and ESWACAA, shall be written in English. Supporting documents and printed literature that are part of the application may be in another language provided they are accompanied by an accurate translation of the relevant passages in English, in which case, for purposes of interpretation of the application, the translation shall govern.
10. Documents comprising the application	10.1 The Application shall comprise the following: <ul style="list-style-type: none"> d. Application Submission Form, in accordance with ITP 11, e. Documentary evidence establishing Proponent's eligibility to prequalify, in accordance with ITP 12, f. Documentary evidence establishing Proponent's qualifications, in accordance with ITP 13, and g. Any other document required as specified in the QDS.
11. Application submission Form	11.1 The Proponent shall prepare an Application Submission Form using the Form furnished in Section IV, Application Forms. This Form must be completed without any alteration to its format.
12. Documents establishing the Eligibility of the Developer	12.1 To establish its Eligibility in accordance with Section II. Qualification Data Sheet, the Proponent shall complete the eligibility declarations in the Application Submission Form and Form ELI (Eligibility) 1.1, included in Section IV. Application Forms.



13. Documents establishing Qualifications of the Developer	13.1 To demonstrate its qualification to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Proponent shall provide the information requested in the corresponding Information Sheets included in Section IV. Application Forms.
14. Fee – N/A	14.1 To establish eligibility, the Applicant will be required to pay a fee in the amount and form specified in the QDS
15. Signing of the Application and Number of copies	<p>15.1 The Proponent shall prepare one original of the document comprising the application as described in ITP 10 and clearly mark it "ORIGINAL". The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Proponent.</p> <p>15.2 The Proponent shall also submit an electronic copy of the signed original application, in the number specified in the QDS, and clearly mark them "ORIGINAL and COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.</p>
D. Submitting Applications	
16. Sealing and identification of applications	<p>16.1 The Proponent shall enclose the original and the copies of the application in a sealed envelope that shall:</p> <ol style="list-style-type: none"> a) Bear the name and address of the Developer in the envelop; b) Be addressed to ESWACAA, in accordance with ITP17.1; c) Bear the specification of this qualification indicated in the QDS 1.1; and d) Follow any other instructions specified in the QDS



	16. The ESWACAA will accept no responsibility for not processing any envelope that was not identified as required.
17. Deadline for submission of applications	<p>17.1 Developers may submit their applications by mail or by hand. Applications shall be received by the ESWACAA at the address and no later than the deadline in the QDS. A receipt will be given for all applications submitted.</p> <p>17.2 The ESWACAA may, at its discretion, extend the deadline for the submission of applications by amending the Qualifications Document in accordance with ITP 7, in which case all rights and obligations of the ESWACAA and Proponent subject to the previous deadline shall thereafter be subject to the deadline as extended.</p>
18. Late applications	18.1 Any application received by the ESWACAA after the deadline for submission of applications prescribed in ITP 17 will be returned unopened to the Proponent.
19. Opening of applications	19.1 The ESWACAA shall prepare a record of the opening of applications that shall include, at a minimum, the name and address of the Proponent. A copy of the record shall be made available on the ESWACAA website
E. Procedures for Evaluating Applications	
20. Confidentiality	<p>20.1 Information relating to the evaluation of applications, and recommendations for qualification, shall not be disclosed to Proponents or any other persons not officially concerned with such process until the notification of qualifications is made to all Proponents</p> <p>20.1 From the deadline for submission of applications to the time of notification of the results of the qualification in accordance with ITP 27, any Proponent that wishes to contact the ESWACAA on any matter related to the qualification process may do so, but only by email.</p>
21. Clarifications of Applications	21.1 To assist in the evaluation of applications, the ESWACAA may, at its discretion, ask any Proponent for



	<p>clarification of its application which shall be submitted within a stated reasonable period of time. Any request for clarification, and all clarifications, shall be in writing.</p> <p>21.2 If a Proponent does not provide clarification of the information requested by the date and time set in the ESWACAA’s request for clarification, its application may be rejected.</p>
<p>22. Responsiveness of Applications</p>	<p>22.1 The ESWACAA may reject any application which is not responsive to the requirements of the Qualification Document.</p>
<p>23. Sub-Contractors</p>	<p>23.1 Key Subcontractors are those who will perform certain activities under the Project, but unlike partners in a consortium or single Proponent, will not have an equity stake in the Project Company.</p> <p>23.2 Although it is not required to identify Subcontractors at this stage, Proponents wishing to do so shall clearly identify the Subcontractors and specify the activity(ies) or parts of the Services to be subcontracted, based on the Scope of Services. They will include this information in the Application Submission Form, and Form ELI-1.1 under Section IV, Application Forms. Such Subcontractor(s) shall meet the corresponding qualification requirements, if specified in Section III, Qualification Criteria and Requirements.</p> <p>23.3 Key Subcontractors will not, if specified in the QDS, be used to meet requirements under Section III, Qualification Criteria and Requirements.</p>

F. Evaluating Applications and Qualifying Proponents

<p>24. Evaluation of Applications</p>	<p>24.1 The ESWACAA shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements to evaluate the qualification of Proponents. The use of other methods, criteria, or requirements shall not be permitted. The ESWACAA reserves the right to waive minor deviation in the qualification criteria if they do not materially affect the</p>
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	<p>capability of a Proponent to perform the service being procured. A response Evaluation form appear in Part 3</p> <p>24.2 Only the qualifications of Subcontractors that have been identified in the application may be considered in the evaluation of a Proponent.</p>
<p>25. ESWACAA’s Right to Accept or Reject Applications</p>	<p>25.1 The ESWACAA reserves the right to accept or reject any application, and to annul the qualification process and reject all applications at any time, thereby incurring any liability to Proponents.</p>
<p>26. Qualifying Proponents</p>	<p>26.1 All Proponents whose application have met or exceeded (“passed”) all the specified threshold requirements will, to the exclusion of all others, be qualified by the ESWACAA.</p>
<p>27. Notification of Qualification</p>	<p>27.1 Once the ESWACAA has completed the evaluation of the applications, it shall notify all Proponents in writing of the names of those Proponents who have been qualified</p>
<p>28. Request for Proposal (RFP)</p>	<p>28.1 After the notification of the results of the qualification, the ESWACAAA will issue at a future date an RFP to the Proponents that have been qualified.</p>
<p>29. Changes affecting Proponent’s Eligibility and Qualification</p>	<p>29.1 Any change in the structure, formation, specified personnel or qualifications of a Proponent after being qualified and invited to bid shall be subject to a written approval of the ESWACAA prior to the deadline for submission of bids. Such approval shall be denied if as a consequence of the change the Proponents no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria and Requirements, or if in the opinion of the ESWACAA, a substantial reduction in competition may result. Any such changes shall be submitted to the ESWACAA not later than ten (10) calendar days after the date of the RFP.</p>



Section II: Qualification Data Sheet

A. General

ITP 1.1	<p>The ESWACAA's representatives are: Procurement and Finance, Airport Development Planning, Legal, Environment, and Aerodrome Electrical Systems departments.</p> <p>The opportunity name is: Request for Solar Energy Developers Qualifications</p>
ITP 2.2	<ul style="list-style-type: none"> i. The parties in a consortium shall be jointly and severally liable ii. The maximum number of partners in a consortium shall be: three (3)
ITP 2.5	<p>Conditions of Proponents to be considered conflict of interest include:</p> <ul style="list-style-type: none"> i. Any relationship with an officer of the ESWACAA. ii. Eswatini Electricity Company and / or the Eswatini Public Procurement Regulatory Agency <p>If any of these condition holds, and the Proponent wishes to bid, it must include in the qualification application a letter declaring such relationship exists.</p>
ITP 2.5	Subcontractors shall be allowed to participate in multiple applications.

B. Contents of the Qualification Document

ITP 6.1	<p>For clarification purposes, the Proponents may only contact the ESWACAA via the following email address:</p> <p>ntokoza@eswacaa.co.sz</p> <p>Clarification questions received after the 10 December 2020, 1630 hours will not be not addressed.</p>
ITP 14.1	There is no application fee



C. Preparing Applications

ITP 10.1 (d)

The Proponent shall submit with its application the following additional documents:

Any information the Proponent may deem relevant for meeting qualification requirements outlined in Section III.

However, no application shall contain:

- i. Prices or price schedules or any other reference to rates and prices for undertaking the Project. Any application containing any such price information will be rejected and the relevant Proponent disqualified
- ii. General marketing materials, brochures and the like. ESWACAA may disqualify a Proponent on this basis.

ITP 15.2

There shall be one original hard copy application, marked "Original". The Proponent must also submit an electronic copy on a USB flash drive.

Email submissions of the application will not be considered.

D. Submitting Applications

ITP 17.1

For application submission purposes only, the ESWACAA address is:

Attention: Tender Committee

ESWACAA Head Quarters, Matsapha Airport Road Reception,
P. O. Box D361, The Gables

To be deposited in the Tender Box

The deadline for application submission is:
Date: 22 December 2020

Time: 1200 hours, Central African Time



E. Procedures for evaluating Applications	
ITP 23.3	Subcontractors will not be used to meet requirements under Section III. Qualification Criteria and Requirements.
SECTION III. Qualification Criteria and Requirements	
<p>This section contains all the methods, criteria, and requirements that the ESWACAA shall use to evaluate applications on a pass or fail basis. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.</p>	



No	Subject	Requirement	Single Entity	Consortium			Sub-Contractor	Submission requirements
				All Partners combined	Each Partner	One Partner (not necessarily lead)		
1. Eligibility (10%)								
1.1	Eligibility and Nationality	Eligibility in accordance with ITP 2.2. Nationality in accordance with ITP 2.3.	Must meet requirement	Existing or intended Consortium must meet requirement	Must meet requirement	N/A	Must meet requirement	Form ELI-1.1, with requested attachments
1.2	Conflict of Interest	No conflicts of interest in ITP Sub-Clause 2.4	Must meet requirement	Existing or intended Consortium must meet requirement	Must meet requirement	N/A	Must meet requirement	Application submission form
1.3	Pending litigation	All pending litigation shall in total not represent more than 20 % of the Proponent's net worth and shall be treated as resolved against the Proponent for the purposes of this criterion	Must meet requirement	N/A	Must meet requirement	N/A	N/A	Form CON – 1.3



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No	Subject	Requirement	Single Entity	Consortium			Sub-Contractor	Submission requirements
				All Partners combined	Each Partner	One Partner (not necessarily lead)		
2. Financial Performance (20%)								
2.1	Financial Performance	Submission of audited financial statements for the last three (3) years to demonstrate the current soundness of the Proponent's financial position and in particular that it has had in each year: a) Assets in excess of liabilities b) Positive net profit after tax c) Total assets in excess of E 8 000 000 (+/-US\$490 000)	Must meet requirement	Not necessary	Not necessary	Must on its own (not combined with other partners) meet requirements	N/A	Form FIN- 2.1 with attachments



		d) Total annual turnover in excess of E 15 000 000 (+/- US\$490 000)						
2.2	Financial Qualifications	Annual revenue in either 2017, 2018, or 2019 from the construction of solar PV generation facilities, or from the sale of electricity generated from solar PV facilities	Must meet requirement	Not necessary	Not necessary	Must on its own (not combined with other partners) meet requirements		Form FIN-2.2 with attachments if needed



No	Subject	Requirement	Single Entity	Consortium			Sub-Contractor	Submission requirements
				All Partners combined	Each Partner	One Partner (not necessarily lead)		
3. Financing Capability (35%)								
3.1	Financing Plan	Describe Proponent's Financing Plan including any assumptions and contingencies	Must meet requirement	Not necessary	Not necessary	Must on its own (not combined with other partners) meet requirements	N/A	Reference letter
3.2	Party responsible for project finance	List the party(ies) responsible for project finance and describe their experience financing projects similar in scope to this project	Must meet requirement	Not necessary	Not necessary	Must on its own (not combined with other partners) meet requirements	N/A	Reference letter
3.3	ESWACAA's obligation(s)	Other than issuing the relevant project approvals, what do you see as the ESWACAA's obligations? What conditions precedent will Proponent or financial institution require?	Must meet requirement	Not necessary	Not necessary	Must on its own (not combined with other partners)	N/A	Reference letter



						meet requirements		
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No	Subject	Requirement	Single Entity	Consortium			Sub-Contractor	Submission requirements
				All Partners combined	Each Partner	One Partner (not necessarily lead)		
4. Experience and project references (35%)								
4.1	Specific Experience	<p>Construction or equity financing of solar PV plants. Must meet at least one of the following criteria: a) Has been the EPC contractor for a combined capacity of at least 5MW, and with at least one successful installation of 1.5MW or more on a single site anywhere in the world of solar PV generation successfully completed in the last 10 years, and currently still operating; b) Has been, within the last 10 years, an equity investor holding at least a 40% equity stake in solar PV projects with a capacity of at least 5MW, and with at least one successful installation of 3MW or more on a single site anywhere in the world of solar</p>	Must meet requirement	N/A	Not necessary	Must alone meet requirement a) or b)	N/A	Form EXP-3.1



		PV generation successfully completed in the last 10 years, and currently still operating.						
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Any change in the structure, formation, specified personnel or qualifications of a Proponent after being qualified and invited to bid shall be subject to a written approval of the Government prior to the deadline for submission of bids. Such approval shall be denied if as a consequence of the change the Proponent no longer substantially meets the qualification criteria set forth in Section III. Qualification Criteria and Requirements, or if in the opinion of the Government, a substantial reduction in competition may result. Any such changes shall be submitted to the Government not later than ten (10) calendar days after the date of the RFP.

Application Submission Form

Used to demonstrate compliance with Criteria 1.2 Conflict of Interest

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: **RFQ – Development of 850kW Solar PV at KM III IA**

Page *[p]* of *[insert total]* pages

To: Eswatini Civil Aviation Authority



We, the undersigned, apply to be qualified for the referenced Opportunity and declare that:

- a) Our legal name is *[insert]*
- b) Our Consortium Partners are *[insert or write 'none']*
- c) Our Subcontractors are *[insert or write 'none']*/ We have chosen not to declare Subcontractors for this stage.
- d) We have examined and have no reservations on the Qualification Documents, including Addendum(s) No(s)., issued in accordance with Instructions to Proponents (ITP) Clause 7: *[insert the number and issuing date of each addendum]*
- e) We (including any Consortium Partners and Subcontractors or Suppliers for any part of the contract resulting from this qualification process) meet the eligibility criteria in ITP 2,
- f) We will at all times comply with the laws of Eswatini
- g) The following is a complete and accurate list of commissions, gratuities, or fees that have been paid, or are to be paid, with respect to the qualification process, the corresponding bidding process or execution of the Contract:

Name of Recipient <i>[insert full name for each occurrence]</i>	Address <i>[insert street, number, city, country]</i>	Reason <i>[indicate reason]</i>	Amount <i>[specify amount, US\$ equiv.]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If none has been paid or is to be paid, indicate "none"]

- h) We understand that you may cancel the qualification process at any time and that you are neither bound to accept any application that you may receive nor to invite the qualified Proponents to bid for the contract subject of this qualification, without incurring any liability to the Proponents.
- i) We unconditionally and irrevocably waive any defect, fault or deviation in the qualification and tender process conducted by the ESWACAA
- j) The ESWACAA and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted



in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Application Submission Form will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information to provide such information deemed necessary and as requested by you to verify statements and information provided in this application, such as the resources, experience, and competence of the Proponent

- k) The ESWACAA and its authorized representatives may contact the following persons for further information¹:

General and Managerial enquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Technical enquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Financial enquiries	
Contact 1	Address and communication facilities

¹ Applications by Consortia should provide on a separate sheet equivalent information for each partner (not required for subcontractors).



Contact 2	Address and communication facilities

Signed [*insert signature(s) of authorized representative(s) of the Proponent*]

Name [*insert full name of person signing the application*],

In the Capacity of [*insert capacity of person signing the application*] for [*insert full name of Proponent*].

Address [*insert address: street, number, town/city, country*]

I hereby warrant that I am duly authorized to sign the application for and on behalf of [*insert name of Proponent*].

Signed [*insert signature(s) of an authorized representative(s) of the Proponent*]

Name [*insert full name of person signing the application*]

Dated on [*insert date*] day of [*insert month*], [*insert year*].



Form ELI – 1.1

Proponent Information Form

Used to demonstrate compliance with Criteria 1.1 National Eligibility Criteria

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: **RFQ – Development of 850kWp Solar PV at KM III IA**

Page *[p]* of *[insert total]* pages

[The following form shall be filled in by the Proponent, each (i) Consortium Partner, and (ii) any nominated Subcontractor (optional)]

Legal name

[insert full legal name]

Role in the Proponent organization:

[indicate: Lead Partner / Consortium Partner/ Subcontractor]

Proponent's country of constitution:

[indicate country of constitution]

Proponent's year of constitution:

[indicate year of constitution]

Proponent's legal address in country of constitution:

[insert street name, number, town /city, country]



<p>Proponent's authorized representative information</p> <p>Name: <i>[insert full legal name]</i></p> <p>Address: <i>[insert street name, number, town /city, country]</i></p> <p>Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i></p> <p>E-mail address: <i>[insert e-mail address]</i></p>
<p>Attached are copies of original documents of:</p> <p><input type="checkbox"/> Articles of Incorporation or Documents of Constitution, and documents of registration of the legal entity named above.</p> <p><input type="checkbox"/> In case of Consortium, letter of intent to form Consortium or Consortium agreement.</p> <p><input type="checkbox"/> In the case of a Subcontractor, a statement of intent signed with the Proponent that you will be engaged to perform relevant specialized tasks</p>

Form CON-1.3

Pending Litigation Form

Used to demonstrate compliance with Criteria 1.3 Pending Litigation

Legal Name: *[insert full name of entity]* Date: *[insert day, month, year]*
 Proponent's Party Legal Name: *[insert full name]*
 Title: **RFQ – Development of 850kW Solar PV at KM III IA**
 Page *[p]* of *[insert total]* pages

<p><i>[The following form shall be filled in by the Proponent and each Consortium Partner]</i></p> <p><input type="checkbox"/> No pending litigation in accordance with Section III. Qualification Criteria and Requirements, Sub-Factor 1.3</p> <p><input type="checkbox"/> Pending litigation in accordance with Section III. Qualification Criteria and Requirements, Sub-Factor 1.3 as indicated below.</p>			
Year	Outcome as Percent of Total Assets	Contract Identification	Total Contract Amount (current value, US\$ equivalent)



[insert year]	[insert percentage]	Matter Identification: [indicate subject matter of litigation] Name of Litigating Party: [insert full name] Address of Litigating Party: [insert street/city/country] Matter in dispute: [indicate main issues in dispute]	[insert amount]
[insert year]	[insert percentage]	Matter Identification: [indicate subject matter of litigation] Name of Litigating Party: [insert full name] Address of Litigating Party: [insert street/city/country] Matter in dispute: [indicate main issues in dispute]	[insert amount]

Form FIN - 2.1 Financial Performance Form

Used to demonstrate compliance with Criteria 2.1 Financial Performance

[The following table shall be filled in by the Proponent and by at least one partner in a Consortium]

Legal Name: [insert full name]

Date: [insert day, month, year]

Proponent's Party Legal Name: [insert full name]

Title: **RFQ – Development of 850kWp Solar PV at KM 11A**



Financial information in (US\$ equivalent in 000s)	Historic information for previous 3 years (US\$ equivalent '000s)		
	Year 1 ²	Year 2	Year 3
From Balance Sheet			
Total Assets			
Total Liabilities			
Current Assets			
Current Liabilities			
Net Worth			

Provide copies of audited financial statements to support the figures in the tables above. The financial statements shall:

- a) Reflect the financial situation of the legal entity that is the Proponent or Consortium Partner, and not sister or parent companies
- b) Be audited (in accordance with generally accepted accounting principles) and verified by a certified accountant, and include signed declaration of such attached
- c) Be complete, including all notes to the financial statements
- d) Correspond to accounting periods already completed
- e) Be accompanied by a declaration from a legal representative of the Proponent stating that the above conditions have been complied with.

² The most recent year must be no earlier than 2015



Financial Qualifications Form

Used to demonstrate compliance with Criteria 2.2 Financial Qualifications

[The following table shall be filled in by the Proponent or for at least one partner in a Consortium]

Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: **RFQ – Development of 850kW Solar PV at KM III**

IA

Page *[p]* of *[insert total]* pages

From Income Statement³:				
Total Revenue US\$ 000s				
<i>Of which: from sale of electricity from Solar Photovoltaic Generating Facilities</i>				
<i>Of which: from construction of Solar Photovoltaic Generating Facilities</i>				
Profits Before Taxes				
Profits After Taxes				

The figures shown above shall:

³ Income Statement from 2015, 2016, or 2018



- a) Reflect the financial situation of the legal entity that is the Proponent or Consortium Partner, and not sister or parent companies
- b) Be complete
- c) Correspond to accounting periods already completed
- d) Be verified by a certified accountant, and include signed declaration of such attached
- e) Be accompanied by a declaration from a legal representative of the Proponent stating that the above conditions have been complied with.

Form EXP– 3.1

Specific Technical Experience Form

Used to demonstrate compliance with Criteria 3.1 Specific Experience

[The following form shall be filled in for each Proponent, or a Consortium Partner, and shall be completed for each Solar PV Facility relied on]

Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: **RFQ – Development of 850kW Solar PV at KM III IA**

Page *[p]* of *[insert total]* pages

Name of Solar Photovoltaic Generating Facility:

Firm's role: *[EPC&F contractor / x% shareholder]*

Location:

Generation Capacity: *(in MWAC or MWp)*

Year plant commenced commercial operation:



USD '000s	2014	2015	2016 ⁴	Name of contractual counterparty
Revenue from EPC				
Revenue from electricity sales				
Percentage shareholding in ordinary equity of project company				

Brief Description of plant:

.....

Project Company that owns facility:

Legal name:
 Address:
 Representative:
 Telephone number:
 Email address:

Contractual counterparty:

Legal name of counterparty:
 Address:
 Representative we can contact:

⁴ Can provide up to 2018, if 2019 data is not available



Telephone number:

Email address:

To be accompanied by a declaration from an authorized representative (defining the authorized representative position) stating that the representations enclosed in this form are true.

Declaration of Eligibility

All Proponents must meet the following criteria to be eligible to participate in public procurement.

Proponents must provide a signed declaration in their company letterhead in the following format. If the tender is being represented by a joint venture or consortium, all members must sign the declaration.

Dear Sirs

Re-Tender Reference:



In accordance with the eligibility requirements of the Procurement Regulations and the tender documents we hereby declare that:-

- 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 further declare that 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 are not the subject of legal proceedings for any of the foregoing;
- c) We declare that we have fulfilled our obligations to pay taxes and social security contributions;
- d) 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
- e) We do not have a conflict of interest in relation to the procurement requirement.

Signed

Date.....



Section V. National Eligibility Conditions

National Eligibility Conditions for the Provision of Goods, Works, and Services

1. The ESWACAA permits firms and individuals from all countries to offer goods, works, and services for Government-procured projects, with the following exception:

(a) At least fifteen percent [15%] of the total labour costs must be sourced from Eswatini entities. In relation to material and supplies, at least ten percent should be sourced from Eswatini.



PART 2 – Service Requirements



Section VI. Summary of Offering

Table of Contents

Schedule A: Services to be procured

Schedule B: Conditions Expected to Apply to the Services and Procurement



Schedule A: Services to be procured

The ESWACAA wishes to procure the supply/construction of (electricity generated from) a solar PV generation facility ('the facility') with a capacity of 850kWp. A storage component, to manage intermittency of the facility, may be added if it will improve the benefit to ESWACAA.

The ESWACAA will lease/provide (to the Contractor) enough land in KM III International Airport at Sikhuphe for constructing and operating the facility.

The IPP/Contractor will also be responsible for building, operating, and maintaining the interconnection line from the Facility to the 11kV designated airport network.



Schedule B: Conditions Expected to Apply to the Services and Procurement

Transaction Terms

While the terms of the transaction are yet to be finalized, the ESWACAA expects the following would apply:

- I. The successful IPP/Contractor must arrange for the financing, design, construction, operation, and maintenance of the solar PV facility and an approximately (1.25 km) line interconnecting the facility to a pre-determined substation. The IPP must comply with all relevant laws, licensing, and permitting requirements in Eswatini, at its own cost and risk;
- II. The successful IPP will be required to incorporate a Project Company in Eswatini, which will own the project assets, once the contract terms are agreed on with the ESWACAA and Eswatini Electricity Company (EEC);
- III. The facility's interconnection point (an EEC sub-station) will be identified in the RFP
- IV. The IPP will sell power to ESWACAA in accordance with the terms of a PPA. This PPA will also include the terms for interconnecting the facility. It will be issued as part of the RFP package;
- V. The PPA will be for a duration of 20 years;

Agreements and Conditions

The ESWACAA indicates that it may offer the following agreements in support of this Opportunity:

- I. Provide a portion of the airport land for a period just short of 21 years, for the construction and operation of the facility;
- II. An Implementation Agreement with the IPP, setting out conditions offered by the ESWACAA for taxes, customs, immigration, facilitation of permits, and other matters needed for the successful realization of the Opportunity.



The ESWACAA will provide comprehensive information on the permits and licences required to build and operate the facility in the RFP. The following requirements will likely apply:

- III. At least 15 percent (15%) of the total value of labour during construction must be from Eswatini entities. Furthermore, 10% of material should be sourced locally.
- IV. A refundable bid bond, performance bond, and security deposit (for the Lease) is likely to be required.

Fatal flow analysis

The winning contractor shall commission an environmental fatal flaw analysis (EFF) to identify any site-specific, environmental, interconnection, or geotechnical challenges. Based on the EFF's findings, contractor will advise ESWACAA about any challenges from the Project site's environmental, interconnection, and geotechnical features that would prevent the Project from being implemented in a commercially and economically viable way.



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Part 3 – Response Evaluation Form

Evaluation Form	Compliance/Rating		
Minimum required item	Included [Y/N]		
Application Submission Form			
Eligibility Form			
Proponent Information			
Pending Litigation Form			
Financial Performance			
Financial Qualifications			
Specific Technical Experience Form			
Adhered to format and complete			
Response Subsection	Unacceptable	Not advantageous	Advantageous
Eligibility (10%)			
Experience & Project references (35%)			
Financial Performance (20%)			
Financing Capability (35%)			

