

SECTION 1: INVITATION TO TENDER

EXPRESSION OF INTEREST FOR THE PREQUALIFICATION OF SUPPLIERS FOR THE SUPPLY AND DELIVERY OF SCHOOL FEEDING COMMODITIES TENDER No. EOI_01_2022

The National Emergency Response Council of HIV/AIDS (NERCHA) was established in 2001 in the Prime Minister's Office and subsequently through an Act of Parliament (the NERCHA Act No. 8/2003) to oversee, coordinate and facilitate the national multisectoral response to HIV/AIDS. NERCHA has been Principal Recipient (PR) for the Global Fund since the inception of the Global Fund in the country and also manages other grants and intends to apply part of the proceeds for eligible payments under the supply framework contracts for supply and delivery of school feeding commodities for a period of two (2) years.

NERCHA invites interested bidders who must qualify by meeting the set criteria as provided by NERCHA to perform the contract of supply and delivery of school feeding commodities in various schools in the Kingdom of Eswatini. Please read through this document carefully and provide the requested information together with ALL the required supporting documents. Tendering will be conducted through an Expression of Interest procedures specified in the Eswatini Public Procurement Act 7, 2011 and policies laid down by the Eswatini Public Procurement Regulatory Agency (ESPPRA). The Expression of Interest document can be downloaded from the ESSPRA website, www.sppra.co.sz or collected from the NERCHA reception area.

Proposals must be sealed, and delivered to the address below at or before 1000hrs, on the 19th May 2022. Proposals shall be valid for a period of 120 days after the deadline of tender submission. Late Proposals will be rejected. Bid Proposals will be opened in the presence of the Tenderers' Representatives who choose to attend the tender opening at the Conference Room of the NERCHA Head Office in Mbabane, immediately after the closing time.

All applications should be delivered at the address below, clearly marked "Confidential Response to Expression of Interest EOI_01_2022", deposited into the tender box located NERCHA Reception area:

The Tender Board
National Emergency Response Council on HIV/AIDS
Plot 738
Farm 2
Emajika Road
Mbabane

Interested and qualifying bidders must provide information indicating their technical capacity, qualification and shall attach the following documents:

1. Letter of confirmation of interest and availability
2. Company Registration Documents

- (a) Original Valid Tax Compliance Certificate
 - (b) Copy of a Valid Trading Licence
 - (c) A copy of Company VAT Registration
 - (d) Police Clearance Certificates for Active Company Director
 - (e) Certified copies of National IDs of Company's Directors
 - (f) Latest Company Financial Statements
 - (g) A fully signed document providing Power of Attorney (Annex 1)
 - (h) A fully signed Declaration of Eligibility (Annex 2)
 - (i) Proof of ability to deliver; transport/fleet ownership or arrangements in form of lease/proposed contract agreement with transporter
3. Company Profile with curriculum vitae for key personnel/ key staff who will work on this project.
 4. Job and client reference for similar assignments in the last 5 years, including values of contracts; 3 client references letters for the provision of similar goods and services.
 5. The Tenderer must demonstrate to have the capacity to handle food safety – A Quality Assurance Certification registered in the name of the bidder indicating compliance to National, Regional, International standards (SZNS, ISO, FSSC, HACCP) or an equivalent Food Safety Management System recognized by a stringent regulatory authority is required.
 6. Proof of Payment for E300 (Three Hundred Emalangeni only) non-refundable tender fee, deposited into NERCHA Escrow Account, First National Bank, Account Number: 62060796243 Branch Code: 280164; Reference: Company Name & tender Referencee.

Requests for clarification must be in writing via email to procurement@nercha.org.sz and nothando.dlamini@nercha.org.sz . NERCHA shall respond in writing via e-mail to any requests for clarification up until close of business on the 14th May 2022.

A shortlist will be prepared for the received Expressions of Interest and the shortlisted Bidders will be invited to send detailed tenders depending on requirements and available funding.



SECTION 2: INSTRUCTIONS TO TENDERERS

I. INTRODUCTION

NERCHA in collaboration with the Ministry of Education and training (MoE) are implementing the school feeding programme. On behalf of the MoE, NERCHA is running the school feeding tender to ensure supply of food commodities for the school year 2022/23.

It is for this reason NERCHA sought bids from eligible suppliers for the supply and delivery of these food commodities.

II. OBJECTIVE

The objective of the Expression of Interest is to solicit sealed bids from eligible manufacturers and wholesalers of food commodities to provide required food commodities for the school feeding programme.

This pre-qualification document does not amount to any contractual obligation on the part of NERCHA and shall not be obliged to invite any tenders or quotations from any or all candidates that have expressed interest by responding to this invitation.

III. SCOPE OF WORK

The Pre-Qualification will enable the Council to generate a list of potential food commodities tenderers capable of supply and delivery of the food commodities in various schools in the country. The required type of food commodities and packaging are as follows:

- **Sugar Beans; 50kg**
 - Current seasons produce, washed
 - Red/brown speckled, whole kernels with a maximum split of only 3% split
- **Sunflower Cooking Oil; 20L; packaged in Jerry Cans**
 - Pure vegetable oil
 - Cholesterol free
 - Super micro refined
- **Rice; 50kg**
 - Long grain
 - Parboiled
 - Current season's produce
- **Peanut Butter; 20L**
 - Cholesterol free
 - Smooth consistency, without oil separation
- **Dried White Maize; 50L**
 - Grade A; Non-GMO
 - Current Season's Produce
 -

Shortlisted tenderers shall be provided with detailed specifications. Bidders must ensure that the quality of food commodities meet specification. **IMPORTANT!!! Bidders should**



ensure correct product labelling in accordance with the product packaged inside and that expiry dates are visible.

The Tenderer is expected to perform other responsibilities including but not limited to the following:

- Supply and deliver food commodities to the various schools' country wide. GPS coordinates of these schools shall be shared with the shortlisted suppliers prior to sending their detailed tenders to inform their calculations for transport.
- Timely delivery of food and adhere to distribution schedule. Distribution is expected to take not more than four weeks in estimated 594 primary schools and 279 High Schools.
- Ensure Food Safety Management compliance before and during delivery.
- The Tenderer shall be responsible for submitting invoices and delivery notes to facilitate payments.

IV. ELIGIBILITY

- ✓ In order to be eligible for selection, the tenderer must provide documentary evidence for eligibility as required.
- ✓ Suppliers are strongly advised to provide all information requested and evaluation and qualification shall be based on the extent of information and attachments provided by the applicant.
- ✓ NERCHA reserves the right to verify information provided herein without reverting to the participants.
- ✓ NERCHA reserves the right to accept or reject any application with prior communication done by email.

V. EVALUATION CRITERIA

When evaluating the EOI, the following criteria shall be used:

- Technical capacity relevant to service – 40%
- Experience in conducting similar works; range and depth of experience with similar projects – 30%
- Food Safety Management – 30%

Only bidders who meet the minimum score of 70% shall be prequalified.

VI. SHORTLISTED TENDERERS

Tenderers who will be qualified shall be shortlisted and NERCHA shall conduct an onsite assessment to verify their presentation and assertions. **Suppliers who will be found to be wanting during the onsite assessments shall not be prequalified.**

Qualified tenderers will be offered a twenty-four-month framework contract once they have submitted their quotation/price list.

VII. VALIDITY OF EOI

EOI will be valid for 120 days from the last day of submissions.

VIII. Withdrawal, Substitution, and Modification of Submissions



A Service Provider may withdraw, substitute, or modify its Bid after it has been submitted by sending a written notice, duly signed by an authorized representative, and shall include a copy of the authorization (the power of attorney). The corresponding substitution or modification of the bid must accompany the respective written notice. All notices must be:

- (a) prepared and submitted in sealed envelopes and shall be clearly marked “WITHDRAWAL,” “SUBSTITUTION,” or “MODIFICATION;” and
- (b) received by the Purchaser prior to the deadline prescribed for submission of EOI.
- (c) Submissions requested to be withdrawn shall be returned unopened to the Bidders.

No bid may be withdrawn, substituted, or modified in the interval between the deadline for submission of bids and the expiration of the period of bid validity specified in the EOI.



SECTION 3: TENDER MANDATORY DOCUMENTATION SUBMISSION CHECKLIST

Sr No.	Documentation	Comply (YES/NO)
1	Submission of fully completed and signed letter of Application in the format outlined in Section IV	
2	Valid and eligibility documents:	
	(a) Copy of a Valid Trading Licence	
	(b) Original Valid Tax Compliance Certificate	
	(c) A copy of Company VAT Registration	
	(d) Police Clearance Certificates for Active Company Director	
	(e) Certified copies of National IDs of Company's Directors	
	(f) Proof of Payment for a non-refundable E300 tender fee:	
	(g) A fully signed Declaration of Eligibility (Annex 2)	
	(h) Submission of copy of Company or Firm's Certificate of Incorporation/Registration, <i>certified by commissioner for oaths/notary public.</i>	
	(i) Submission of copy of the Form J as issued by the Registrar of Companies on the Registrar's letterhead giving the names and shareholding of the directors/partners/sole proprietor, <i>certified by commissioner for oaths/notary public.</i>	
3	Duly filled and completed Power of Attorney (Annex 1)	
4	Submission of Bidder's Declaration Form(s) duly completed, signed and stamped (Annex 2)	
5	Duly filled in the registration details of the company (Annex 3)	
6	Duly filled and completed Experience Form (Annex 4) <i>Attach relevant client's reference letters addressed to NERCHA – on the client's letterhead for similar contracts</i>	
7	Duly filled and completed Capability form (Annex 5)	
8	Submission of certified copies of the Balance Sheet and Income statement/Profit and Loss Accounts, for the Company's Audited accounts for the last two financial years	
9	Submit reference letter from the bidder's bank addressed to NERCHA outlining the current credit position.	
10	Submission of copies of Curriculum Vitae with certified copies of certificates for all the Management/Key Technical personnel	
11	Submission of Evidence of ownership of fleet / vehicles for delivery of commodities (Give a list and type of relevant fleet/vehicles owned by the company evidenced by ownership documents. If not owned, provide documentary evidence of lease or proposed agreement for hire with logistics company.	
12	Submission of copy of current relevant Quality Assurance Certification issued by a recognized Standards certifications body or Submission of copy of current valid Food & Hygiene license/certification a recognized authority.	
13	Submission of evidence of warehouse/ factory/ shop/premises, owned by the company evidenced by copy of ownership document. If not owned, provide (submit) documentary evidence of lease	



SECTION 4: LETTER OF APPLICATION

Tenderers must provide a signed Tender Form on their company letterhead in the following unedited format. If the tender is being presented by a joint venture or consortium all members must sign the declaration.

Date.....

Tender No. EOI_01_2022

To: The NERCHA Tender Board
NATIONAL EMERGENCY RESPONSE COUNCIL ON HIV & AIDS
PLOT 738 OF FARM 2
EMJIKA ROAD
MBABANE
ESWATINI

Dear Sirs Ladies and Gentlemen,

1. Having read, examined and understood all of the pre-qualification information provided in the Prequalification Document, the receipt of which is hereby duly acknowledged, we, the undersigned, hereby apply to be prequalified by yourselves as a potential bidder for *the supply and delivery of school feeding commodities.*
2. We agree to abide by this Tender for a **period of 120 days (please indicate validity of your tender)** from the date fixed for tender opening as per the Prequalification Document, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
3. This application, together with your written appointment thereof, shall not constitute a contract between us nor commit NERCHA to any actual tender or amount of contract.
4. We understand that you are not bound to accept any application you may receive.
5. We declare that the statements made, and the information provided in our prequalification tender document are complete, true, and correct in every detail.

Yours sincerely,

Name of Candidate

Name and Capacity of authorized person signing the Application

Signature of authorized person signing the Tender
Stamp or Seal of Candidate

ANNEX 1



POWER OF ATTORNEY

Signatories for companies must establish their authority by attaching a copy of the relevant resolution of the board of directors, duly signed by the chairman of the board, and dated, to this form. An example is shown below:

“By resolution of the Board of Directors at a meeting held

at _____

on: _____ 2022,

Mr. /Mrs. /Ms.: _____

has been duly authorised to sign all documents in connection with this Expression of Interest contract on behalf of:

(Name of tenderer):

(Block capitals)

Signed on behalf of Board of Directors (chairman):

Date: _____

Signature of assignee: _____

Date: _____



ANNEX 2

DECLARATION OF ELIGIBILITY

[All Tenderers must meet the following criteria, to be eligible to participate in public procurement. Tenderers must provide a signed declaration on their company letterhead in the following format. If the tender is being presented by a joint venture or consortium all members must sign the declaration]

[>>> Name of Tenderer, Address, and Date>>>]

Dear Sirs

Re Tender Reference

In accordance with the eligibility requirements of the Invitation to 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 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 the 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) I/We declare that we are eligible to participate in the above-mentioned Public procurement tender as per section 40 of the Public Procurement Act 2011.
(g) We further declare that we are not Politicians and or Public Officers as described by the Public Procurement Act 2011
(h) That we do not have a conflict of interest in relation to the procurement requirement as defined in the Instructions to Tenderers.
(i) I/We are aware that, where it shall be found that any or all of the below mentioned directors of our Company have provided misleading information in preparing this tender document, the tender will be cancelled, and contracts awarded shall be terminated immediately.
(j) We understand that this procurement is supported through The Global Fund grant. I/We represents

Name _____ (In the capacity of) _____

Duly authorized to sign Tender _____ Date _____



TENDERER INFORMATION

As registration for the prequalification exercise, bidders are to fill in their details appropriately which will be in the format of the Confidential Business Questionnaire below:

You are requested to give the particulars indicated in Part 1 and either Part 2 (a), 2(b) or 2(c) whichever applies to your type of business and Part 3.

You are advised that it is a serious offence to give false information on this form.

	<p>Part 1 General</p> <p>Business Name.....</p> <p>Contact:</p> <p>County Business is located..... Town Business is located.....</p> <p>Name of Building & Floor</p> <p>Plot No,Street/Road</p> <p>Postal address: Tel No. Email</p> <p>Other towns with business presence</p> <p>Nature of Business:</p> <p>Registration Certificate No: (on the certificate of registration issued by Registrar of Companies)</p>																																		
	<p>Part 2 (a) – Sole Proprietor</p> <p>Your name in full..... Age.....</p> <p>Nationality.....Country of Origin.....</p> <p>Citizenship details</p>																																		
	<p>Part 2 (b) – Partnership</p> <p>Given details of partners as follows</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 30%;">Name</th> <th style="width: 30%;">Nationality</th> <th style="width: 20%;">Citizenship Details</th> <th style="width: 10%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>		Name	Nationality	Citizenship Details	Shares	1.	2.	3.	4.									
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	<p>Part 2 (c) – Registered Company</p> <p>Private or Public</p> <p>State the nominal and issued capital of company</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">Nominal SZL</th> <th style="width: 40%;">Issued SZL</th> </tr> </thead> <tbody> <tr> <td>.....</td> <td>.....</td> </tr> </tbody> </table> <p>Given details of all directors as follows</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 30%;">Name</th> <th style="width: 30%;">Nationality</th> <th style="width: 20%;">Citizenship Details</th> <th style="width: 10%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>5.</td> <td>Etc.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>	Nominal SZL	Issued SZL		Name	Nationality	Citizenship Details	Shares	1.	2.	3.	4.	5.	Etc.
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	<p>Part 3 (a) Financial Information</p> <p>State your turnover in the last two years? Also provide <i>Copies of Balance Sheet & Profit & Loss Account of your most recent 2 year(s) audited accounts – certified by the auditor:</i></p> <p>SZL..... for year ended ---/---/-----</p> <p>SZL..... for year ended ---/---/-----</p> <p>Part 3 (b) Statutory and other obligations</p> <p>Has your organization met all its statutory and other obligations to pay its obligations and staff during the past year (YES/NO) -----</p> <p>If NO, please give details</p> <p>.....</p> <p>.....</p>
	<p>Part 3 (c) Past Performance</p> <p>List any contracts terminated for poor performance in the last three years, or any contracts where damages have been claimed by the contracting authority within the last three years (YES/NO) -----</p> <p>If yes, give details:</p> <p>.....</p> <p>.....</p>
	<p>Part 3 (d) Banking information</p> <p>State the name(s) and branch of your bankers for reference. <i>Also Provide a bank reference letter on the bank's letterhead giving the bidder's credit worthiness:</i></p> <p>Name of Bank and branch:</p> <p>Account Name:</p> <p>Bank Account number(s):</p> <p>Contact Person Name and contacts:</p>

Signed: Date:

STAMPED



ANNEX 4

EXPERIENCE RECORD FORM

Bidders are to input information as below:

1. Name of company _____
2. Experience of the company in provision of goods/services similar to the category applied for: _____ no. (Years)
3. Experience of the company in provision of goods/service/works similar to this assignment:

	Client 1	Client 2	Client 3
Name of client (organization)			
Address of client (organization)			
Name of contact person at the client (Organization)			
Brief description of similar goods/services offered within the past three (3) years			
Telephone of the client			
Email address of the client			
Value of contract			
Duration & time of the contract			
<i>Attach relevant client's reference letter addressed to NERCHA – on the client's letterhead)</i>			

Signed: Date:

STAMPED



ANNEX5

Organization's Capability form

All applicants must demonstrate that they have the technical, physical and human resource capability to honour supplies and deliver the mentioned goods and services at the right time, in the right quantity, the right quality and at the right price to be pre-qualified.

1	List the core business undertaken by your company
2	<p>Indicate the number of staff in your organization with the number of employees under each category:</p> <p>i. Technical (Permanent....., Temporary.....)</p> <p>ii. Semiskilled (Permanent....., Temporary)</p>
3	<p>Give detailed information of the following 1 (one) key supervisory personnel, who would be employed as full-time staff on the project for if awarded contract at any period. Give similar details for (a) Project Manager (b)Quality Assurance Officer. This will be in the format below:</p> <p>1st Key Personnel – Supervisory personnel/overall manager</p> <p>(a) Name: _____</p> <p>(b) Highest Level of Education: _____</p> <p>(c) Speciality: _____</p> <p>(d) Professional Registration (if any): _____</p> <p>(e) Length of service with company _____ Years:</p> <p>(f) Years of experience _____</p> <p>2nd key personnel [input position in the company] </p> <p>(a) Name: _____</p> <p>(b) Highest Level of Education: _____</p> <p>(c) Speciality: _____</p> <p>(d) Professional Registration (if any): _____</p> <p>(e) Length of service with company _____ Years:</p> <p>(f) Years of experience _____</p> <p><i>(Attach Copies of Curriculum Vitaes of key staff of the above key personnel)</i></p>



3	<p>Generally, describe the experience and expertise your organization possesses that will enable you to effectively and efficiently undertake the work you are bidding for as required by NERCHA.</p> <p><i>Attach a copy of your organization's Company profile with reference to this assignment.</i></p>
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Signed: Date:

STAMPED

