

<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**

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[The following form shall be filled in by the Proponent and each Consortium Partner]

- No pending litigation in accordance with Section III. Qualification Criteria and Requirements, Sub-Factor 1.3
- Pending litigation in accordance with Section III. Qualification Criteria and Requirements, Sub-Factor 1.3 as indicated below.

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

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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**

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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:

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.....

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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

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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%)			

