

































complete the works in accordance with the above-named documents within the Time for Completion. We guarantee that the works will then conform to the Performance Guarantees included in this Bid.

Having examined the Tender document, we offer to supply, fit and remedy any defects in the said Works in conformity with the General Conditions of Contract and Terms of Reference for the sum of:

.....  
..... (in words)  
E.....

In the event of there being any errors of extension or addition in the priced Schedule of Quantities, I/We offer/agree to their being corrected by you, the rates being taken as correct.

I/We undertake to complete and deliver the whole of the Works comprised in the Contract within the time to be agreed with you.

We understand that you are not bound to accept the lowest or any Bid you may receive.

Signature: \_\_\_\_\_ in the capacity of  
\_\_\_\_\_ duly authorised to sign bids for and behalf of  
\_\_\_\_\_  
\_\_\_\_\_

Address:  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_



## SECTION 4: ELIGIBILITY OF TENDERER

### Section 4.1

Each Tenderer shall submit the information listed below with the Tender. In case of a joint venture of two or more legal persons, the information shall be submitted in respect of each of these persons and in respect of the joint venture tenderer:

1. Constitution or legal status, place of registration and principal place of business of Tenderer: *[attach copy]*
2. Total annual turnover expressed as total volume of engineering work carried out in each of the last five years.
3. Financial report including profit and loss statements, balance sheets and auditor's reports for the last three years, and an estimated financial projection for the subsequent year.
4. Evidence of access to lines of credit, and availability of other financial resources.
5. Name and address of banker (s) who will (and have been authorized to) provide references upon request by the Employer.
6. Details of performance as prime/main contractor on works of a similar nature and volume over the last three years and on current works, including expected completion date in the format given in the table 1 below.
7. A list of the major items of Contractor's Equipment proposed for carrying out the contract including details of ownership (Table 1).
8. **A detailed Proposed Program (work method and schedule);  
Descriptions, drawings, and charts.**
9. Qualifications and experience of key staff proposed for the project as shown in "Form B"
10. Similar work completed in the past five (5) years (in format shown in Form A)

Table 1: Major items of Contractor's Equipment proposed for carrying out the Works. (List all information requested in the format below)

Item of equipment	Description, make, and age (years)	Condition (new, good, poor) and number available	Owned, leased (from whom?), or to be purchased (from whom?)
(a)			
(b)			



Table 2: Proposed subcontracts and firms involved.

Sections of the Works	Value of subcontract	Subcontractor (name and address)	Experience in similar work
(a)			
(b)			

Table 3: Information on current litigation in which the Tenderer is involved.

Other party(ies)	Cause of dispute	Amount involved
(a)		
(b)		



## Form A: Similar Work Completed

Using the format below, provide information on each similar assignment for which your firm/entity, either individually as a corporate entity or as one of the major companies within an association, was legally contracted.

Assignment Name:		Country:	
Location within Country:		Professional Staff Provided by Your Firm/Entity(profiles):	
Name of Employer:		N <sup>o</sup> of Staff:	
Address:		N <sup>o</sup> of Staff-Months; Duration of Assignment:	
Start (Month/Year):	Date	Completion (Month/Year):	Date
			Approx. Value of Services (in Current Swazi Emalangeni):
Name of Associated Contractors, If Any:		N <sup>o</sup> of Months of Professional Staff Provided by Associated Contractors:	
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:			
Narrative Description of Project:			
Description of Actual Services Provided by Your Staff:			

## From B: Format of Curriculum Vitae for Proposed Personal Staff

Proposed Position: \_\_\_\_\_

Name of Firm: \_\_\_\_\_



Name of Staff: \_\_\_\_\_

Profession: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Years with Firm/Entity: \_\_\_\_\_ Nationality: \_\_\_\_\_

Membership in Professional Societies: \_\_\_\_\_

\_\_\_\_\_

Detailed Tasks Assigned: \_\_\_\_\_

\_\_\_\_\_

**Key Qualifications:**

*[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations. Use about half a page.]*

\_\_\_\_\_

**Education:**

*[Summarize college/university and other specialized education of staff member, giving names of schools, dates attended, and degrees obtained. Use about one quarter of a page.]*

\_\_\_\_\_



**Employment Record:**

*[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments. For experience in last ten years, also give types of activities performed and Employer references, where appropriate. Use about two pages.]*

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**Languages:**

*[For each language indicate proficiency: excellent, good, fair, or poor in speaking, reading, and writing.]*

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**Certification:**

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and my experience.

\_\_\_\_\_ Date: \_\_\_\_\_  
*[Signature of staff member and authorized representative of the firm]*  
Day/Month/Year

Full name of staff member: \_\_\_\_\_

Full name of authorized representative: \_\_\_\_\_



## Section 4.2

In order for a joint venture of two or more legal persons to be accepted as eligible:

- These persons shall have nominated a leader with authority to bind the joint venture and each of these persons; and this leader shall be authorized to incur liabilities and receive instructions for and on behalf of any and all these persons.
- Evidence of this authorisation shall be submitted with the tender in the form of a power of attorney signed by legally authorised signatories of all these persons
- The contract agreement must be signed so as to be legally binding on each of these persons
- A copy of the agreement entered into by these persons shall be submitted with the Tender. This agreement shall state (i) each such person's percentage participation in this joint venture, and (ii) that these persons shall be jointly and severally liable to the Employer for the performance of the Contract.

No such person or sole Tenderer shall participate in the preparation of another Tenderer's Tender for the same Contract. If any entity is found to have participated in two or more Tenders, other than alternative Tenders from the same tenderer, all such Tenders will be rejected.

However, any entity may be proposed as a prospective sub-contractor by more than one tenderer in addition to being either a sole tenderer or a participant in one joint venture tenderer.

## SECTION 5: AGREEMENT

**This Agreement**, made on the.....day of ....., 20... between

**The Eswatini Water Services Corporation**



of

**Emftonjeni Building  
Below Gables Shopping Complex  
Corner (MR 103) and Cultural Village Road  
Ezulwini**

(Hereinafter called “the Employer”)

and

.....

of

.....

.....

.....

.....

(hereinafter called “the Contractor”) of the other part.

The Employer desires the execution of certain works known as the  
**SUPPLY AND INSTALLATION OF RESERVOIR MECHANICAL LEVEL  
INDICATORS FOR SELECTED SITES**



## CONTRACT AGREEMENT

This Agreement made the \_\_\_\_\_ day of \_\_\_\_\_ Between \_\_\_\_\_ of \_\_\_\_\_ (Hereinafter called "the Employer") of the one part and \_\_\_\_\_ of \_\_\_\_\_ (hereinafter called "the Contractor") of the other part.

Whereas the Employer desires the works known as \_\_\_\_\_ should be executed by the Contractor and has accepted a Bid by the Contractor for the execution and completion of these works and remedying of the defects therein,

The Employer and the Contractor agree as follows:

- 1) In this agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract herein after referred to.
- 2) The following documents shall be deemed to form and be read and construed as part of the Agreement:
  - a) The Letter of Acceptance;
  - b) The Employer's requirements
  - c) The Conditions of Contract
  - d) The Terms of Reference (Refer to Section 5)
  - e) The Financial Bid (Refer to Section 4)
  - f) The Technical Bid (Refer to Section 3)
  - g) Addenda nos: \_\_\_\_\_
- 3) In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Employer to design, execute and complete the Works and remedy any defects therein in conformity with the provisions of the contract.
- 4) The Employer hereby covenants to pay the Contractor, in consideration of the design, execution and completion of the Works and the remedying of defects therein, the final Contract Price at the times and in the manner prescribed by the Contract.





**In Witness** whereof the parties hereto have caused this Agreement to be executed the day and year first before written in accordance with their respective laws.

SIGNED by: \_\_\_\_\_

SIGNED

by: \_\_\_\_\_

For and on behalf of the Employer in the presence of :

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

Name: \_\_\_\_\_

Name:

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

Date:

\_\_\_\_\_



## SECTION 6: GENERAL CONDITIONS OF CONTRACT

General Conditions shall be those of the  
“Conditions of Contract for EPC/TURNKEY first edition 1999, with further  
amendments,

Prepared by the

*Fédération Internationale des Ingénieurs- Conseils (FIDIC).*

These conditions are subject to the variations and additions set out in Section 7 Hereof  
Entitled “Special Conditions of Contract.”

Copies of the FIDIC Conditions of Contract can be obtained from:

FIDIC Secretariat  
P.O. Box 86  
1000 Lausanne 12  
Switzerland  
Facsimile: 41 21 653 5432  
Telephone: 41 21 653 5003



## **SECTION 7: SPECIAL CONDITIONS OF CONTRACT**

References from Clauses in the General Conditions:

1. Clause 1.1.3.3&8.2-Time for Completion of the works: 2 Months
2. Clause 1.1.3.7 & 11.1- Defects Notification Period: 365 days
3. Clause 1.3-Electronic systems for communications: E-mail:  
[procurement@swsc.co.sz](mailto:procurement@swsc.co.sz)
4. Clause 1.4-Laws & Languages: Governing Law: Law of the Kingdom of Eswatini  
Ruling language: English
5. Clause 4.2- Performance Security: 10% of contract amount in the form of local Bank guarantee or local insurance bond
6. Clause 4.4- Notice of subcontractors: At least 28 days' notice
7. Clause 8.7/12.4 & 14.5 (d)- Delay/performance damages 0.02% of the contract price per day
8. Clause 14.3(c) – Retention: 5%
9. Clause 17.6- Limitation of liability: Contract amount
10. Clause 18.1- Employer's insurance (if any). Evidence of insurances: Within 25 days
11. The currency of payments shall be Emalangeni
12. Payment will be made at completion of project



## SECTION 8: TERMS OF REFERENCE & SPECIFICATIONS

### 8.1 SCOPE OF WORK & TECHNICAL SPECIFICATIONS

	Reservoir	Height (m)	Activity	Costs
1	Mankayane	8	Supply of level indicators, including delivery to sites	
2	Lobamba C	7		
3	Lobamba B	6		
4	Ezulwini	7		
5	Lubulini	7		
6	Good Shepherd	8		
7	Lukhula Old	8		
8	Maguga 1	8		
9	Maguga 2	8		
10	Maguga 3	8		
11	Maguga 4	8		
12	Kadake	6		
13	Fairview	7		
14	Lozitha	6		
	<b>Total A</b>			

	Reservoir	Height (m)	Activity	Costs
1	Mankayane	8	Installation of level indicators	
2	Lobamba C	7		
3	Lobamba B	6		
4	Ezulwini	7		
5	Lubulini	7		
6	Good Shepherd	8		
7	Lukhula Old	8		
8	Maguga 1	8		
9	Maguga 2	8		
10	Maguga 3	8		
11	Maguga 4	8		
12	Kadake	6		
13	Fairview	7		
14	Lozitha	6		
	<b>Total B</b>			

	<b>GRAND TOTAL</b>		<b>TOTAL A+ TOTAL B</b>	
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## Technical Specifications

### LEVEL INDICATOR- SPECIFICATION

Float Inside the tank raises and deals with the level of fluid this makes the pointer move on the scale indicating level inside the tank. In this level gauge, when tank is full the pointer is at bottom position on board and when tank is empty, the pointer will be at top position.

#### Salient Features:

- Simple, low cost and reliable level gauge.
- Wetted parts manufactured in SS304 / SS316 / PP.
- Suitable for installation on "tank in service".
- Indicator rolls on the gauge board with the help of PVC Rollers.
- Large numerals visible from a distance and easily readable from a distance.

#### Materials of Construction:

- Float S.S.316 / S.S.304 / Poly Propylene
- Float Wire & Float Guide Wire S.S.316 / Poly Propylene
- Pulley & Pulley Pin M.S. / S.S.304
- Pulley Housing Aluminium / S.S.304 / S.S.316 die Cast
- Board (Scale) Aluminium with Powder Coated having 150 mm Width & White Back Ground & Black writing at every 10CM and Red Marking at Every Meter.
- Anchor Plate M.S / S.S.304 / S.S.316
- Scale Bracket (T) M.S. / S.S.304
- Pointer M.S / S.S.304 with PP Roller for Frictionless Sliding On Board.

Annexure 1

<b>ELIGIBILITY CRITERIA IN TERMS OF THE PROCUREMENT ACT 2011</b>	
<b>Bidder:</b> ..... <b>Date:</b> .....	
<b>JV Partner:</b> .....	
<b>LEGAL REQUIREMENT</b>	<b>RESPONSE/EVIDENCE</b>
Our firm has the legal capacity to enter into the contract	Certificates of incorporation, Forms C and J, Trading licences Power of attorney.
Our firm is not insolvent, in receivership, bankrupt or being wound up. Its affairs are not being administered by a court or a judicial officer, its business activities have not been suspended, and it is not the subject of legal proceedings for any of the foregoing	Audited financial statements for the past three years enclosed. Confirmation by signature of authorised signatory: i.....
Our firm has fulfilled its obligations to pay taxes and social security contributions	Valid tax clearance certificate for Government and parastatal tenders enclosed SNPF Compliance Certificate
It adheres to basic labour legislation viz; in respect to satisfactory, safe and healthy conditions.	Labour Compliance Certificate enclosed
Our firm, or any of its directors/key personnel do not have any conflict of interest in relation to the procurement requirements and do not have circumstances in which we can benefit whether directly nor indirectly from the procurement process.	Confirmation by signature of authorised signatory: i.....
Our firm, or any of its directors/key personnel or officers, have not been convicted of any criminal offence relating to professional conduct or the making of false statements or misrepresentations as to its qualifications to enter into a procurement contract within a period of five years preceding the commencement of procurement proceedings	Confirmation by signature of authorised signatory: i.....
Our company and none of its directors or officers have been suspended from participating in the tendering process by SPPRA for the reasons specified in Section 56 of the Act	Confirmation by signature of authorised signatory: i.....
Our company and its directors and officers are not a government owned entity, are not public officers or politicians as defined in Section 60 of the Act	Confirmation by signature of authorised signatory: i.....
SWSC bid document purchase receipt	Enclosed

