



# The Kingdom of Eswatini

## ESWATINI REVENUE SERVICE

# Expression of Interest (EOI) Document for Customs Enforcement and Verification System

<b>Procurement Method:</b> <i>[open tender or limited tender]</i>	<b>Open Expression of Interest</b>
<b>Subject of Procurement:</b>	<b>Customs Enforcement and Verification System</b>
<b>Procurement Reference Number:</b>	<b>EOI2025/002</b>
<b>Date of Issue:</b>	<b>14 March 2025</b>
<b>Date of Submission:</b>	<b>28 March 2025</b>
<b>Participation</b> <i>[International or National]:</i>	<i>International</i>

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## SECTION A - INTRODUCTION

Tenderers are requested to complete their proposals following the outline indicated in this document:

### 1. BACKGROUND

The Eswatini Revenue Service (ERS) is a semi-autonomous revenue administration agency, established through the Revenue Authority Act No. 1 of 2008 (as amended). The ERS operates within the broad framework of Government but outside of the civil service. Through the Customs and Excise department, the ERS plays a key role in the facilitation of legitimate trade. It further administers regulatory provisions to ensure trade compliance through enforcement measures to ensure that goods imported or exported have been fully and accurately declared, with payment of the applicable duties and taxes.

The ERS has embraced digitalization in its transformative strategy and is striving to attain optimal automation of processes by using technology-driven solutions improve the overall efficiency and effectiveness in Customs operations. As a member of the World Customs Organization (WCO) the ERS aims to adopt and implement the concept of SMART borders for enhanced trade facilitation and improve the security of borders for safe movement of goods across borders. This echoes the goals outlined in the Eswatini National Trade Facilitation Roadmap which the ERS implements alongside the various entities and governmental regulatory agencies that are members of the National Trade Facilitation Committee.

### PROBLEM STATEMENT

The ERS uses an automated system for managing the submission and processing of Customs declarations to facilitate clearance of goods moving across the country's borders. This system is augmented by the application of risk management to better allocate scarce resources and focus interventions on targeted consignments for purposes of physical examinations. However, there are opportunities to significantly improve the impact of these measures to realize the objectives of facilitating legitimate

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## 2. PARTICIPATING COMPANIES

The Eswatini Revenue Service (ERS) invites all eligible service providers to submit their Expression of Interest (EOI) for the acquisition of a Customs Enforcement and Verification system for efficiency in trade facilitation and enhanced detection of consignments with a potential to violate regulatory provisions on clearance of goods.

## 3. OBJECTIVE

The objective of the expression of interest (EOI) is to obtain information and potentially pre-qualify Service Providers that can **deploy a Customs Enforcement and Verification System for the ERS**. Tendering will be conducted through an EOI procedure specified in the Eswatini Public Procurement Act, 2011, and policies laid down by the Eswatini Public Procurement Regulatory Agency (ESPPRA). Vendors that have submitted EOIs upon selection shall be required to make a presentation in any format and style they deem fit to demonstrate their ability to effectively develop Customs Enforcement and Verification System for the ERS.

## SECTION B - SCOPE OF WORK

The Customs Enforcement and Verification System shall deliver the following outcomes:

### 1. Deployment of non – intrusive equipment (scanner) for more effective physical examination of goods

- Facilitate expedited and comprehensive cargo examinations (including containerised goods)
- Automated selection of shipments for physical inspection
- Integration with X-ray scanners and radio frequency identification (RFID) tracking
- Document verification using OCR and blockchain
- Sanction screening for prohibited goods / entities
- Image processing and AI for matching goods descriptions or classification against declarations

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## 2. AI integrated with the Customs Risk Engine

- Machine Learning for Risk Profiling
- Automated risk assessment of shipments
- Integration with global trade databases
- AI-driven risk assessment models
- Profiling of traders and shippers for compliance history
- Anomaly detection in trade patterns

## 3. Verification of Declaration Documents against Physical Consignments

- AI-powered Document Verification
- Automated classification of goods
- Accuracy of declared quantities

## 4. Anti-Smuggling Measures

- Integration with law enforcement databases
- AI-driven anomaly detection in cargo manifests
- Blockchain-based tracking for sensitive goods

## 5. Integration and Interoperability

- Integration with Other Agencies
- Connectivity with border security, immigration, and financial institutions
- Automatic updates for tariff and trade agreements
- Data sharing with tax authorities and trade ministries

## 6. Interoperability with International Customs Systems

- Compliance with WCO's "Single Window" concept
- API support for trade platforms and logistics providers

## 7. Blockchain and IoT Integration

- Blockchain for tamper-proof trade documentation
- IoT sensors for real-time monitoring of cargo conditions

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## SECTION C : TERMS AND CONDITIONS OF TENDER

1. The purpose of this document is to pre-qualify suppliers who wish to be considered for the deployment of the Customs Enforcement and Verification System.
2. All bidders who wish to carry out the above-mentioned services for ERS must complete Section 1 to 4 below (Annexure A) in full.
3. Participation and/or completion of this pre-qualification stage by vendors shall not constitute an offer from ERS to provide the required services or a promise to enter Contract(s) with the ERS. Nor will it obligate the ERS in any way with regard to their final decision.
4. Failure to provide all the documentation and/or complete all requirements of this document at the time of submission shall invalidate this application.
5. The ERS is seeking reliable, financially stable service providers who can meet its stringent cost, quality and service requirements.
6. The tender document as well as all other correspondence and documents relating to the tender exchanged by the tenderer and the ERS, shall be written in the English language.
7. Tenderers should double check the prices quoted for accuracy before submitting their tender documents. Under no circumstances will the ERS accept any request for price adjustment on grounds that a mistake was made in the tendered prices.
8. To assist in the examination, evaluation and comparison of tenders, the ERS may, at its discretion, ask the tenderer for a clarification on any part of its tender. The request for clarification and the response shall be in writing, and no charge in the prices or substance of the tender shall be sought, offered, or permitted.
9. By submission of the tender, the Tenderer implicitly certifies that:
  - The prices in the tender have been arrived at independently without consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices, with any other Tenderer or competitor.
  - Unless otherwise required by law; the prices quoted in the tender have not knowingly been disclosed by the Tenderer and will not knowingly be disclosed, directly or indirectly, to any other Tenderer or competitor until he has been

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- No attempt has been made or will be made by the Tenderer to induce any other tenderer or competitor to submit or abstain from submitting a tender for the purpose of restricting competition.
10. The ERS does not bind itself to accept the lowest or any tender nor give any reason for the acceptance or rejection of a tender. The ERS may accept a tender for a part of the quantity offered or reject any tender without assigning any reason.
11. Acceptance or rejection of tender offer will be communicated by a formal acceptance or rejection letter sent by fax, email and or normal post, directly to the tenderer. An acceptance by such letter will not mean the ERS is binding itself to an agreement. The ERS shall only be bound under the agreement once the terms and conditions of the contract are agreed between the parties. Failure to agree thereto for a period exceeding thirty (30) days will render the whole tender transaction *void ab initio*.
12. The offers shall be deemed to be under consideration immediately after the tender closing date until the ERS makes an official award of contract. Whilst the offers are under consideration, Tenderers and or their representatives or other interested parties are advised to refrain from contacting the ERS by any means. If necessary, the ERS will obtain further clarifications on the offers by requesting for such information from any or all the tenderers, either in writing or through personal contacts, as may be considered necessary. The ERS reserves the right to eliminate from the evaluation a tenderer contravening this provision.
13. Tenderers will not be permitted to change the substance of their offers after the tender box has been opened. Tenders may modify or withdraw their bids after submission, provided that written notice of the modification is received by the ERS prior to the deadline for its submission. A withdrawal notice may also be sent to [procurement@ers.org.sz](mailto:procurement@ers.org.sz), but followed by a signed confirmation copy. The changes or modifications shall be initialled in black ink.
- No Bids may be modified after the deadline for submission of Bids.  
No Bids may be withdrawn in the interval between the deadline for submission of Bids and the expiration of its validity.
14. ERS reserves the right to modify or change the specifications or even cancel the tender before the tender opening and such modifications or changes will be communicated to the tenderers in advance as and when decided.

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15. Participation in this tender process, or in relation to any matter concerning the tender, will be at the tenderer's sole risk, cost and expense. ERS will not be responsible in any circumstance for any costs or expenses incurred by any tenderer in preparing or lodging a tender or in taking part in the tender process or taking any action related to the tender process.
16. Signed tender documents must be submitted by placing them in a suitably large envelope which must be sealed so as to ensure the contents cannot fall out or be viewed without opening the envelope.
17. Nothing shall prevent the ERS from conducting a diligence search of the business of the Tenderers.
18. Each page of the offer must be numbered consecutively, bear the tender number, signed and stamped by the Tenderer at the bottom. A reference to the total number of pages comprising the offer must be made at the top right-hand corner of the first page.
19. The tender shall have no interlineations, erasures, or overwriting except as necessary to correct errors made by the tenderer, in which case such corrections shall be initialled by the person or persons signing the tender.
20. Submissions made by Fax, Telex will not be accepted.
21. Completed EOI documents must be placed in the Tender Box situated at the **Eswatini Revenue Service, Ground Floor Reception, ERS HQ Ezulwini before 12h00 Noon on Friday, 28<sup>th</sup> March 2025. Portion 419 of Farm 50 Ezulwini Along MR 103 (Mvutshini-Gables Road) GPS Coordinates: S 26 25.120 E 31 10.623**
  - Alternatively, electronic tender documents may also be submitted by email to [tenders@ers.org.sz](mailto:tenders@ers.org.sz) in a zip folder and the attachments should be in pdf format.
  - Vendors are required to encrypt their proposals with different passwords. Password for technical proposals should be provided within 30 minutes after the deadline for submission. Tenderers who fail to provide their respective password or other means to access the document within 30 minutes after the tender opening may be deemed not to have submitted their tender.
  - For identification of your proposal, the folders should indicate with email

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22. Tenders or any part thereof received after the stipulated closing date and time will not be accepted. No tender may be modified after the deadline for submission of tenders.

23. There will be no Tender Opening Meeting.

24. The ERS observe the highest standard of ethics during the procurement process and execution of contracts. When used in the present regulations, the following terms are defined as follows;

20.1 “**corrupt practice**” means the offering, giving, receiving, or soliciting of anything of value to influence the action of a company official in the procurement process or in contract execution; and

20.2 “**fraudulent practice**” means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of ERS, and includes collusive practice among tenderers (prior to or after tender submission) designed to establish tender prices at artificial non-competitive levels and to deprive ERS of the benefits of free and open competition; ERS will reject a proposal for award if it determines that the tenderer recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question. Further a tenderer who is found to have indulged in corrupt or fraudulent practices risks being blacklisted from procurement at ERS.

20.3 Tenderers and their officers, employees, agents and advisers must not engage in any collusion, anti-competitive conduct or any other similar conduct with any other Tenderer or any other person in relation to the preparation or submission of tenders. In addition to any other remedies available under any law or any contract, the ERS may at its sole discretion immediately reject any tender submitted by a tenderer that engaged in any collusive tendering, anti-competitive conduct or any other similar conduct with any other tenderer or any other person in relation to the preparation or submission of Tenders.

20.4 Any collusion amongst Tenderers or between Tenderers and ERS personnel is forbidden and discovery of any such act will disqualify the Tenderer(s) and result in disciplinary action against the ERS employee.

The tender, or contract if it has been concluded already, will be declared invalid if ERS determines that the Tenderer, or any person acting on his behalf, has offered,

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promised or given a bribe, gift or other inducement to an officer or employee of ERS with the intention of influencing the award of the contract.

20.5 The tenderers must disclose, if they or any of their sub-contractor(s):

- are or have been the subject of any proceedings or other arrangements relating to bankruptcy, insolvency or financial standing.
- Have been convicted of any offence relating to professional misconduct.
- Has not fulfilled any obligations relating to the payment of taxes in Swaziland.
- Disclosure extends to any company in the same group of a tenderer (including but not limited to parent subsidiary and sister companies, and companies with common shareholders whether direct or indirect and parties with whom the tenderer is associated, in respect of this tender).

25. The Tenderer should provide satisfactory evidence acceptable to ERS to show that:

21.1 It is a reputable company who has adequate technical knowledge, professional qualification, and wide experience in performing project management services.

21.2 It has adequate financial stability and status to meet the stipulations under the contract. It is financially solvent and without current judgments or any other financial background which could prevent it from operating bank accounts, raising finance and conducting other activities which are essential to the running of a business.

21.3 It has an adequately qualified and experienced team assigned for the work under this tender.

26. The tender shall remain valid and open for acceptance by ERS for not less than ninety (90) days after the submission of tenders.

27. A tender document submitted by a joint venture (JV) of two or more companies must be accompanied by a document forming the joint venture; duly registered and authenticated by a notary public or other official deputed to witness sworn statements, in which precisely defined the conditions under which the joint venture will function, its period of duration, the persons authorized to represent it and obligated thereby, the participation of the several companies forming the joint venture, and any other information necessary to permit a full appraisal of its function. The JV agreement should be submitted with the tender documents.

28. Tenderers are advised to provide all relevant information as required.

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29. Any document submitted in reply to the Invitation to Tender shall become the property of the ERS. ERS will use commercially confidential or proprietary information solely for the purpose of the evaluation of tenders and the selection of a suitable contractor.
30. Figures should not be altered or erased; any alteration should be effected by striking through the incorrect figures and inserting the correct figures in ink above the original figures. All such amendments should be initialled by the Tenderer in ink.
31. Arithmetical errors will be rectified only if there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity. In such case, the unit price shall prevail, and the total price shall be corrected. If the tenderer does not accept the correction of the errors, his tender will be rejected. If there is a discrepancy between words and figures, the amount in words will prevail.
32. If the tenderer has any doubts as to the meaning of any portion of this document, he should set out in his covering letter the interpretation on which he relies.
33. The onus is on tenderers to furnish sufficient information for a full technical and financial evaluation of offers.
34. The ERS reserves the right at any point of the tender process, to disqualify any non-compliant tender proposal (i.e. proposals failing to meet the terms of these instructions) received;
35. The ERS reserves the right to consult referees, clients, or consultants, as entered in this pre-qualification document.
36. The ERS reserves the right to require the vendor to produce evidence in support of all details entered herein.
37. The ERS representative(s) may be required to visit the Company's premises to verify the details contained in this document. The vendor will allow the ERS representatives to interview present and previous clients.
38. Any query in connection with the Expression of Interest shall be submitted in writing to: Procurement Manager at [nbmatse@ers.org.sz](mailto:nbmatse@ers.org.sz) and copy [procurement@ers.org.sz](mailto:procurement@ers.org.sz) not later than **21<sup>st</sup> March 2025**.

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## **SECTION D : EVALUATION PROCESS AND CRITERIA**

Tenders shall be evaluated using the technical selection, but not limited to the following tender evaluation criteria:

### **Please note the following:**

- A tender which obtains less than 70% on the technical evaluation will be considered unresponsive
- No preference margin will be allocated to Swati Companies
- A Microsoft Teams meeting invite will be shared with respondents with a time schedule for presentations

### **1. Responsiveness of Tender Assessment**

This will determine whether:

- all required documentation and information has been submitted;
- all the tenders have been appropriately signed and authorised;
- the document has been submitted in the correct format; and

### **2. Resources and Capability Assessment**

This will address the experience and expertise of the Tenderer as well as the capability and qualifications of the key ESP personnel who will be operating under the contract, including the management and supervisory back-up. Where appropriate, reference checks are essential and must cover aspects such as:

- a. The Tenderer's track record: i.e. past performance of similar contracts; industry knowledge;
- b. The availability of trade references (A list of at least three suitable references is to be provided to support this process);
- c. The contractors managerial and expertise capacity (as evidenced by sound management practices as well as qualifications, experience and extent of involvement/availability of key personnel and supervisory staff) to deliver the services.
- d. Project implementation plan.

### **3. Technical Assessment**

The technical assessment will establish whether the tender meets the requirements set out in the specification and, if not, the significance of any variation from that specification.

### **4. Risk Assessment**

The assessment will establish all risk factors which may be prejudicial to the ERS and performance of the contract. This may include ascertaining the integrity and general

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conduct in business dealings, professional conduct of the tenderer's directors and senior management; compliance with the law and encumbrances which may hinder due performance under the contract. This may involve investigations into whether any of the directors and senior managers have criminal records in connection with corruption, fraud, theft or forgery; financial track record of the tenderer, etc.

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## EVALUATION CRITERIA AND WEIGHTINGS

Non-Price Elements: Criteria and weightings are summarised below;

Criteria Elements	Criteria Weighting Factors
<p><b>1. Resources and Capability</b></p> <ul style="list-style-type: none"> <li>• Reputation/brand/size of Tenderer.</li> <li>• Key personnel, relevant qualification(s) and relevant experience.</li> <li>• Experience in consulting in a similar project</li> <li>• Trade references (letter)</li> <li>• A list of relevant/similar projects completed within the last 3 years, complete with date, description, Project cost.</li> <li>• Impact of previous implementation of similar services:               <ul style="list-style-type: none"> <li>○ Summary of system capabilities</li> <li>○ Benefits &amp; Risks</li> </ul> </li> <li>• Contracts aborted (Failure to disclose this information may lead to cancellation of contract if awarded).</li> </ul>	45

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### 3. Technical Capability

- Quality of the product/service, i.e. extent to which it meets tender specification or scope.
- Understanding of the Assignment (Project)
- Presentation
- Work plan and methodology
- Implementation Approach
  - Technical solution and system design
  - Project implementation Plan
  - Approach for implementation of phased modules
  - Estimated implementation cost
- Key Organisational Readiness Criteria
  - provide at least 3 key organizational readiness criteria that you deem critical for the project
  - rated according to importance

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Key Criteria	Weight (%)	Reasons for the weighting
1. Criteria 1		
2. Criteria 2		
3. Criteria 3		

### 4. Risk Assessment

- All risk factors which may be prejudicial to ERS and performance of the contract, including but not limited to availability of resources (human, financial or suitable equipment for the tender) or extent of the Tenderer's commitment in other projects;
- Size of the tender in relation to the size of the company in order to determine the ability to complete the tendered works;
- Ascertaining the integrity and general conduct in business dealings, professional conduct of the Contractor's directors and senior management;
- Compliance with the law; (e.g. workmen's compensation etc.)
- Circumstances which may expose ERS and hinder due performance under the contract, e.g., criminal records in connection with corruption, fraud, theft or forgery by the contractor's directors and management etc.

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## DECLARATION OF ELIGIBILITY

*[The service provider must provide a signed declaration on its company letterhead in the following format. If the Proposal is being presented by a joint venture or consortium all members must each sign their own declaration.]*

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

***To: The Commissioner General, Eswatini Revenue Service Building, Portion 419 of Farm 50 Ezulwini, Along MR 103 (Mvutshini-Gables Road), P. O Box 5628 Mbabane***

Dear Sirs,

Re Tender Reference: **EOI 2025/002**

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 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 are 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 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 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 .....

Authorised Representative

Date .....

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## ANNEXURE A

### Section 1: Company Information

- 1.1 Company information
  - 1.1.1 Quote Contract Number - **ERS 2025/002**
  - 1.1.2 Name of the company
  - 1.1.3 Registered Physical address
  - 1.1.4 Postal Address
  - 1.1.5 Telephone
  - 1.1.6 Fax number
  - 1.1.7 Email of contact persons Address
- 1.2 Company profile
  - 1.2.1 Brief company profile including date of Company Registration
  - 1.2.2 Associated companies (if any) or holding company
  - 1.2.3 Name and Full address, and contact numbers of Bank to whom ERS may make inquiries to verify the financial viability of the Company
  - 1.2.4 Copy of certified audited financial statements for the last 2 financial years.
- 1.3 Labour Strength
  - 1.3.1 Number of staff based in
    - 1.3.1.1 Eswatini office
    - 1.3.1.2 Republic of South Africa office
    - 1.3.1.3 Other locations

### Section 2: Track Record

- 2.1 Implementation of similar services done in last 3 years (Complete Investment Lifecycle)
  - 2.1.1 Name of Client
  - 2.1.2 Contract Period
  - 2.1.3 Contact persons
- 2.2 Contracts aborted (Failure to disclose this information may lead to cancellation of contract if awarded).
- 2.3 Three referees (Preferably organisations in Africa)
  - 2.3.1 Name of contact person
  - 2.3.2 Company / Organization
  - 2.3.3 Telephone/ Email address

### Section 3: Implementation Approach

- 3.1 Project Plan
- 3.2 Approach for delivering the service – Phased Approach
- 3.3 Estimated implementation cost

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#### Section 4: Key Organisational Readiness Criteria

Please provide at least 3 key organizational readiness criteria that you deem critical when developing the Customs Enforcement and Verification System. These should be rated in terms of importance. Complete the table below.

Key Criteria		Weight (%)	Reasons for the weighting
1.	Criteria 1		
2.	Criteria 2		
3.	Criteria 3		

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