

9.9 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 ESERA 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- d) No bid may be withdrawn in the interval between the deadline for submission of bids and the expiration of period of bid validity specified by the Bidder on the bid form.

10 REPORTING RELATIONSHIP

The consultant will report to the General Manager Finance & Administration

11 ASSIGNMENT PERIOD

The assignment will be undertaken within 60 working days (2 months).

12 EVALUATION OF BIDS

- a.) The bids will be evaluated using a two-envelope system whereby the Technical proposals will be evaluated first and only those passing will be evaluated on the financial proposal. Financial proposals of bidders who are unsuccessful in the technical evaluation shall be returned unopened.
- b.) To qualify, a Bidder needs to score 70% higher in the technical evaluation.
- c.) The final technical proposal will be allocated 80% whilst the financial proposal will be allocated the remaining 20%.
- d.) 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.

13 AWARD OF CONTRACT

13.1 Post qualification

- a) ESERA will determine to its satisfaction whether the Bidder that is selected as having submitted the highest evaluated responsive bid meets the criteria specified in these documents and is qualified to perform the contract satisfactorily.
- b) The determination will take into account the Bidder's financial and technical capabilities. It will be based upon an examination of the documentary evidence of the Bidder's qualifications submitted by the bidder, as well as such other information as ESERA deems necessary and appropriate.
- c) An affirmative determination will be a prerequisite for award of the Contract to the Bidder. A negative determination will result in rejection of the Bidder's bid, in which event ESERA will proceed to the next highest evaluated bid to make a similar determination of that Bidder's capabilities to perform the contract satisfactorily.

13.2 ESERA's right to vary the scope of work at Time of Award

ESERA reserves the right at the time of Contract award to increase or decrease the scope of work originally specified in the Terms of Reference without any change in unit price or other terms and conditions.

13.3 ESERA's right to accept or reject any or all Bids

reserves the right to:

- Accept or reject any bid;
- Annul the tender process and reject all bids at any time prior to contract award;
- Award the contract to one or more bidders; without thereby incurring any liability to the affected Bidder or bidders.



13.4 Notification of Award

Prior to the expiration of the period of bid validity, notification of Intention to award shall be sent to all tenderers who submitted tenders to ESPPRA website at least 10 days before contract award.

13.5 Signing of Contract

At the same time as ESERA notifies the successful bidder that its bid has been accepted, ESERA will send the bidder the Contract Form provided in the tender documents, incorporating all agreements between the parties.

14 CLOSING DATE

- a.) The closing date for submission of proposals is the **15th November 2019 at 11H00**
- b.) No proposals received after the deadline will be accepted.
- c.) No electronic submissions will be accepted. Late, incomplete, telephoned or telegraphic tenders will not be considered.

15 SUBMISSION OF BIDS

The Proposal documents must be produced in 5 copies, 1 marked original and 4 marked copies enclosed in a plain wrapped, sealed and clearly marked on the outside and deposited on the tender box situated at the reception and marked **“Tender number ESERA_11 of 2019-2020 – PROVISION OF EXTERNAL AUDIT SERVICES FOR ESWATINI ENERGY REGULATORY AUTHORITY”**

They must be delivered by the Date of Closure of Proposals to:

Eswatini Energy Regulatory Authority
First Floor, RHUS Office Park
Karl Grant Street
MBABANE, H100



Eswatini

ESERA is not bound to accept the lowest bidder or any bidder.

